

The M.P. Akrishik Jot Uchchatam Seema Adhiniyam, 1981

MADHYA PRADESH

India

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Act 11 of 1981

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The M.P. Akrishik Jot Uchchatam Seema Adhiniyam, 1981(No. 11 of 1981)[Dated 7th April, 1981]Received the assent of the President on the 7th April, 1981, assent first published in the Madhya Pradesh Gazette (Extraordinary), dated the 7th April, 1981,An Act to provide for the imposition of ceiling on non-agricultural holdings and acquisition of surplus land and matters connected thereto.Be it enacted by the Madhya Pradesh Legislature in the Thirty-second year of the Republic of India as follows :

1. Short title and extent.

(1)This Act may be called The Madhya Pradesh Akrishik Jot Uchchatam Seema Adhiniyam, 1981.(2)It extends to the whole of Madhya Pradesh.

2. Definitions.

- In this Act, unless the context otherwise requires,-(a)"appointed day" means the 29th day of January, 1981;(b)"ceiling area" means the maximum area of non-agricultural land which a holder is entitled to hold under Section 3;(c)"holder" means a Bhumiswami of a non-agricultural holding;(d)"non-agricultural holding" means all forest land held by a Bhumiswami within the State;(e)"Surplus non-agricultural land" means non-agricultural land which is declared surplus under the provisions of this Act;(f)words and expressions used but not defined in this Act and defined in the Madhya Pradesh Land Revenue Code, 1959 (20 of 1959) or the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 (No. 20 of 1960), shall have the meaning respectively assigned to them in that Code or the Act, as the case may be.

3. Ceiling on non-agricultural land.

- Subject to the provisions of this Act, no holder shall as from the appointed day be entitled to hold non-agricultural land in excess of 21.85 hectares.

4. Madhya Pradesh Act No. 20 of 1960 to apply.

(1)The provisions of the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 (No. 20 of 1960), except -Chapter VI thereof, shall mutatis mutandis apply to non-agricultural holding under this Act as they apply to agricultural holding under that Act and for that purpose reference to "land" in the said Act shall be construed as reference to "non-agricultural land" and reference to "appointed day" occurring for the second time in Section 9 of the said Act shall be construed as reference to "the date of commencement of this Act."(2)For the purpose of facilitating the application of the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 (No. 20 of 1960), under sub-section (1), the State Government may before the expiration of one year from the appointed day by order notified in the Gazette, make such adaptations and modifications therein not affecting the substance thereof as may be necessary or expedient and thereupon the said Act shall have effect subject to the adaptations and modifications so made.(3)Every order made under sub-section (2) shall be laid on the table of the Legislative Assembly and the provisions of Section 24-A of the Madhya Pradesh General Clauses Act, 1957 (No. 3 of 1958), shall apply thereto as they apply to a rule.

5. Certain sales of non-agricultural holdings made before the appointed day to be benami and void.

(1)Notwithstanding anything contained in this Act or any other law for the time being in force any transfer of non-agricultural holdings by way of sale made after the 9th June, 1980, but before the appointed day, for a consideration lesser than shall, for the purpose of this Act, be void.(2)The date mentioned in sub-section (1) shall be deemed to be the date of publication of the Madhya Pradesh Akrishik Jot Uchchatam Seema Vidheyak, 1981 (No. 10 of 1981) for the purpose of Section 4 of the Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 (No. 20 of 1960), and accordingly in sub-section (1) of the said section for the words, letters and figures "1st January, 1971", the words, letters and figures "9th June, 1980" shall always be deemed to have been substituted.Explanation. - In this section "market value" means the price which the non-agricultural holdings would reasonably have fetched, if sold on the date of execution of instrument of sale.

6. Repeal.

- The Madhya Pradesh Akrishik Jot Uchchatam Seema Adhyadesh, 1981 (No. 30 of 1981) is hereby repealed.