



Latest Laws.com

Helping Good People Do Good Things

Bare Acts & Rules

Free Downloadable Formats

Hello Good People !



The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. II] MONDAY, MARCH 27, 1961 / CAITRA 6, 1883

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

CONTENTS

	PAGES
GUJARAT ACT No. III OF 1961.—An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and that Act as extended to the Kutch area of the State of Gujarat.	8-9

The following Act of the Gujarat Legislature, having been assented to by the President on the 18th March 1961 is hereby published for general information.

M. G. MONANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT No. III OF 1961.

(First published after having received the assent of the President in the "Gujarat Government Gazette" On the 27th March 1961).

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and that Act as extended to the Kutch area of the State of Gujarat.

It is hereby enacted in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control Acts (Amendment) Act, 1961. Short title

Amendment of section 3 of Bom. LVII of 1947 and of that Act as extended to Kutch area.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and also in that Act as extended to the Kutch area of the State of Gujarat, in section 3, in sub-section (2), for the figures "1961" the figures "1963" shall be substituted.



The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IV] WEDNESDAY, JANUARY 16, 1963/PAUSA 26, 1884

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

CONTENTS

	PAGES
GUJARAT ACT NO. V OF 1963 — An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and to validate certain acts and proceedings thereunder.	12—13

The following Act of the Gujarat Legislature, having been assented to by the President on the 12th January 1963, is hereby published for general information:—

AKBAR S. SARELA,
Secretary to Government,
Legal Department.

GUJARAT ACT NO. V OF 1963.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 16th January 1963).

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and to validate certain acts and proceedings thereunder.

It is hereby enacted in the Thirteenth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Short title. Rates Control (Gujarat Amendment and Validation) Act, 1962.

Amendment
of Schedule
I to Bom.
LVII of 1947
and valida-
tion of certain
acts and pro-
ceedings
thereunder.

2. In Schedule I to the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (hereinafter referred to as "the principal Act"), in entry (v), under the heading "(a) Ahmedabad District", for the sub-entry "(14) Ranip-Hirpur Village", the sub-entry "(14) Rajpur-Hirpur Village" shall be, and shall be deemed always to have been, substituted; and accordingly Part II of the principal Act shall apply and shall be deemed always to have applied to premises in the said Rajpur-Hirpur Village let for residence, education, business, trade or storage; and anything done or any action taken before the commencement of this Act in respect of such premises (including any jurisdiction exercised by any Court or authority whatsoever and all proceedings conducted and orders passed, judgments pronounced, decrees made or executed) on the assumption that the said Part II applied to such premises shall be valid and shall not be called in question merely on the ground that the said Rajpur-Hirpur Village was not included in Schedule I to the principal Act at the time when any such thing was done or action was taken.

Bom.
LVII
of
1947.



The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IV]

TUESDAY, MARCH 26, 1963/CHAITRA 5, 1885

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS

	PAGES
GUJARAT ACT NO. XI OF 1963.—An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and that Act as extended to the Kutch area of the State of Gujarat.	40-41

The following Act of the Gujarat Legislature having been assented to by the President on the 24th March 1963 is hereby published for general information.

M. G. MONANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. XI OF 1963.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 26th March 1963).

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and that Act as extended to the Kutch area of the State of Gujarat.

It is hereby enacted in the Fourteenth Year of the Republic of India as follows :—

Short title 1. This Act may be called the **Bombay Rents, Hotel and Lodging House Rates Control Acts (Amendment) Act, 1963.**

Amendment of section 3 of Bom. LVII of 1947 and of that Act as extended to Kutch area. 2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 and also in that Act as extended to the Kutch area of the State of Gujarat, in section 3, in sub-section (2), for the figures "1963" the figures "1964" shall be substituted. Bom. LVII of 1947.



The Gujarat Government Gazette EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. IV]

TUESDAY, DECEMBER 31, 1963/PAUSA 10, 1885

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

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 31st December 1963 is hereby published for general information.

B. V. PARANJAPE,
Joint Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. LVII OF 1963

[First published, after having received the assent of the President in the *Gujarat Government Gazette* on the 31st December 1963].

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, for the purpose of extending it to, and bringing it into force in, the Saurashtra area and the Kutch area of the State of Gujarat and for certain other purposes.

It is hereby enacted in the Fourteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963. Short title and commencement.

(2) It shall come into force on such date as the State Government may by notification in the *Official Gazette* appoint.

2. In section 2 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (hereinafter referred to as "the principal Act"),— Amendment of section 2 of Bom. LVII of 1947.

(1) in sub-section (1), for the words "the Bombay area of the State of Gujarat" the words "the whole of the State of Gujarat" shall be substituted;

(2) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) Part II shall extend also to those areas of the Saurashtra area of the State of Gujarat to which Part II of the Saurashtra Rent Control Act, 1951 extended immediately before the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963.

Sau.
Act
XXII
of 1951.
Guj.
LVII
of
1963.

(2B) Parts II and III shall extend to those areas of the Kutch area of the State of Gujarat to which Parts II and III of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 as applied to the said Kutch area extended immediately before the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963.”

Guj.
LVII
of
1963.

Insertion of section 2A in Bom. LVII of 1947.

3. After section 2 of the principal Act, the following section shall be inserted, namely:—

Act to apply to Saurashtra and Kutch areas with certain modifications.

“2A. In its application to the Saurashtra area and the Kutch area of the State of Gujarat this Act shall be amended in the manner set forth in Parts I and II respectively of Schedule IA.”

Amendment of section 3 of Bom. LVII of 1947.

4. In section 3 of the principal Act,—

(1) to sub-section (1), the following proviso shall be added, namely:—

“Provided that in the areas to which this Act is extended by the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963 this Act shall come into force on the date on which the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963 comes into force.”;

Guj.
LVII
of
1963.

(2) in sub-section (2), for the figures “1964” the figures “1969” shall be substituted;

Guj.
LVII
of
1963.

(3) in sub-section (3), for the words “Bombay Act” the words “Gujarat Act” shall be substituted.

Amendment of section 4 of Bom. LVII of 1947.

5. In section 4 of the principal Act,—

(1) in sub-section (2),—

(a) for the words “may direct” the words “may, by a notification in the *Official Gazette*, direct” shall be substituted;

(b) for the words “apply generally” the following shall be substituted, namely:—

“apply,—

(a) generally—”;

(c) in sub-clause (ii), the words “and let at a nominal or concessional rent; or” shall be deleted;

(d) in sub-clause (iii), for the words “a local authority” the words “a local authority; or” shall be substituted;

(e) after sub-clause (iii), the following sub-clause shall be inserted, namely:—

“(iv) to premises vested by or under the Charitable Endowments Act, 1890, in the Treasurer of Charitable Endowments for India or for any State; or”;

VI of
1890.

(f) after sub-clause (iv) so inserted, the following clause shall be inserted, namely:—

“(b) for special reasons to be recorded, to any particular premises of the nature referred to in sub-clause (i), (ii) or (iii) of clause (a).”;

(2) after sub-section (2), the following Explanation shall be inserted, namely:—

Bom.
XXIX
of 1950.
XXIX
of 1954.

“Explanation.—For the purpose of this section “public trust” means a public trust registered or deemed to be registered under the Bombay Public Trusts Act, 1950 or a wakf registered or deemed to be registered under the Muslim Wakfs Act, 1954.”.

6. Section 4A of the principal Act shall be renumbered as sub-section (I) of that section and—

Amendment
of section 4A
of Bom. LVII
of 1947.

(1) to sub-section (I) so renumbered, the following proviso shall be added, namely:—

Guj.
LVII
of
1963.

“Provided that after the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963, no such order shall be made so as to have retrospective effect.”;

(2) after sub-section (I) so renumbered, the following sub-section shall be inserted, namely:—

“(2) If a local authority fails to comply with, or contravenes, any of the conditions or terms specified under sub-section (I) in respect of any premises belonging to that authority, the State Government may, by order, direct that the exemption of the premises of the local authority under sub-section (I) of section 4 shall cease to have effect from such date as may be specified in the order, and thereupon, the relevant provisions of this Act shall apply thereto as they apply to other premises :

Provided that, no such order shall be made, until the local authority has been given a reasonable opportunity of showing cause against the order to be made against it.”.

7. In section 5 of the principal Act,—

(1) after clause (9), the following clause shall be inserted, namely:—

Amendment
of section 5
of Bom. LVII
of 1947.

“(9A) “specified date” means —

(a) in relation to premises situated in the Bombay area of the State of Gujarat, the first day of September 1940 ;

(b) in relation to premises situated in the Saurashtra area of the State of Gujarat, the first day of January 1941 ;

(c) in relation to premises situated in the Kutch area of the State of Gujarat, the tenth day of November 1941.”;

(2) in clause (II), in sub-clause (c), for the words “at the time of” the words “at the time of, or within three months immediately preceding,” shall be substituted.

Amendment of section 8 of Bom. LVII of 1947. 8. In section 6 of the principal Act, in sub-section (1), after the words "trade or storage" the words "and also to open land let for building purposes" shall be inserted.

Amendment of section 7 of Bom. LVII of 1947. 9. In section 7 of the principal Act, for the words and figures "first day of September 1940" the words "specified date" shall be substituted.

Insertion of new section 10E in Bom. LVII of 1947. 10. After section 10D of the principal Act, the following section shall be inserted, namely:—

Increase in rent on account of payment of increased ground rent, etc.

"10 E. (1) Where a landlord is liable to pay in respect of any premises, any levy of, or increase in, the ground-rent, non-agricultural assessment or any other tax on land imposed by the State Government, he shall be entitled to make an increase in the rent of the premises by an amount not exceeding the increase paid by him by way of such ground-rent, non-agricultural assessment or tax, as the case may be. The amount of such increase in rent to be recovered from tenant shall bear the same proportion as the rent payable by him in respect of his premises bears to the total amount of the rent recoverable for the whole of the premises, if let.

(2) Any increase under sub-section (1) shall not be deemed to be an increase for the purposes of section 7."

Amendment of section 11 of Bom. LVII of 1947.

11. In section 11 of the principal Act,—

(1) in sub-section (1), in clause (a), for the words and figures "first day of September 1940" the words "specified date" shall be substituted.

(2) for sub-section (3), the following sub-sections shall be substituted, namely:—

"(3) If any application for fixing the standard rent or for determining the permitted increase is made by a tenant who has received a notice from his landlord under sub-section (2) of section 12, the Court shall make an order directing the tenant to deposit in Court forthwith, and thereafter monthly or periodically, such amount of rent or permitted increases as the Court considers to be reasonably due to the landlord pending the final decision of the application, and a copy of such order shall be served upon the landlord. Out of the amount so deposited, the Court may make order for the payment of such reasonable sum to the landlord towards payment of rent or increases due to him, as it thinks fit. If the tenant fails to deposit such amount, his application shall be dismissed.

(4) Where at any stage of a suit for recovery of rent, whether with or without a claim for possession of the premises, the Court is satisfied that the tenant is withholding the rent on the ground that the rent is excessive and standard rent should be fixed, the Court shall, and in any other case if it appears to the Court that it is just and proper to make such an order the Court may, make an order directing the tenant to deposit in Court forthwith such amount of rent as the Court considers to be reasonably due to the landlord. The Court may further make an order directing the tenant to deposit in Court, monthly or periodically, such amount as it considers proper as interim standard rent during the pendency of the suit. The Court may also direct that if the tenant fails to comply with any such order within such time as may be allowed by it, he shall not be entitled to appear in

or defend the suit except with leave of the Court which leave may be granted subject to such terms and conditions as the Court may specify.

(5) No appeal shall lie from any order of the Court made under sub-section (3) or (4).

(6) An application under this section may be made jointly by all or any of the tenants interested in respect of the premises situated in the same building."

12. In section 13 of the principal Act,—

(1) in sub-section (1) —

(a) in clause (b), for the words "that the tenant" the words, figures and letter "that, save as otherwise provided in section 23A, the tenant" shall be substituted;

(b) after clause (e), the following clause shall be inserted, namely:—

"(ee) that the tenant has, after the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963, given the whole or any part of the premises on licence for monetary consideration to any person, without the previous permission of the landlord;"

(c) the following Explanation shall be added at the end, namely:—

"*Explanation.*—For the purposes of clause (b), no permanent structure shall be deemed to be erected on any premises merely by reason of the construction of a partition wall, door or lattice work or the fitting of kitchen-stand or such other alterations made in the premises as can be removed without serious damage to the premises."

(2) in sub-section (2), for the Explanation, the following shall be substituted, namely:—

"*Explanation.*—For the purposes of clause (g) of sub-section (1)—

(a) a person shall not be deemed to be a landlord unless he has acquired his interest in the premises at a date prior to the beginning of the tenancy or the first day of January 1964, whichever is later, or if the interest has devolved on him by inheritance or succession, his predecessor-in-title had acquired the interest at a date prior to the beginning of the tenancy or the first day of January 1964, whichever is later;

(b) the expression "landlord" shall not include a rent-farmer or rent-collector."

(3) in sub-section (3A), the following proviso shall be added at the end, namely:—

"Provided that, where the Court is satisfied that the work of demolishing the premises could not be commenced or completed, or the work of erection of the new building could not be completed, within time for reasons beyond the control of the landlord, the Court may by order extend the period by such further periods, not exceeding three months at a time, as may, from time to time, be specified."

Amendment
of section 13
of Bom. LVII
of 1947.

Insertion of new section 13A in Bom. LVII of 1947. 13. After section 13 of the principal Act, the following section shall be inserted, namely:—

Permission to construct additional structure.

“13A. Where the landlord proposes to make any improvement in, or construct any additional structure on, any building which (or part of which) has been let to a tenant, and the tenant refuses to allow the landlord to make the improvement or construct such additional structure, if the Court, on an application made to it in this behalf by the landlord, is satisfied that such work will not cause undue hardship to the tenant, the Court may permit the landlord to do such work, and may make such other order as it thinks fit in the circumstances of the case.”.

Amendment of section 15 of Bom. LVII of 1947.

14. In section 15 of the principal Act, for sub-section (2), the following shall be substituted, namely:—

“(2) The bar against sub-letting, assigning or transferring premises contained in sub-section (1) shall be deemed not to have had any effect before the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Ordinance, 1959, in any area in which this Act was in operation before such commencement; and accordingly, notwithstanding anything contained in any contract or in the judgment, decree or order of a Court, any such sub-lease, assignment or transfer in favour of such persons as have entered into possession despite the bar as sub-lessees, assignees or transferees, and have continued in possession at the commencement of the said Ordinance, shall be deemed to be valid and effectual.”.

Insertion of new section 15A in Bom. LVII of 1947.

15. After section 15 of the principal Act, the following section shall be inserted, namely:—

Landlord's permission necessary for giving on licence.

“15A. Notwithstanding anything contained in any law, it shall not be lawful after the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963 for any tenant to give premises or any part thereof on licence for monetary consideration without the previous permission of the landlord.”.

Amendment of section 17A of Bom. LVII of 1947.

16. In section 17A of the principal Act, in sub-section (1), after the words “the said section” the words “or extended under the proviso to the said sub-section” shall be inserted.

Amendment of section 18 of Bom. LVII of 1947.

17. In section 18 of the principal Act, in sub-section (3), for the words and figures “first day of September 1940” the words “specified date” shall be substituted.

Amendment of section 23 of Bom. LVII of 1947.

18. In section 23 of the principal Act, in sub-section (2), for the second proviso, the following shall be substituted, namely:—

“Provided further that the amount so deducted or recoverable in any year shall not exceed *one-fourth* of the rent payable by the tenant for that year, excluding therefrom *one-fourth* of the proportionate taxes in respect of his premises payable to a local authority for that year.”.

19. After section 23 of the principal Act, the following section shall be inserted, namely:—

Insertion of section 23A in Bom. LVII of 1947.

IX of 1910.

“23A. (1) When a tenant desires to get supply of electricity at his own cost from a licensee within the meaning of the Indian Electricity Act, 1910 and the owner of the premises does not give his consent therefor, the tenant may apply to the Collector setting out the scheme for such supply.

Tenant entitled to supply of electricity at his cost.

(2) On receipt of such application the Collector may, after giving the landlord and the owner of the premises if he be not the landlord, opportunity of being heard, permit the tenant to get the supply in accordance with the scheme set out in the tenant's application or in accordance with any modified scheme.

IX of 1910.

(3) On such permission being given, notwithstanding anything contained in any contract or in any other law for the time being in force, the owner shall be deemed to have given the requisite consent under sub-section (2) of section 12 of the Indian Electricity Act, 1910 and the licensee shall not be liable to the owner for trespass for steps taken for supply of electricity according to the said permission.”

20. In section 49 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:—

Amendment of section 49 of Bom. LVII of 1947.

“(3) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication.

(4) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or to such modifications as the State Legislature may make during the session in which they are so laid, or the session immediately following.

(5) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.”

21. After section 50 of the principal Act, the following section shall be inserted, namely:—

Insertion of section 51 in Bom. LVII of 1947.

Sau. Act XXII of 1951. Bom. LVII of 1947.

“51. The Saurashtra Rent Control Act, 1951 and the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 as extended to the Kutch area of the State of Gujarat by the Government of India, Ministry of States, Notification No. 215-J, dated the 19th September 1951 are hereby repealed:

Repeal of Sau. Act XXII of 1951 and of Bom. LVII of 1947 as extended to Kutch area and saving.

Provided that—

(1) such repeal shall not ---

(i) affect the previous operation of any law so repealed or anything duly done or suffered thereunder ;

(ii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under any law so repealed ;

(iii) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any law so repealed ; or

(iv) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and

(2) any such investigation, legal proceeding or remedy may be continued, instituted or enforced and any such penalty, forfeiture and punishment may be imposed, as if the aforesaid law had not been repealed :

Provided further that, subject to the preceding proviso, anything done or any action taken under any such law, including any notification, order, notice or receipt issued or agreement made, shall be deemed to have been done, taken, issued or made under the corresponding provisions of this Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Act."

Insertion of
Schedule IA
in Bom. LVII
of 1947.

22. After Schedule I of the principal Act, the following shall be inserted as Schedule IA, namely :—

"SCHEDULE IA.

(See section 2A.)

PART I.

Amendments of the Act in its application to the Saurashtra area of the State of Gujarat.

1. In section 5, for clause (10), the following shall be substituted, namely :—

"(10) "standard rent" in relation to any premises means —

(a) where the standard rent is fixed by any Court or authority authorised to do so by any law in force immediately before the 20th December 1948, such rent; or

(b) where the standard rent is not so fixed, subject to the provisions of section 11,

(i) the average rent for the month during the calendar year 1941 or during the period in the said year in which the premises were let, plus an amount not exceeding ten per cent. of the rent on the 1st day of January 1943, or

(ii) where they were not let on the 1st day of January 1941, the rent at which they were last let before that day, plus an amount not exceeding ten per cent. of the rent on the 1st day of January 1943, or

(iii) where they were first let after the 1st day of January 1941, the rent at which they were first let, or

(iv) in any of the cases specified in section 11, the rent fixed by the Court."

2. Section 10C shall be omitted.
3. In section 10D, in sub-section (1), the proviso shall be omitted.

PART II.

Amendments of the Act in its application to the Kutch area of the State of Gujarat.

1. In section 5, for clause (10), the following shall be substituted, namely :-

"(10) "standard rent" in relation to any premises means,—

(i) the rent at which the premises were let on the specified date, or

(ii) where they were not let on the specified date, the rent at which they were last let before that date, or

(iii) where they were first let after the specified date, the rent at which they were first let, or

(iv) the rent fixed by the Rent Controller under the Kutch Rent Restriction Order revived by Order No. J-3849, dated the 15th September 1947, or

(v) in any of the cases specified in section 11, the rent fixed by the Court."

2. Section 10C shall be omitted.
3. In section 10D, in sub-section (1), the proviso shall be omitted."



The Gujarat Government Gazette EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VI]

FRIDAY, JUNE 18, 1965/JYAISTHA 28, 1887

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

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 18th June 1965 is hereby published for general information,

B. V. PARANJAPE,
Joint Secretary to Government,
Legal Department.

GUJARAT ACT NO. 18 OF 1965.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*" on the 18th June 1965.)

An act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Sixteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1965. Short title
and
commence-
ment.

(2) It shall come into force at once.

2. In sub-section (2) of section 4 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, (hereinafter referred to as "the principal Act"), in clause (a), after sub-clause (iv), the following sub-clause shall be inserted, namely:— of section
of Bom.
LVII of 1947

"(v) to premises constructed or purchased out of the Public Trusts Administration Fund established under section 57 of the Bombay Public Trusts Act, 1950 and vesting in the Charity Commissioner; or".

Bom.
XXIX
of
1950.

Amendment
of Section 5
of Bom.
LVII of 1947.

3. In section 5 of the principal Act,—

(1) in clause (9A), in sub-clause (a), after the words "State of Gujarat", the words "excluding the areas of the merged territories of the former State of Baroda" shall be inserted and shall be deemed to have been inserted with effect on and from the date on which the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Extension and Amendment) Act, 1963 came into force;

Guj.
LVII
of
1963.

(2) in clause (II), for sub-clause (c), the following shall be substituted, namely :—

"(c) (i) in relation to premises let for residence, any member of the tenant's family residing with the tenant at the time of, or within three months immediately preceding, the death of the tenant as may be decided in default of agreement by the Court, and

(ii) in relation to premises let for business, trade or storage, any member of the tenant's family carrying on business, trade or storage with the tenant in the said premises at the time of the death of the tenant as may continue, after his death, to carry on the business, trade or storage, as the case may be, in the said premises and as may be decided in default or agreement by the Court."

Insertion of
section 10-CC
in Bom.
LVII of 1947.

4. After section 10C of the principal Act, the following new section shall be inserted, namely :—

"10-CC. (1) In the Saurashtra area and the Kutch area of the State and in the areas of the merged territories of the former Baroda State, in the case of premises let on or before the specified date and used for the purposes of a cinema, a landlord shall also be entitled to make an increase in the rent of such premises by an addition to the rent at a rate not exceeding fifty per cent of the standard rent.

(2) Any increase under sub-section (1) shall not be deemed to be an increase for the purposes of section 7.

Explanation.—For the purposes of this section, the expression "premises" shall have the same meaning as is assigned to it in sub-clause (b) of clause (8) of section 5."

5. In section 29 of the principal Act, for sub-section (2), the following shall be substituted, namely :—

"(2) No further appeal shall lie against any decision in appeal under sub-section (1), but the High Court may, for the purpose of satisfying itself that any such decision in appeal was according to law, call for the case in which such decision was taken and pass such order with respect thereto as it thinks fit".

Amendment
of section 29
of Bom. LVII
of 1947.



The Gujarat Government Gazette
EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. X]

SUNDAY, MARCH 30, 1969/CAITRA 9, 1891

Separate paging is given to this Part in order that it may
be filed as a separate compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the
President on the 29th March 1969 is hereby published for general information.

N. C. BUCH,
Deputy Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 4 OF 1969.

(First published after having received the assent of the President in the "*Gujarat
Government Gazette*" on the 30th March 1969.)

An Act further to amend the Bombay Rents, Hotel and Lodging House
Rates Control Act, 1947.

It is hereby enacted in the Twentieth Year of the Republic of India as follows:—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Short title.
Control (Gujarat Amendment) Act, 1969.

2. In section 3 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, in sub-section (2), for the figures "1969" the figures "1974" shall be substituted. Amendment of section 3 of Bom. LVII of 1947.

Bom.
LVII,
of
1947.



The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XV] SUNDAY, MARCH 31, 1974/CAITRA 10, 1896

Separate paging is given to this Part in order that it may
be filed as a separate compilation.

PART VI

Acts of Parliament and Ordinances promulgated by the President.

GOVERNMENT OF GUJARAT

LEGAL DEPARTMENT

Sachivalaya, Gandhinagar, 31st March, 1974.

No. 6403/B.—The following President's Acts assented on the 30th March, 1974, are published for general information.

THE BOMBAY RENTS, HOTEL AND LODGING HOUSE RATES CONTROL

(GUJARAT AMENDMENT) ACT, 1974.

[Act No. 5 of 1974]

Enacted by the President in the Twenty-fifth Year of the Republic of India.

AN ACT

further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, as in force in the State of Gujarat.

11 of 1974. In exercise of the powers conferred by section 3 of the Gujarat State Legislature (Delegation of Powers) Act, 1974, the President is pleased to enact as follows :—

Amendment
of section 3.

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1974. Short
title.

2. In section 3 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, as in force in the State of Gujarat, in sub-section (2), for the words, figures and letters "the 31st day of March, 1974", the words, figures and letters "31st day of March, 1976" shall be substituted. Bom-
bay
Act
LVII
of
1947.

V. V. GIRI
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

REASONS FOR THE ENACTMENT

The Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (as in force the State of Gujarat) *inter alia*, prohibits landlords from increasing the rents above the maximum permitted under the Act, confers security of tenure on the tenants and permits landlords to recover possession only on certain specified grounds. This Act will be in force only upto the 31st of March, 1974. As the problem of housing in the State of Gujarat continues to be acute, it is considered necessary to extend the duration of the Act for a further period of two years, i. e., upto the 31st of March, 1976. The present measure is being enacted to give effect to the said proposal.

2. In view of the urgency of the matter, it is not practicable to consult the Consultative Committee of Parliament on Gujarat Legislation. The measure is accordingly being enacted without reference to the Consultative Committee.

N. K. MUKARJI,
Secretary to the Government of India,
Ministry of Home Affairs.



सत्यमेव जयते

The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XVII] WEDNESDAY, MARCH 31, 1976/CAITRA 11, 1898

Separate paging is given to this Part in order that it may
be filed as a separate compilation.

PART IV

**Acts of the Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.**

The following Act of the Gujarat Legislature having been assented to by the President on the 29th March 1976 is hereby published for general information.

S. L. TALATI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 16 OF 1976.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*" on the 31st March 1976).

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1976.

2. In section 3 of the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, in sub-section (2), for the words, figures and letters "the 31st day of March 1976" the words, figures and letters "the 31st day of March 1981" shall be substituted.

Bom.
LVII
of
1947.

Amendment
of section 3
of Bom. LVII
of 1947.



The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXII]

MONDAY, MARCH 30, 1981/CAITRA 9, 1903

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

PART IV

Acts of the Gujarat Legislature and Ordinance promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 30th March, 1981 is hereby published for general information.

J. P. VASAVADA,
Joint Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 15 OF 1981.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 30th March, 1981.)

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Thirty-second Year of the Republic of India as follows:—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1981. short title.

Amendment
of
section 3
of Bom.
LVII of
1947.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, Bom. LVII in section 3, in sub-section (2), for the words, figures and letters "the 31st day of March, 1981" the words, figures and letters "the 31st day of March 1991" shall be substituted.



The Gujarat Government Gazette
EXTRAORDINARY
 PUBLISHED BY AUTHORITY

Vol. XXV] MONDAY, APRIL 29, 1985/VAISAKHIA 9, 1907

Separate pricing is given to this Part in order that it may be filed as a separate Compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 26th April 1985 is hereby published for general information.

P. M. CHAUHAN
 Secretary to the Government of Gujarat,
 Legal Department.

GUJARAT ACT NO. 7 OF 1985.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 27th April 1985.)

An Act further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Thirty-sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1985.

(2) It shall come into force at once.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (hereinafter referred to as "the principal Act"), in section 12, in sub-section (3), in clause (b), for the portion beginning with the words "and thereafter continues" and ending with the words "also pays costs of the suit as directed by the Court" the following shall be substituted, namely :

Short title and commencement.

Amendment of section 12 of Bom. LVII of 1947.

Bom. LVII of 1947.

“and thereafter,—

(i) continues to pay or tender in Court such rent and permitted increases till the suit is finally decided; and

(ii) pays costs of the suit

as directed by the Court.”.

Insertion
of new
section 13AA
in Bom.
LVII of
1947.

3. In the principal Act, after section 13, the following section shall be inserted, namely :—

Right of
members of
armed forces
of Union and
their widows
and heirs to
recover poss-
ession of
premises re-
quired for
their
occupation.

“13AA. (1) Notwithstanding anything to the contrary contained in this Act or in any contract,—

(a) a specified landlord shall be entitled to recover from his tenant the possession of any premises owned by him or by any member of his family, on the ground that such premises are *bonafide* required by him for occupation by himself or by any member of his family and on receipt of an application made by the specified landlord for the purpose of recovery of possession of the premises, the competent authority shall make an order of eviction on that ground if the specified landlord produces a certificate granted by the authorised officer to the effect that,—

(i) he is a member of the armed forces of the Union, or that he was such a member and has retired as such, and

(ii) he does not possess any other premises, suitable for residence in the local area where the premises are situated;

(b) a successor-in-interest who becomes the landlord of the premises owned by such member of the armed forces of the Union, as a result of death of such member while in service or within five years of his retirement, shall be entitled to recover possession of such premises on the ground that the premises are *bonafide* required for occupation by the successor-in-interest himself or by any member of the family of the deceased member and on receipt of an application made by the successor-in-interest for the purpose of recovery of possession of the premises, the competent authority shall make an order of eviction on that ground if the successor-in-interest produces a certificate granted by the authorised officer to the effect that,—

(i) the successor-in-interest is a widow or any other member of the family of the deceased member of the armed forces of the Union; and

(ii) such successor-in-interest, does not possess any other premises suitable for residence in the local area where such premises are situated.

(2) Any certificate, granted under clause (a) or clause (b) of sub-section (1) shall be conclusive evidence of the facts stated therein.

- (3) (a) No order for eviction shall be made under this section if the competent authority is satisfied that, having regard to all the circumstances of the case including the question whether other reasonable accommodation is available for the specified landlord or, as the case may be, the successor-in-interest or the tenant, greater hardship would be caused by making the order than by refusing to make it.
- (b) Where the competent authority is satisfied that no hardship would be caused either to the tenant or to the specified landlord or, as the case may be, the successor-in-interest by making the order in respect of a part of the premises, the competent authority shall make the order in respect of such part only.

Explanation.—For the purpose of this section,—

(1) “authorised officer”, in relation to a member of the armed forces of the Union, means his commanding officer or head of service including—

- (i) in the case of an officer retired from Army, the Area Commander,
- (ii) in the case of an officer retired from the Navy, the Flag Officer Commanding-in-Chief, Naval Command, and
- (iii) in the case of an officer retired from the Air force, the Station Commander;

(2) “competent authority” means the authority appointed under section 31A;

(3) “member of the family” in relation to a member of the armed forces of the Union, means any of the following members of his family who is ordinarily residing with him and who is dependent on him and where such member has retired or died, any member of his family who is so resident or dependent at the time of his retirement, or as the case may be, death, namely :—

spouse, father, mother, son, daughter, grandson, grand-daughter, son's wife, grandson's wife, widow of a predeceased son or grand-son;

(4) “specified landlord” means a person who is a member of the armed forces of the Union or who was such member and has duly retired prematurely or otherwise and who or a member of whose family owns any premises;

(5) “successor-in-interest” in relation to a deceased member of the armed forces of the Union means,—

(i) if the deceased member has a spouse living at the time of his death, such spouse, and

(ii) in any other case, any other member of his family.”

Insertion
of new
section 31A
in Bom.
LVII of
1947.

4. In the principal Act, in Part II, after section 31, the following section shall be inserted, namely :—

Special proce-
dure for
disposal of
certain
applications.

“31A. (1) The State Government may, by notification in the *Official Gazette*, appoint as many persons as it thinks fit as competent authorities for the purpose of exercising the powers conferred, and performing the duties imposed on the competent authority under this section and shall define the local limits within which any competent authority so appointed shall exercise such powers and perform such duties.

(2) A person shall not be qualified for appointment as a competent authority unless he had held a judicial office for at least five years or has been practising as an advocate or pleader for at least seven years.

(3) Notwithstanding anything to the contrary contained in this Act, an application for eviction on the ground specified in section 13AA shall be made to the competent authority which shall deal with the application in accordance with the procedure laid down in this section.

(4) The competent authority shall issue summons, in relation to every application referred to in sub-section (3), in the form specified in Schedule IV.

(5) (a) The competent authority shall, in addition to, and simultaneously with, the issue of summons for service on the tenant, also direct the summons to be served by registered post (acknowledgement due), addressed to the tenant or his agent empowered to accept the service at the place where the tenant or his agent actually and voluntarily resides or carries on business or personally works for gain and may, if the circumstances of the case so require, also direct the publication of the summons in a newspaper circulating in the locality in which the tenant is last known to have resided or carried on business or personally worked for gain.

(b) When an acknowledgement purporting to have been signed by the tenant or his agent is received by the competent authority or the registered article containing the summons is received back with an endorsement, purporting to have been made by a postal employe to the effect that the tenant or his agent had refused to take delivery of the registered article, the competent authority may declare that there has been a valid service of summons.

(6) The tenant, on whom the summons is duly served (whether in the ordinary way or by registered post) in the form specified in Schedule IV shall not contest the prayer for eviction from the premises unless he files an affidavit stating the grounds on which he seeks to contest the application for eviction and obtains leave from the competent authority as hereinafter provided and in default of his appearance in pursuance of the summons or his obtaining such leave the statement made by the landlord in the application for eviction shall be deemed to be admitted by the tenant and the applicant shall be entitled to an order for eviction on the ground aforesaid.

(7) The competent authority shall give to the tenant leave to contest the application if the affidavit filed by the tenant discloses such facts as would disentitle the landlord from obtaining an order for the recovery of possession of the premises on the ground specified in section 13AA.

(8) Where leave is granted to the tenant to contest the application, the competent authority shall commence the hearing of the application as early as practicable.

(9) The competent authority shall, while holding an inquiry in a proceeding to which this section applies, follow the practice and procedure of a Court of Small Causes, including the recording of evidence.

(10) No appeal shall lie against an order for the recovery of possession of any premises made by the competent authority in accordance with the procedure specified in this section :

Provided that the High Court may, for the purpose of satisfying itself that an order made in any case by the competent authority under this section is according to law, call for the record of that case and pass such order in respect thereto as it thinks fit.

V of
1908.

(11) Where no application has been made to the High Court for revision, the competent authority may exercise the powers of review in accordance with the provisions of Order XLVII of the First Schedule to the Code of Civil Procedure, 1908.

(12) If any person refuses or fails to comply with the order of the eviction within thirty days of the date on which it has become final, the competent authority or any other officer duly authorised by such competent authority in this behalf, may evict that person from and take possession of, the premises and deliver the same to the landlord and for that purpose, use such force as may be necessary.

(13) In respect of an application for eviction on the ground specified in section 13AA made to the competent authority the provisions of section 17 shall apply as if for sub-sections (1) and (2) the following sub-sections had been substituted, namely :—

“(1) Where an order for eviction has been made by the competent authority under section 13AA and the premises are not occupied or the premises are re-let within one year from the date the specified landlord or the successor-in-interest recovers possession, to any person other than the original tenant, the competent authority may on the application of the original tenant made within 13 months of such date order the specified landlord or the successor-in-interest to place the original tenant in occupation of the premises on the original terms and conditions, and on such order being made the specified landlord or the successor-in-interest or any person who may be in occupation of the premises shall give vacant possession to the original tenant.

Guj.
Ord.
10 of
1984.

6. (1) The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Ordinance, 1984 is hereby repealed.

Repeal
and
savings.

(2) Notwithstanding such repeal anything done or, any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.



सत्यमेव जयते

The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXXII] WEDNESDAY, MARCH 27, 1991/CAITRA 6, 1913

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

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 26th March, 1991 is hereby published for general information.

R. M. MEHTA,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 6 OF 1991.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 27th March, 1991)

AN ACT

further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Forty-second Year of the Republic of India as follows :—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 1991. Short title.

Amend-
ment of
section 3
of Bom.
LVII of
1947.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, Bom
in section 3, in sub-section (2), for the words, figures and letters "the 31st day LVI
of March, 1991", the words, figures and letters "the 31st day of March, 2001" of
shall be substituted. 1947



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL XLII]

WEDNESDAY, SEPTEMBER 5, 2001 /BHADRA 14, 1923

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

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 4th September, 2001 is hereby published for general information.

V. M. KOTHARE,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO.26 OF 2001.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*", on the 5th September, 2001).

AN ACT

further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Fifty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Act, 2001.

Short title and commencement.

(2) It shall be deemed to have come into force on the 30th March, 2001.

Amendment
of section 3
of Bom.
LVII of
1947.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (hereinafter referred to as "the principal Act"), in section 3, in sub-section (2), for the words, figures and letters "the 31st day of March, 2001", the words, figures and letters "the 31st day of March, 2011" shall be substituted.

Bom. LVII
of 1947.

Insertion of
new section
11B in
Bom. LVII
of 1947.

3. In the principal Act, after section 11A, the following new section shall be inserted, namely:—

Right of
tenants in
new
building
when
premises
damaged or
destroyed
due to
natural
calamity.

"11B. Notwithstanding anything contained in this Act, where by reason of earthquake or any other natural calamity, any material part of the premises is wholly destroyed or rendered substantially and permanently unfit for the purpose for which it was let,—

(a) the landlord shall erect new building at the original site, subject to the provisions of any rules, bye-laws or regulations, made by a local authority, not later than twelve months from the date on which material part of premises of the building is wholly destroyed or rendered substantially and permanently unfit:

Provided that the State Government may for sufficient reasons extend the said period of twelve months to such further period not exceeding twelve months as it thinks fit.

(b) the tenant shall have the right to occupy a tenement in the new building erected at the original site by the landlord, and

the provisions of sections 17B and 17C shall, so far as may be, apply."

Amendment
of section
12 of
Bom. LVII
of 1947.

4. In the principal Act, in section 12, after sub-section (1A), the following sub-section shall be inserted, namely :—

"(1B) Notwithstanding anything contained in this Act, where by reason of earthquake or any other natural calamity, any material part of premises is wholly destroyed or rendered substantially and permanently unfit for the purpose for which it was let, the landlord shall not be entitled to—

(a) standard rent and permitted increases due for the premises,

(b) recover possession of such premises merely on the ground of non payment of standard rent and permitted increases due,

during the period in which such premises remained so destroyed or unfit."

5. In the principal Act, in section 17D,—

**Amendment
of section
17D of
Bom.LVII
of 1947.**

(1) sub-section (1) shall be renumbered as clause (a) of that sub-section and in clause (a) as so renumbered,—

(i) after the words, figure and letter " of section 11A", the words, brackets, figure and letters " or as the case may be, in clause (a) of section 11B" shall be inserted;

(ii) for the words "exist or not", the words, figure and letter "or section 11B exist or not" shall be substituted;

(2) after clause (a) as so renumbered, the following clause shall be inserted, namely :—

" (b) The terms and conditions for providing accommodation to tenants after erection of new building shall be such as may be prescribed. "

6. In the principal Act, in section 49, in sub-section (2), after clause (aai), the following clause shall be inserted, namely:—

**Amendment
of section 49
of Bom.LVII
of 1947.**

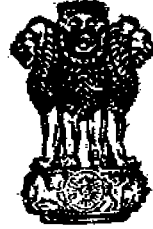
" (aaai) the terms and conditions for providing accommodation to tenants under clause (b) of sub-section (1) of section 17D."

Guj. Ord. 1
of 2001.

7. (1) The Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Amendment) Ordinance, 2001 is hereby repealed.

**Repeal and
savings.**

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL XLII]

TUESDAY, OCTOBER 30, 2001 /KARTIKA 8, 1923

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

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act, of the Gujarat Legislature, having been assented to by the President on the 16th October, 2001 is hereby published for general information.

V. M. KOTHARE,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gujarat Act No.27 of 2001.

(First published, after having received the assent of the President in the "Gujarat Government Gazette", on the 30th October, 2001).

AN ACT

further to amend the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

It is hereby enacted in the Fifty-second Year of the Republic of India as follows :—

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Second Amendment) Act, 2001.

Short title.

Bom. LVII
of 1947.

2. In the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947, in section 4, after sub-section (1), the following sub-section shall be inserted, namely:—

Amend-
ment of
section 4 of
Bom. LVII
of 1947.

"(1A) This Act shall not apply to —

(a) any premises constructed on or after the commencement of the Bombay Rents, Hotel and Lodging House Rates Control (Gujarat Second Amendment) Act, 2001 (hereinafter referred to as "the amending Act");

Guj. 27
of
2001.

(b) any existing premises which is self-occupied by the owner or vacant on or after the commencement of the amending Act, and is let after such commencement;

for a period of ten years from the date of the commencement of the amending Act.

Explanation.—For the purposes of this section, "existing premises" means any premises which exists on the date of the commencement of the amending Act.