

# **The M.P. Anugrahik Tatha Sevarth Nagad Anudan Samapti Adhiniyam, 1982**

MADHYA PRADESH

India

## **The M.P. Anugrahik Tatha Sevarth Nagad Anudan Samapti Adhiniyam, 1982**

### **Act 11 of 1983**

- Published on 15 February 1983
- Commenced on 15 February 1983
- [This is the version of this document from 15 February 1983.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Anugrahik Tatha Sevarth Nagad Anudan Samapti Adhiniyam, 1982(No. 11 of 1983)[Dated 15th February 1983.]Received the assent of the Governor on the 15th February, 1983; Assent first published in the Madhya Pradesh Gazette (Extraordinary), dated the 19th February, 1983.An Act to provide for the abolition, in the interest of the general public of gratuitous cash grants and service cash grants granted in perpetuity by the ex-rulers of the Indian States, now forming part of the State of Madhya Pradesh, to their kith and kin and, other persons either on compassionate grounds for their maintenance without their rendering any service in return or on account of the services not being capable of being rendered or any longer required, in the changed circumstances, with a view to extinguishing all liabilities and obligation of the State Government, to make unnecessary payments, in the nature of un-earned wages, and thereby to secure justice, social and economic and for matter connected therewith.

### **1. Short title, extent and commencement.**

(1)This Act may be called The Madhya Pradesh Anugrahik Tatha Sevarth Nagad Anudan Sampati Adhiniyam, 1982.(2)It extends to the whole of Madhya Pradesh.(3)It shall come into force at once.

### **2. Application of Act.**

- This Act shall apply to-(a)all gratuitous cash grants specified in part "A" of the Schedule; and(b)all service cash grants specified in part "B" of the Schedule:Provided that if the cash grants are in lieu of resumption of maufi or abolition of proprietary rights by way of pension or special or perpetual annuity, such grants shall not be affected by this Act.

### 3. Definitions.

- In this Act, unless the context otherwise requires,-(a)"appointed day" means the date of commencement of this Act;(b)[ "competent authority" means the Collector or an Additional Collector authorised by the Collector in this behalf;] [Substituted by M.P. Act No. 42 of 1984 w.e.f. 19-11-1984.](c)"exempted grant" means a grant of money specified in Section 4;(d)"grantee" means a person or institution to whom gratuitous cash grant or service cash grant, as the case may be, is payable;(e)"gratuitous cash grant" means a grant of money of the nature of maintenance grant granted in perpetuity by the ex-rulers of Indian States now forming part of the State of Madhya Pradesh and known by the name of-(i)Holkar allowance;(ii)Kunwar allowance;(iii)Charitable allowance;(iv)Dependents allowance;(v)Apta Ahalkar;(vi)Nankar or Nagdi Maufi;(vii)Nagdi Maufi or Dharmadai or Padarakh as specified in Part "A" of the Schedule;(f)"service cash grant" means a grant of money granted in perpetuity by the ex-rulers of Indian States now forming Part of the State of Madhya Pradesh for service rendered and known by the name of-(i)Gires Tanka;(ii)Dami Nemnuk;(iii)Dharmadai or Padarakh;(iv)Sardari Nemunk;(v)Shiledari or Ekkan or Army Nemnuk;(vi)Mankari Nemnuk;(vii)Sardehi, Chakrana, Jatboli, as specified in Part "B" of the Schedule.

### 4. Exempted cash grants.

- Nothing in this Act shall apply to gratuitous cash grants and service cash grants as are payable for services or worship or similar religious devotional rites in public temples, mosques or churches or other charitable or religious institutions.Explanation. - For the purpose of this section,-(a)"charitable institutions" means any charitable establishment with specific location and known address, which is dedicated to, or for the benefit of or used as of right by, the public generally or any community or section thereof for any pious, charitable or philanthropic purpose;(b)"religious institution" means any place, by whatever name known, which is used as a place of religious worship or which is dedicated to, or used as of right by, the public generally or any community or section thereof, for religious purposes.

### 5. Abolition of gratuitous cash grants and service cash grants and extinguishment of all rights, liabilities and obligations.

- On and from the appointed day all gratuitous cash grants and service cash grants to which this Act applies shall stand abolished and all rights, liabilities and obligations in respect of such gratuitous cash grants and service cash grants shall stand extinguished :Provided that where the grantee is a person specified in column (1) of the Table below, gratuitous cash grant or service cash grant payable immediately prior to the appointed day shall continue to be payable subject to the conditions and during the period mentioned in the corresponding entry in column (2) of the said Table ;

(1)	(2)
(i) A widow	So long as she remains a widow.

(ii) A minor,-

(a) in the case of male.

Till the date he attains 21 years of age.

(b) in the case of female.

Till the date of her marriage or till the date she attains 21 years of age, whichever is earlier.

(iii) A person above the age of 60 years.

During his life time.

A person subject to physical disability or mental

(iv) infirmity owing to which he is incapable of earning his livelihood.

During his life time.

## **6. Filing of statement by certain grantees.**

- [The competent authority shall, by a notice, call upon every grantee specified in Section 5 and residing in the district or receiving gratuitous cash grant or service cash grant within the district to file a statement before him in the prescribed form within sixty-days from the date of receipt of the notice by him and specify in such statement the following particulars, namely :-] [Substituted by M.P. Act No. 42 of 1984 w.e.f. 19-2-83.](i)name of the grantee;(ii)whether,-(a)a minor;(b)a widow;(c)a person above 60 years of age;(d)a person subject to physical disability or mental infirmity owing to which he is incapable of earning his livelihood;(iii)full particulars about age and physical disability or mental infirmity-referred to in (ii) above;(iv)the extent of share of each grantee where there are more grantees than one;(v)full particulars of the cash grant payable;(vi)full particulars of pending litigation, if any, respecting such grant or part thereof;(vii)such other particulars as may be prescribed :Provided that in case of a grantee who is a minor or mentally infirm, such statement shall be filed by the next friend of the minor or the person mentally infirm, within the meaning of Order XXXII of the Code of Civil Procedure, 1908 (V of 1908) :Provided further that in case of a widow or person above sixty years of age, such statement may be filed by any person duly authorised by the widow or such person.[(1-A) The provisions of rules relating to mode of serving notice contained in Schedule I to the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) shall apply to serving of notice under sub-section (1) as they apply to serving of notice under the said Code.] [Inserted by M.P. Act No. 42 of 1984 w.e.f. 19-11-1984.](2)Every statement filed by a grantee specified in sub-section (1) shall be accompanied by a certified copy of the proof in support of the fact that the grantee falls under any of the categories specified in the proviso to Section 5.(3)Every such statement shall be signed and verified in accordance with Order VI, Rule 15 of the Code of Civil Procedure, 1908 (V of 1908).(4)On receipt of a statement within the period specified in sub-section (1), the competent authority shall, after making such enquiry as it thinks fit and giving an opportunity to such grantee of being heard, decide the continuance of such cash grant in accordance with the proviso to Section 5.

## **7. Appeal, revision and review to be in accordance with Madhya Pradesh Act, No. 20 of 1959.**

- The provisions of Chapter V of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959), relating to appeal, revision and review shall apply in the same manner to an order passed by a competent authority under Section 6 as they apply to an order passed by a Collector under the said

Code.

## 8. Power to make rules.

(1)The State Government may make rules for carrying out all or any of the purposes of this Act.(2)Rules made under sub-section (1) shall be laid on the table of the Legislative Assembly.

## 9. Repeal.

(1)The Madhya Pradesh Abolition of Cash Grants Act, 1963 (No. 16 of 1963) and all other enactments or orders having the force of law and for the time being in force on the subject are hereby repealed.(2)The provisions of Section 10 of the Madhya Pradesh General Clauses Act, 1957 (No. 3 of 1958) shall apply to the repeal of the Act, enactments or orders specified in sub-section (1).

## Schedule

Part "A" [See Section 3 (e)]Gratuitous GrantsHolkar Allowance. - Holkar Allowance is that gratuitous grant granted to a member of Holkar family in the erstwhile Holkar State.Kunwar Allowance. - Kunwar allowance is that gratuitous grant granted in the erstwhile Holkar State to member of families closely related to the Ruler of the former Holkar State or to the members of leading families in that State.Charitable Allowance to the widows and poor. - Charitable allowance to the widows and poor is that gratuitous grant granted to the widows and poor in the erstwhile Holkar State.Dependent Allowance. - Dependent Allowance is that gratuitous grant granted to astrologers and vaidyas in the erstwhile Gwalior State.Apta Ahalkar. - Apta Ahalkar is that gratuitous grant granted to near relations of the family of Ruler of the erstwhile Gwalior State in that State.Nankar or Nagdi Maufi. - Nankar or Nagdi Maufi is that gratuitous grant specified in Section 115 of the State Kawayat Jagirdaran Samvat 1970 (1913 A.D.) as a kind of grant for maintenance in the former Gwalior State.Nagdi Maufi. - Nagdi Maufi is that gratuitous grant which was granted for maintenance in the former Holkar State.Dharmadai or Padarakh. - Dharmadai or Padarakh is that gratuitous grant which was granted to Sadhus for offering prayer for the welfare of the Rulers of the erstwhile Princely State.Part 'B' [See Section 3 (f)]Service Cash GrantsGiras Tanka. - Giras Tanka is that service grant which was granted to Jagirdars for maintaining Law and Order in the disturbed area in erstwhile princely States.Dami Nemnuk. - Dami Nemnuk is that service grant which was granted to Jagirdars, Kanungos and Mandlois for assistance in settling villages collections of land revenue, development of agriculture, maintenance of settlement records etc.Dharmadai or Padarakh. - Dharmadai or Padarakh is that service grant which was granted to persons other than Sadhus for offering prayers for the welfare of the Rulers of erstwhile Princely State.Sardari Nemnuk. - Sardari Nemnuk is that service grant which was granted to the relations of Rulers of erstwhile Princely State or other persons in consideration of service and loyalty.Shiledari or Ekkan or Army Nemnuk. - Shiledari or Ekkan or Army Nemnuk is that service grant which was granted,-(i)in former Gwalior State for maintaining certain number of horses and personnel as irregular military forces for helping the State in emergency;(ii)in former Indore State for similar purpose.Mankari Nemnuk. - Mankari Nemnuk is that Grant which was granted to highly respectable persons or

influential persons close to the Rulers for services rendered by such persons. Sardehi, Chakrana, Jatboli and similar other grants. - Sardehi, Chakrana, Jatboli and similar other grants are those grants which were granted for some service rendered to the erstwhile State.