

Extra No. 12

वार्षिक खवाजमनो दर रु. ४०००/-

©



सत्यमेव जयते

# The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LX | TUESDAY, JULY 2, 2019/ ASADHA 11, 1941

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

## PART V

### Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the speaker given under the proviso to rule 127-A of the Gujarat Legislative Assembly Rules: -

**THE GUJARAT PROHIBITION OF TRANSFER OF IMMOVABLE  
PROPERTY AND PROVISION FOR PROTECTION OF TENANTS  
FROM EVICTION FROM PREMISES IN THE DISTURBED AREAS  
(AMENDMENT) BILL, 2019.**

**GUJARAT BILL NO. 12 OF 2019.**

**A BILL**

*further to amend the Gujarat Prohibition of Transfer of Immovable Property  
and Provision for Protection of Tenants from Eviction from premises in the  
Disturbed Areas Act, 1991.*

It is hereby enacted in the Seventieth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from premises in the Disturbed Areas (Amendment) Act, 2019.

(2) It shall come into force at once.

Amendment in section 2 of Guj. 12 of 1991.

2. In the Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from premises in the Disturbed Areas Act, 1991 (hereinafter referred to as "the principal Act"), in section 2, -

Guj. 12 of 1991.

(i) in clause (a), after the words and figure "under section 3", the words "and includes an area of five hundred meters adjacent to the boundary of the disturbed area" shall be added;

(ii) after clause (c), the following new clauses shall be added, namely:-

"(d) "proper clustering of persons of one community" with all grammatical variations and cognate expressions shall mean, in relation to a geographical area, a small or large social unit or a group of living things who have something in common, such as norms, religion, values, or identity and often share a sense of place that is situated in a given geographical area;

(e) "transfer" for the purposes of this Act in relation to an immovable property means a transfer of right, title or interest in or over such property or the possession thereof by way of sale, gift, exchange, lease or otherwise and includes allowing possession of such property to be taken or retained-

(i) under an agreement to sale; or

(ii) under the power of attorney; or

(iii) in part performance of contract of the nature referred to the nature referred to in section 53A of the Transfer of Property Act, 1882; or

4 of 1882.

(iv) under any other document, whether registered or not or whether notarized or not, evidencing transfer of possession of such property.