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

PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Gujarat Acts.

REVENUE DEPARTMENT NOTIFICATION

Sachivalaya, Gandhinagar, 16th December, 2020.

GUJARAT LAND GRABBING (PROHIBITION) ACT, 2020.

No. GHM/2020/141/M/JMN/102020/713/L1:- In exercise of the powers conferred by sub-section (1) of Section 16 of the Gujarat Land Grabbing (Prohibition) Act, 2020, (Guj. 11 of 2020), the Government of Gujarat hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Gujarat Land Grabbing (Prohibition) Rules, 2020.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definition.- (1) In these rules, unless the context otherwise requires,-

(a) 'Act' means the Gujarat Land Grabbing (Prohibition) Act, 2020;

(b) 'court' means the Special Court constituted under section 7 of the Act;

(c) 'Form' means a Form appended to these rules;

(d) 'section' means a section of the Act;

(e) 'village' means revenue village declared under section 7A of the Gujarat Land Revenue Code, 1879.

(2) Words and expressions used but not defined in these rules and defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Procedure for making application.-

(1) An application shall be presented in person or by post to the District Collector having jurisdiction over the area where the disputed land is situated.

(2) Every application shall be made in the prescribed Form and shall be duly signed and verified by the applicant.

(3) Every application shall be accompanied by true copies of all the documents in triplicate, duly signed in each page on which the applicant proposes to rely.

(4) Acknowledgment receipt of the application shall be given and an entry shall be made in the register maintained for the purpose.

4. Application Fees.- Every application under this Act , shall be accompanied by application fee worth Rs. 2000/- only, to be paid by electronic means.

5. Inquiry by the Committee.-

(1) On receipt of the application, the Collector shall entrust the inquiry to the concerned Prant Officer and / or any other officer including a Police Officer as may be deemed fit.

(2) In case of Government Land or in case where the person who has allegedly grabbed the land is headstrong person, the collector or the State Government may take suo-moto cognizance and action shall thereafter be taken in accordance with sub-rule (3) to (10).

(3) On receipt of the application, the Prant Officer or the officer to whom the application has been referred to shall ask concerned authorities to furnish report containing all the details and permission issued by them along with relevant documents within 5 days.

(4) An inquiry shall be conducted for the prima facie locus standi of the applicant based on reports and records received from different authorities; and a conclusion to be derived whether a land title can be established.

(5) An inquiry shall be conducted by the Prant Officer or the officer to whom application has been referred to, whether Land in question has been occupied or attempted to occupy, in unauthorized manner, with the use of force, threat, intimidation and deceit or by cheating, fraud and/or forgery;

(6) The Prant Officer or the officer authorized by Collector shall submit the final report to the Collector within 21 days from the date of the receipt of the application. The report shall state whether prima facie case under the Act is established or not; The committee may also ask for further inquiry if it considers necessary.

(7) In case of unauthorized, continued occupancy of the land which was allotted or leased to any person by the Government with conditions attached, is cancelled by the competent authority or on the expiry of lease and renewal of application for the same is not under consideration then under such circumstances the committee may consider such act as land grabbing.

(8) The committee shall consider the inquiry report and decide further course of action including filing an FIR within 21 days.

(9) As soon as the committee directs police to file FIR, it should be filed within 7 working days.

(10) The concerned investigation officer shall file final report before the special court within 30 days from the date of First Information Report.

6. Powers and Functions of the Committee.-

(1) The Committee shall meet at least once in fifteen days, at such time and place as the Chairman may decide;

(2) All the applications/complaints received, in prescribed Form, by the District Collector shall be placed before the Committee through the Member Secretary;

(3) The Committee shall scrutinize the inquiry report and decide further course of action and if deemed fit refer the case to the Special Court to initiate court proceedings under section 9 and decision of the Committee shall be conveyed to the applicant.

7. Power of Special Court to refer Cases.-

The Special Court, under section 9(1) of the Act, may refer to the committee any matter of which cognizance has been taken by the court either *suo-moto* or on an application made by any person to the court and ask for the scrutiny report from the committee as per Rule 5.

FORM

[See rule 3(1)]

Form of Application

To,

The District Collector,

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1. Full name of the Applicant
2. Father's/Husband's Name
3. Address:-
 - (a) Plot No/ Block No/ House No
 - (b) Area
 - (c) Village
 - (d) Taluka
 - (e) District
4. Name(s) and address of the respondent(s):-
 - (a) Name
 - (b) Father's/ Husband's Name
 - (c) Plot No/ Block No/ House No
 - (d) Area
 - (e) Village
 - (f) Taluka
 - (g) District

(*In case of more than one respondent, name and address of each respondent should be mentioned separately.)
5. Detailed particulars of the land alleged to have been grabbed:-
 - (a) Survey No
 - (b) City Survey No
 - (c) Ward No
 - (d) Block No
 - (e) TP/ FP No
 - (f) Village
 - (g) Taluka
 - (h) District
6. Jantri Value of the land (in Rs.)
7. Whether there is any house or structure on the land

8. A concise statement of all relevant facts as to the claim (if necessary, extra sheet may be added)
9. Summary of the evidence proposed to be adduced
10. True copies of the documents relied on
11. Other relevant particulars to identify the property
12. Any other particulars which the applicant intends to furnish

I, hereby declare to the best of my knowledge and belief that the information and particulars furnished above and its enclosures are full, complete and correct.

Place:

.....

Date:

**Signature/Thumb impression
of applicant.**

By order and in the name of the Governor of Gujarat,

I. D. CHAUDHARI,
Deputy Secretary to Government.
