



The Uttar Pradesh Bhoodan Yagna (Amendment) Act, 1975

Act 10 of 1975

Keyword(s):

Bhoodan Yagna, Landless Person, Tahsildar

Amendment appended: 23 of 1979

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

THE UTTAR PRADESH BHOODAN YAGNA (AMENDMENT) ACT, 1975

(UTTAR PRADESH ACT NO. 10 OF 1975)

[*Authoritative English Text of the Uttar Pradesh Bhoodan Yagna
(Sanshodhan) Adhiniyam, 1975]

AN

ACT

to amend the Uttar Pradesh Bhoodan Yagna Act, 1952

IT IS HEREBY enacted in the Twenty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Bhoodan Yagna (Amendment) Act, 1975. Short title.
2. In section 9 of the Uttar Pradesh Bhoodan Yagna Act, 1952 (hereinafter referred to as the principal Act), after clause (a), the following clause shall be inserted, namely :—
“ (aa) give notice of the same to the concerned Gaon Sabha.” Amendment of section 9 of U.P. Act X of 1953.
3. In section 11 of the principal Act— Amendment of section 11.
 - (i) in sub-section (2), for the words “the Gaon Panchayat concerned” the words “the concerned Gaon Sabha” shall be substituted;
 - (ii) after sub-section (5), the following sub-sections shall be inserted, namely :—
 - “ (6) Any person aggrieved by an order of the Tahsildar under this section may, within thirty days from the date of the order, prefer an appeal against it to the Collector and the decision of the Collector on such appeal shall be final.
 - “ (7) The power to confirm or supersede a Bhoodan declaration under this section shall include the power to confirm or supersede the same wholly or in part.”
4. The existing section 14 of the Principal Act shall be re-numbered as sub-section (1) thereof, and— Amendment of section 14.
 - (a) in sub-section (1) as so re-numbered, for the words “landless persons”, the words “landless agricultural labourers” shall be substituted;
 - (b) after sub-section (1) as so re-numbered, the following sub-sections and Explanation shall be inserted, namely :—
 - “ (2) Where the committee or other authority or person as aforesaid fails to grant any land in accordance with sub-section (1) within a period of three years from the date of vesting of such land in the committee or from the date of commencement of the Uttar Pradesh Bhoodan Yagna (Amendment) Act, 1975, whichever is later, the Collector may himself grant such land to the landless agricultural labourers in the manner prescribed, and thereupon the grantee shall acquire the rights and liabilities mentioned in sub-section (1) as if the grant were made by the committee itself.
 - “ (3) Notwithstanding anything contained in the Uttar Pradesh Zamindari Abolition and Land Reforms Act 1950, no person acquiring the rights and liabilities of a sirdar under sub-section (1) or

*[For Statement of Objects and Reasons, please see Uttar Pradesh Gazette, Extraordinary, dated March 1, 1975].

(Passed Hindi by the Uttar Pradesh Legislative Assembly on February 28, 1975 and by the Uttar Pradesh Legislative Council on March 19, 1975.

(Received the Assent of the Governor on March 26, 1975, under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette, Extraordinary, dated March 29, 1975.)

PRICE IN PAPER

sub-section (2) shall be entitled to acquire *bhumidhari* rights under the said Act in respect of the land granted or deemed to be granted under this Act.

(4) In making grant of land under this section, the committee or other authority or person as aforesaid or the Collector, as the case may be, shall observe the following principles :—

(a) At least fifty per cent of the land available for grant shall be granted to persons belonging to the Scheduled Castes, Scheduled Tribes and persons belonging to the Kol, Pathari, Khairwar, Baiga, Dharikar, Panika and Gond Tribes and such other tribes as the State Government on the recommendation of the Committee may notify in this behalf;

(b) The land situate in one village shall, as far as possible, be granted to persons residing in that very village.

Explanation—For the purposes of this section, the expression “landless agricultural labourer” means a person whose main source of livelihood is agricultural labour or cultivation and who at the relevant time either holds no land or holds land not exceeding 0.40468564 hectares (one acre), in Uttar Pradesh as a *bhumidhar*, *sirdar*, *asami* or Government lessee.”

Insertion of new section 15-A.

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

“15-A. (1) The Collector may of his own motion and shall on the cancellation of report of the committee or on the application of any certain grant person aggrieved by the grant of any land made under section 14, whether before or after the commencement of the Uttar Pradesh Bhoodan Yagna (Amendment) Act, 1975, inquire into such grant, and if he is satisfied that the grant was irregular or was obtained by the grantee by misrepresentation or fraud, he may—

(i) cancel the grant, and on such cancellation, notwithstanding anything contained in section 14 or in any other law for the time being in force, the rights, title, and interest of the grantee or any person claiming through him in such land shall cease, and the land shall revert to the committee; and

(ii) direct delivery of possession of such land to the committee after ejection of every person holding or retaining possession thereof, and may for that purpose use or cause to be used such force as may be necessary.

(2) Notice of every proceeding under sub-section (1) shall be given to the committee, and any representation made by the committee in relation thereto shall be taken into consideration by the Collector.

(3) No order shall be passed under sub-section (1) except after giving an opportunity of being heard to the grantee or any person known to the Collector to be claiming under him.

(4) The order of the Collector passed under sub-section (1) shall be final and conclusive.”

Repeal and savings.

6. (1) The Uttar Pradesh Bhoodan Yagna (Amendment) Ordinance, 1975 is hereby repealed.

(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 corresponding provisions of the principal Act as amended by this Act as if this Act had come into force on January 21, 1975.

U.P. Ordinance
no. 2 of
1975.

THE UTTAR PRADESH BHOODAN YAGNA (AMENDMENT) ACT, 1979

(U. P. ACT NO. 23 OF 1979)

[Authoritative English Text of the Uttar Pradesh Bhoodan Yagna (Sanshodhan) Adhiniyam, 1979 (Uttar Pradesh Adhiniyam Sankhya 23 of 1979)]

164417

L. A.

15/79.23

cop. 1

AN

ACT

further to amend the Uttar Pradesh Bhoodan Yagna Act, 1952

IT IS HEREBY enacted in the Thirtieth Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Bhoodan Yagna (Amendment) Act, 1979.

Short title.

2. In section 4 of the Uttar Pradesh Bhoodan Yagna Act, 1952, hereinafter referred to as the principal Act,—

Amendment of section 4 of U.P. Act X of 1953.

(a) in sub-section (1), for the words "Sri Acharya Vinoba Bhave," wherever occurring, the words "the State Government" shall be substituted ;

(b) sub-section (2) shall be omitted ;

(c) in sub-section (3), the words "or appointment" shall be omitted.

3. In section 17 of the principal Act, in sub-section (2), in clause (a), for the words "nomination and appointment of Chairman or the members thereto, as the case may be", the words "and nomination of Chairman and the members thereto" shall be substituted.

Amendment of section 17.

[For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated June 7, 1979].

(Passed in Hindi by the Uttar Pradesh Legislative Council on June 7, 1979 and by the Uttar Pradesh Legislative Assembly on June 14, 1979).

[Received the assent of the Governor on June 22, 1979 under Article 200 of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette Extraordinary, dated June 26, 1979].

Price 15 Paise