

The M.P. Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Niyam, 1981

MADHYA PRADESH

India

The M.P. Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Niyam, 1981

Rule

THE-M-P-VAS-STHAN-DAKHALKAR-BHUMISWAMI-ADHIKARON-KA-P of 1981

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The M.P. Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Niyam, 1981Published vide Notification No. 6-4-81-7-NI, dated 18-1-1982, M.P. Rajpatra, Part 4 (Ga), dated 5-11-1982 at page 121In exercise of the powers conferred by Section 10 of the Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1980 (No. 4 of 1980), the State Government hereby makes the following rules, namely :-

1.

These rules may be called the Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Niyam, 1981.

2.

In these rules, unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1980 (No. 4 of 1980);(b)"Form" means a form appended to these rules;(c)"Section" means a section of the Act;(d)words and expressions used in these rules but not defined shall have the meaning assigned to them in the Act.

3.

The application to be made under Section 5 shall be in Form 'A'.

4.

The application under Section 5 shall be submitted to authorised officer.

5.

On receipt of the application under Rule 4, the authorised officer shall issue a notice in Form B inviting objections from the persons claiming interest in the homestead within a period specified in the notice.

6.

The authorised officer shall, after the expiry of the period specified in the notice issued under Rule 5, consider the objections received, if any, and if he is satisfied that the Bhumiswami occupant of a homestead was dispossessed otherwise than in the due course of law from the homestead or part thereof, he shall restore the possession of such occupant and award compensation under Section 5.

7.

If any homestead is vested in a landless person under sub-section (1) of Section 4, on an application made by such person or in case possession of homestead is restored under Section 5 the authorised officer shall issue a declaration in Form C.

8.

A copy of the declaration issued under Rule 7 shall be sent to the Tahsildar who shall direct the patwari of the village to take necessary action for correcting entries in the records of rights of the village. Form A [See Rule 3] Application Under Section 5 of the Madiya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1980 To, The Authorised Officer, Tahsil..... District Madhya Pradesh

1. Full name of the applicant.....

2. Father's name.....

3. Means of livelihood.....

4. Name of the village where the applicant resides.....

5. Particulars of the homestead applied for.....

6. Date of occupation of homestead.....

7. Date of possession of homestead.....

8. Full name of the person with address who has dispossessed the applicant and the date of dispossession.....

Name of the village Survey No./Plot No.

(1)

(2)

9. The applicant hereby applies for retention of the homestead specified in item (5) above under Bhumiswami rights.

10. The applicant further declares that,-

(1)he is holding a homestead as shown hereunder;(2)he is a landless person;(3)the house/hut was existent on the 23rd June, 1979; or(4)his homestead (house/hut) applied for was constructed before the 23rd of June, 1979.

Name of the village where the land is held Survey No./Plot No. Area Assessment

(1)

(2)

(3)

Dated.....Signature of the applicantForm B[See Rule 5]Notice Under Rule 5 of the Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1981Whereas Shri.....S/o Shri.....Resident of.....Mauja Tahsil District has applied for restoration of possession of homestead situated in Mauja.....District.....Tahsil.....described in the Schedule below under Section 5 of the Madhya Pradesh Vas-Sthan Dakhalkar (Bhumiswami Adhikaraon Ka Pradan Kiya Jana) Adhiniyam, 1980 for residential purposes under Bhumiswami rights;And whereas, it is applied that you have dispossessed him otherwise than in due course of law from the said homestead or part thereof on.....Now, therefore, notice is hereby given to submit your objection in writing if any, to the undersigned on or before (date), on(within 15 days), why the possession of the said homestead should not be restored and compensation awarded under Section 5.

Schedule

Name of village Survey No Area Assessment

(1) (2) (3) (4)

Rs. P.

Dated.....1982.....Authorised Officer (Seal)Form C[See Rule 7]Declaration Under Rule 7 of the Madhya Pradesh Vas-Sathan Dakhalkar (Bhumiswami Adhikaron Ka Pradan Kiya Jana) Adhinyam, 1981It is hereby declared that Shri.....S/o resident of.....Tahsil.....District..... is Bhumiswami occupant of the homestead, particulars whereof are given in the Schedule below :-

Schedule 2

Name of the village Survey No./Plot No. Area of homestead Homestead bounded

(1) (2) (3) (4)

On the North by.....On the South by.....On the East by.....On the West by.....

Patwari circle No Tahsi District

(5) (6) (7)

.....Authorised Officer