The Madhya Pradesh Gramo me ki Dakhalrahit Bhoomi (Vishesh Upabandh)  
Adhiniyam, 1970

Act 26 of 1970

Keyword(s):
Code, Inhabitant of a Village, Development Plan, Local Body

Amendments appended: 28 of 2017, 22 of 2018

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[Dated 23rd October, 1970]

**LEGISLATIVE HISTORY ▼**

Received the assent of the Governor on the 23-10-1970; assent first published in the "Madhya Pradesh Gazette", Extraordinary, dated the 24-10-1970.

An Act to make special provision for allotment of unoccupied land to inhabitants of villages in certain circumstances.

Be it enacted by the Madhya Pradesh Legislature in the Twenty-first Year of the Republic of India as follows :-

1. **Short title and extent.** - (1) This Act may be called the Madhya Pradesh Gramo Me ki Dakhalrahit Bhoomi (Vishesh Upabandh) Adhiniyam, 1970.

(2) It extends to whole of Madhya Pradesh.

2. **Definitions.** - In this Act, unless the context otherwise requires :-

   (a) *"Code"* means the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959);

   (b) *"inhabitant of a village"* means a person who-

      (i) holds land; or

      (ii) works as an agricultural artisan or as an agricultural labourer;

    in such village or in a village usually cultivated from such village;

   (c) the words and expressions used in this Act but not defined shall have the meaning assigned to them in the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959).
3. Allotment and settlement of unoccupied land in certain circumstances. - All unoccupied lands in a village on which inhabitants of such village have, prior to the [31st day of December 2014], erected any building for the purpose of residence or purposes ancillary thereto and such building exists on that date shall, notwithstanding anything contained in the Code or the rules made thereunder, be allotted and settled with such inhabitants in Bhumiswami rights in accordance with the provisions of this Act:

Provided that nothing contained in this section shall apply to unoccupied land which is-

((a) situated in,-

(i) any development plan area;

(ii) any local body or village situated on the outer periphery of any local body;

(iii) area of operation of the Madhya Pradesh Nagriya kshetro ke bhoomin Vyakti (Pattadhriti Adhikaron ka Pradan kiya jana) Adhiniyam, 1984 (No. 15 of 1984);

(iv) five hundred metres on both sides of a national highway specified in, or declared under, the National Highways Act, 1956 (XLVII of 1956) or highway notified under section 3 of the Madhya Pradesh Rajmarg Adhiniyam, 2004 (No.11 of 2005);]

(b) set apart under Section 237 of the Code for the following purposes-

(i) for burial ground and cremation ground;

(ii) for gaothan;

(iii) for threshing floor;

(iv) for skinning ground;

(v) for bazar;

(vi) for public purpose such as schools, playgrounds, parks, roads, lanes and drains.

(c) held or reserved by the Central Government or the State Government for any specified purpose.

[Explanation. - For the purpose of this section;

(a) "development plan" shall have the same meaning as assigned to it in the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);

(b) "local body" means any municipal corporation constituted under the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), or any municipality or any municipal council constituted under the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961).]

4. Procedure for settlement. - (1) Every inhabitant of a village to whom Section 3 applies shall make an application to the Tahsildar within such period and in such form as may be prescribed.

(2) On receipt of an application under sub-section (1), proceedings, if any, pending under Section 248 of the Code in respect of the unoccupied land mentioned in the application, may be stayed till such time as the Tahsildar, may think fit.

(3) Subject to the provisions of this Act and the rules made in this behalf, the Tahsildar shall allot and settle [upto 60 square metre unoccupied land] with the inhabitant of a village.

(4) On allotment of unoccupied land under sub-section (3) all proceedings pending before the Tahsildar in respect of the said unoccupied land under Section 248 of the Code shall stand abated.
5. Provisions of Act to apply to protected forest on its ceasing to be so. - As from the date fixed in that behalf in the notification issued under Section 34-A of the Indian Forest Act, 1927 (XVI of 1927) as applicable to the State of Madhya Pradesh declaring any forest to be no longer protected forest, the provisions of this Act shall apply to forest land or waste land as were comprised within such protected forest on [31st day of December 2014] (hereinafter referred to as the said date) as if such land was unoccupied land on the said date.

6. Power to make rules. - (1) The State Government may make rules generally for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for-

(a) (i) prescription of period and form under sub-section (1) of Section 4;

(ii) prescription of manner of allotment and settlement of unoccupied land under sub-section (2) of Section 4;

(b) prescription of terms and conditions subject to which unoccupied land shall be allotted and settled.

(3) All rules made under this Act shall be laid on the table of the Legislative Assembly.

मध्यप्रदेश राजपत्र
(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 405] भोपाल, गुजरात, दिनांक 26 जुलाई 2018—प्रावधान 4, शाखा 1940

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 26 जुलाई 2018

क्र. 12400-248—इक्कीस-अ (प्र.)अधि.—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 23 जुलाई 2018 को राज्यपाल महोदय की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.
मध्यप्रदेश अधिनियम
क्रमांक 22 सन 1998

मध्यप्रदेश ग्रामों में की दखलरहित भूमि (विशेष उपबंध) संशोधन अधिनियम, 1998

[ दिनांक 23 जुलाई, 1998 को राज्यपाल की अनुमति प्राप्त हुई; अनुमति "मध्यप्रदेश राज्यपाल (असाधारण)" दिनांक 26 जुलाई, 1998 को प्रस्तुत की की गई।]

मध्यप्रदेश ग्रामों में की दखलरहित भूमि (विशेष उपबंध) अधिनियम, 1970 की और संशोधित करने हेतु अधिनियम।

राष्ट्र गणराज्य के उनहत्ववाले वर्ष में मध्यप्रदेश विधान-मंडल द्वारा संशोधित रूप में यह अधिनियमविभा हो:—

संशोधित नाम।

1. इस अधिनियम का संशोधित नाम मध्यप्रदेश ग्रामों में की दखलरहित भूमि (विशेष उपबंध) संशोधन अधिनियम, 1998 है।

पालन 2 का संशोधन।

2. मध्यप्रदेश ग्रामों में की दखलरहित भूमि (विशेष उपबंध) अधिनियम, 1970 (क्रमांक 26 सन 1970) (जो इसमें इसके पसंदाल मूल अधिनियम के नाम से निर्दिष्ट है) की धारा 3 में, परिवर्तित में—

(एक) "खण्ड (क) के स्थान पर, निम्नलिखित खण्ड स्थापित किया जाए, अथवा:—

{(क) जो,—

(एक) किसी विकास योजना क्षेत्र;

(तो) किसी राष्ट्रीय निकाय की बाहरी परिधि पर स्थित किसी स्थानीय निकाय या ग्राम;

(तीन) मध्यप्रदेश नगरीय क्षेत्रों के भूमिहरू व्यक्ति (पटपटूति अधिकारी की प्राप्ति किया जाना) अधिनियम, 1984 (क्रमांक 15 सन 1984) के प्रवर्तन के क्षेत्र; और

(चार) देशवासिय उपवर एवं 1966 (1936 का 27) में विनिर्देश किए गए या उसके अधीन पोषित किए गए राष्ट्रीय प्रावधान के या मध्यप्रदेश राज्यांग अधिनियम, 2004 (क्रमांक 21 सन 2004) की धारा 3 के अधीन अधिगृहित प्रावधान के दोनों ओर पांच सी मीटर, में स्थित हो;"

(तो) खण्ड (ग) के पराशाल, निम्नलिखित स्थानीकरण जोड़ा जाए, अथवा:—

"स्थानीकरण—इस धारा के प्रकाशण के लिए—

(क) "विकास योजना" का वही अर्थ होगा जो कि मध्यप्रदेश नगर तथा ग्राम निवेश अधिनियम, 1973 (क्रमांक 23 सन 1973) में इसके लिए निम्नस्तित है;

(ख) "राष्ट्रीय निकाय" से अभिमित है, मध्यप्रदेश नगरपालिक निगम अधिनियम, 1976 (क्रमांक 23 सन 1976) के अधीन गठित कोई नगरपालिक निगम या मध्यप्रदेश नगरपालिका अधिनियम, 1976 (क्रमांक 37 सन 1976) के अधीन गठित कोई नगरपालिका या कोई नगरपालिका परिषद।"

धारा 4 का संशोधन।

3. नूतन अधिनियम की धारा 4 में, उपरान्त (३) में, शब्द ""दखलरहित भूमि"" के स्थान पर, शब्द""60 वर्ग मीटर तक की दखलरहित भूमि"" स्थापित किये जाएँ।

निरसन तथा स्थापना व्यवसूचि।

4. (१) मध्यप्रदेश ग्रामों में की दखलरहित भूमि (विशेष उपबंध) संशोधन अधिनियम, 2018 (क्रमांक 8 सन 2018) एवं द्वारा निरसित किया जाता है।

(२) उक्त अधिनियम के निरसन के बाद, उक्त अधिनियम के अधिन को गई कोई बात या कोई कोई कारवाई, इस अधिनियम के तत्त्वांशी उपबंधों के अधीन को गई बात या कोई कारवाई समझी जाएगी।
MADHYA PRADESH ACT
NO. 22 OF 2018

THE MADHYA PRADESH GRAMO ME KI DAKHALRAHIT BHOOMI (VISHESH UPABANDH) SANSHODHAN ADHINIYAM, 2018

[Received the assent of the Governor on the 23rd July, 2018; assent first published in the “Madhya Pradesh Gazette (Extra-ordinary)”, dated the 26th July, 2018.]

An Act further to amend the Madhya Pradesh Gramo Me Ki Dakhalrahit Bhoomi (Vishesh Upabandh) Adhiniyam, 1970.

Be it enacted by the Madhya Pradesh Legislature in the sixty-ninth year of the Republic of India as follows:—

1. This Act may be called the Madhya Pradesh Gramo Me Ki Dakhalrahit Bhoomi (Vishesh Upabandh) Sanshodhan Adhiniyam, 2018.

2. In Section 3 of the Madhya Pradesh Gramo Me Ki Dakhalrahit Bhoomi (Vishesh Upabandh) Adhiniyam, 1970 (No. 26 of 1970) (hereinafter referred to as the principal Act), in the proviso,—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) situated in,—

(i) any development plan area;

(ii) any local body or village situated on the outer periphery of any local body;

(iii) area of operation of the Madhya Pradesh Nagriya Kshetro Ke Bhumihin Vyakti (Pattadhrithi Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (No. 15 of 1984); and

(iv) five hundred metres on both sides of a national highway specified in, or declared under, the National Highways Act, 1956 (XLVII of 1956) or highway notified under Section 3 of the Madhya Pradesh Rajmarg Adhiniyam, 2004 (No. 11 of 2005);”;

(ii) after clause (c), the following explanation shall be added, namely:—

“Explanation.—For the purpose of this Section;

(a) “development plan” shall have the same meaning as assigned to it in the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);
(b) "local body" means any municipal corporation constituted under the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), or any municipality or any municipal council constituted under the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961)."

Amendment of Section 4.

3. In Section 4 of the principal Act in sub-section (3), for the words "unoccupied land", the words "upto 60 square metre unoccupied land" shall be substituted.

Repeal and Saving.

4. (1) The Madhya Pradesh Gramo Me Ki Dakhalrahit Bhoomi (Vishesh Upabandh) Sanshodhan Adhyadesh, 2018 (No. 8 of 2018) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.