

Regulations under the M.P. Bhudan Yagna Act, 1953

MAHARASHTRA

India

Regulations under the M.P. Bhudan Yagna Act, 1953

Rule

REGULATIONS-UNDER-THE-M-P-BHUDAN-YAGNA-ACT-1953 of 1953

- Published on 17 February 1956
- Commenced on 17 February 1956
- [This is the version of this document from 17 February 1956.]
- [Note: The original publication document is not available and this content could not be verified.]

Regulations under the M.P. Bhudan Yagna Act, 1953Published vide Notification No. Madhya Pradesh Rajpatra, dated 17.2.1956, Part 4-G, page 82In exercise of the powers conferred by section 34 of the Madhya Pradesh Bhudan Yagna Act, 1953 (XV of 1953), and with the previous sanction of the State Government, the Madhya Pradesh Bhudan Yagna Board makes the following regulations for the purpose of carrying into effect the provisions of the said Act namely :-

Chapter I

Definitions

1.

In these regulations, unless there is anything repugnant in the subject or context, -(1)"Act" means the Madhya Pradesh Bhudan Yagna Act, 1953;(2)"Committee" means a Tahsil Committee constituted under section 16 of the Act;(3)"form" means a form appended to these regulations;(4)"Sanyojak" means the Sanyojak of a Tahsil Committee;(5)"Secretary" means the Secretary of the Board appointed under section 4A of the Act.

Chapter II

Procedure and Disposal of Business of the Board

2.

(1)A meeting of the Board, will be either ordinary or special.(2)The date, time and place of the meeting shall be fixed by the Chairman.(3)The Chairman or under his direction the Secretary, may

whenever he thinks fit, call an ordinary meeting, and shall be bound to do so within a month of the receipt of written requisition signed by not less than four members of the Board. A special meeting of the Board shall be called only by the Chairman. (4) Notice of every meeting specifying the date, time and place thereof, accompanied by the agenda showing the business to be transacted thereat, shall be despatched by post under certificate of posting to every member of the Board at the address notified by the member and recorded in a register specially maintained for the purpose, at least ten clear days before an ordinary meeting and five clear days before a special meeting.

3.

No business other than that specified in the agenda shall be transacted at any meeting, save with the permission of the Chairman.

4.

Save as otherwise directed by the Chairman, the business of every ordinary meeting shall, as far as possible, be taken up in the following order: (a) Confirmation of minutes of the previous meeting. (b) All subjects deferred from previous meeting. (c) Other business in such order as may be fixed by the Chairman.

5.

(1) Minutes of meetings of the Board shall be recorded and signed by the Secretary in a book maintained for the purpose, and shall be confirmed at the next ensuing meetings, whether ordinary or special, and shall thereupon be signed by the Chairman in token of confirmation. (2) Any member of the Board may prefer an objection before the confirmation of minutes. The Chairman shall decide all such objections and make such corrections or alterations as may be necessary after taking the sense of the House.

6.

(1) If an emergency arising out of the administrative business of the Board requires in the opinion of the Chairman that immediate action should be taken, the Chairman may cause a draft of the proposal to be circulated to the members of the Board, and if it has the approval of a majority of the members of the Board, the proposal may be acted upon as if it had been adopted at a meeting of the Board. (2) Every proposal adopted under clause (1) shall be placed at the next meeting of the Board for information.

7.

The Chairman or under his direction the Secretary may dispose of all business requiring immediate attention. Any action taken in pursuance of this regulation shall be submitted for ratification at the next meeting of the Board.

Chapter III

Remuneration and Conditions of Service of Employees

8.

(1)The Board may employ the following staff for the conduct of its work(i)Joint Secretary who shall be honorary.(ii)One or more Assistant Secretaries each on an honorarium not exceeding Rs. 200 per month plus the actual house rent not exceeding Rs. 50 per month for those who are not. residents of Nagpur.(iii)One or more Divisional Organisers each on pay not exceeding Rs. 150 per month.(iv)One or more clerks each on pay not exceeding Rs. 100 per month.(v)Two peons each on pay not exceeding Rs. 50 per month.(2)The members of the staff may be granted leave with pay for a period not exceeding 30 days in a year. This leave shall not be allowed to accumulate. Nobody shall be entitled to leave as of right, but except in the case of illness, leave will be granted to the employees having regard to his need and the convenience of the office.(3)The Chairman or any member of the Board shall not be entitled to travelling allowance for attending any meeting of the Board. If the Chairman or any member or employee of the Board has to travel for any other work of the Board, or if the members of the Tahsil Committee or employees thereof have to undertake journey for the work of the committee, such as, distribution of land, etc., they will be allowed lowest class fare by bus or rail and the actual expenses incurred over coolies and conveyance from and to the bus-stand or the railway station, as the case may be. Where according to railway rules lowest class travelling is not permissible, fare by the next higher class may be allowed.

9.

(1)The Secretary shall -(i)attend every meeting of the Board;(ii)maintain or cause to be maintained a record of proceedings of meetings of the Board;(iii)carry on correspondence on behalf of the Board;(iv)maintain or cause to be maintained regularly the accounts of the Board;(v)prepare, not later than the first day of March every year, the budget estimates of income and expenditure for the year commencing with the 1st day of April next;(vi)supervise the work and maintain discipline in the staff of the Board;(vii)perform such other duties as may be assigned to him by the Board or the Chairman and subject to the control of the Chairman be responsible to the Board in the discharge of his duties.(2)The Secretary may -(i)sanction expenditure not exceeding Rs. 500 in a year on any item or items not covered by the budget;(ii)with the authority of the Chairman, open bank accounts in the name of the Board to be operated jointly by the Secretary and the Joint Secretary.

Chapter IV

Term of Office and Filling of Casual Vacancies in the Office of the Members of Committees, and Procedure, Disposal of Business of Committees

10.

(1)The term of office of the members of a committee shall be two years. At the expiry of the term, a new committee shall be constituted to which outgoing members shall be eligible for appointment.(2)The Board shall appoint one member of the committee to be its Sanyojak who shall preside over meetings of the committee.

11.

The Sanyojak or any member of a committee may, at any time, resign his office by a writing under his hand addressed to the Secretary of the Board. No such resignation shall take effect, unless accepted by the Secretary.

12.

(1)The Board may supersede a committee, if, in its opinion, such committee has failed properly to discharge its duties.(2)The Board may remove a member of a committee, if in its opinion, such member has failed properly to discharge his duties, or is incapacitated from acting, or has so abused his position or powers as to render his continuance as a member detrimental to the interest of the committee.

13.

Upon the occurrence of a vacancy in a committee by death, removal or resignation, the Board shall appoint a member to fill the vacancy, who shall hold office during the unexpired term of his predecessor.

14.

(1)The Sanyojak may call meetings of a committee, as and when necessary.(2)The Sanyojak shall despatch by post, under certificate of posting, a notice of every meeting at least seven clear days before the date of the meeting, together with the agenda stating the business to be transacted thereat.(3)The quorum for a meeting of the committee shall be three members.(4)If, at any meeting, the Sanyojak is not present, the members present shall elect one of the members to preside over the meeting.(5)All questions brought before any meeting of the committee shall be decided by a majority of the members present, and in case of equality of votes, the person presiding shall have and exercise a second or casting vote.(6)No business other than that specified in the agenda shall be transacted at any meeting, save with the permission of the Chairman.(7)If, any meeting of a committee, a quorum is not present, the person presiding shall adjourn the meeting to such time as he may think fit, and announce the same before adjourning the meeting, and the business which would have been brought before the original meeting, if there had been a quorum present, but no other business shall be brought before and transacted at the adjourned meeting whether a quorum is present thereat or not.

15.

Unless otherwise directed by the Sanyojak or the person presiding the business of every meeting shall, as far as possible, be taken up in the following order (a) Confirmation of minutes of the previous meeting; (b) All subjects deferred from previous meeting; (c) All other business in such order as may be fixed by the Sanyojak.

16.

(1) The minutes of every meeting of a committee shall be recorded in a minute book and signed by the Sanyojak, and shall be confirmed at the next meeting. The Sanyojak shall, after taking the sense of the House, correct or alter the minutes, upon an objection by any member. (2) The committee shall forward a copy of its minutes to the Board within a week after each of its meeting.

17.

No acts or proceedings of a committee shall be called in question on account of any vacancy therein, or on account of any defect or irregularity in any act or proceeding not affecting the merits of the case.

18.

(1) A committee shall, in the conduct of its business, act in accordance with such directions as the Board may, from time to time by general or special order, give. (2) A committee may entrust the distribution of land to any one or more of its members, as may be convenient.

19.

The Sanyojak may dispose of all urgent work, but any action taken under this regulation shall be in writing, and shall be reported by the Sanyojak for confirmation at the next meeting of the committee.

20.

A committee may, with the previous approval of the Board, employ a clerk for managing the work of the committee. The clerk shall receive such salary as may be fixed by the Board.

21.

(1) Any person aggrieved by the decision of the committee in regard to the distribution of land may, within thirty days from the date thereof appeal to the Board against the decision. (2) The Board may, after calling for a report from the committee and hearing the appellant, confirm, modify or reverse the decision.

Chapter V

Principles to be Followed for the Distribution of Land, Qualifications of Persons to Whom Lands May Be Given, and the Maximum Area to be Allotted to One Family, and the Land Revenue

22.

In the distribution of land, the committee or the Board shall follow, as far as practicable, the following principles, namely: -(i) Within ten days before the date fixed for distribution of land, a proclamation by beat of drum announcing that date, shall be caused to be made in the village in which the land to be distributed is situate. (ii) A second proclamation shall be made on the day fixed for such distribution. Note. - In the case of distribution of land situated in an uninhabited village, such proclamation shall be made in the adjoining villages. (iii) The members of the committee charged with the distribution of land shall, before the date of distribution, collect all necessary information concerning the lands to be distributed, and shall also inspect the lands and determine their quality and the units for the purposes of the distribution scheme embodied in regulation 29. (iv) On the date fixed for distribution, a public meeting of the residents of the village or villages concerned including landless persons, shall be held by the members of the committee entrusted with the distribution of land. They shall ascertain taking into consideration the opinion of the people assembled, the names of the deserving landless persons residing in the village. Any landless person, who has not already made an application for allotment of land, may submit his application in writing at the meeting to the members of the committee. The members of the committee shall invite the opinion of the deserving landless persons themselves on the applications received from them and propose allotments in accordance with their unanimous opinion. In the absence of unanimity, the members shall determine the allotments by drawing of lots: Provided that, as far as practicable, one-third of the land available for distribution in a village shall be allotted to deserving landless Harijans. (v) In making allotments involving the establishments of new settlements or the expansion of existing settlements into large units, regard shall be had also to such special directions as the Board may give in that behalf. (vi) Allotments shall be made so as to effect consolidation and avoid fragmentation of holdings as far as possible.

23.

Ordinarily, land for cultivation should be given to such landless persons who have no other occupation other than agriculture and who can cultivate the land themselves and want to continue as agriculturists. In a village where carpenter, blacksmith, shoe-maker (chamar), potter and the like are wanted and it is necessary to encourage them to settle in the village or to continue to remain there, in the interest of the village community, and it is not possible to settle them without giving land, a part of the land may be utilised for allotment of such persons.

24.

Land shall ordinarily be allotted to landless persons residing in the village where the land is situate, and in the case of land situated in an uninhabited village to landless persons residing in an adjacent inhabited village :Provided that, where the land available for distribution exceeds the requirements of the landless persons of the village or the adjacent village, as the case may be, it may be allotted to landless persons of other neighbouring village or villages.

25.

An application for allotment of land shall be made in Form A and presented to the Sanyojak of the Committee or, where there is no committee, to the Secretary of the Board or to any other officer appointed by the Board in that behalf.

26.

Every allottee shall, as soon as may be, after the allotment of land, execute a Kabuliyat in Form B.

27.

The allottee shall thereafter be given by the Board a Patta in Form C.

28.

The committee or the Board, as the case may be, shall forward to the patwaris every month a list of the names of persons to whom land has been allotted, with particulars of the land, and the land revenue payable by the allottee.

29.

The maximum area of land to be allotted under section 23 to an allottee shall be the area shown in column (3) of the table below in respect of the quality of land specified in column (2) in the zones specified in column (1) thereof

Zones (1)	Quality of Land (2)	Area of maximum allotment (3) Acres
Wet land	(a) Rice tract	3
Dry land	(b) Cotton, juar and wheat tract : Plain land	7
	(c) Cotton, juar and wheat tract : Plateau land	10
	(d) Rocky, rubble-mixed, murrum mixed, or slope land :	15

Very poor soil

20

Form A(See regulation 25)Application by the landless persons for allotment of land for cultivationPlace.....Tahsil.....District..... DateI/We (the following person/s) may please be allotted the land donated in the Bhudan Yagna and situated in village.Conditions

- 1. I/We shall cultivate the land personally and follow the vocation of agriculture.**
- 2. I/We shall not transfer any interest in the land.**
- 3. I/We shall pay the land revenue on the due date.**
- 4. I/We shall not allow the land to lie fallow for a period in excess of two years.**
- 5. In the event of breach of any of the conditions stated above. I/we shall be liable to be ejected from the land.**

Sr. No.	Applicant's name, age, caste, occupation	Number of members in his family	Implements, in any, e.g. bullocks, plough, seedsetc.	Area of land owned by applicant	Land Revenue	Signature	Remarks
Adults	Children						
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
					Acres	Rs.	(9)

Form B(See regulation 26)Kabuliyat to be executed by the allottee

1. I,, son of, age years, resident of village, tahsil, district hereby accept the allotment of field Survey/Khasra No. area, land revenue, boundaries, donor's name, which I have taken from the Madhya Pradesh Bhudan Yagna Board for cultivation as a Bhudan-holder in accordance with the provisions of the Madhya Pradesh Bhudan Yagna Act, 1953. and the regulations framed thereunder.

2. I undertake to abide by the following conditions

(a)I shall not transfer any interest in the land;(b)I shall not allow the land to lie fallow for a period in excess of two years;(c)I shall pay the land revenue on due date;(d)I shall not sub-let the land;(e)I

shall cultivate the land personally.

3. In the event of breach of any of the conditions stated above, the Revenue Officer, after such enquiry as he may deem fit, may determine my lease, and the land thereafter shall vest in the Government.

4. The land shall belong to me or my heirs, as long as the conditions are not violated.

(Signature)Place:Date :Counter signatureWitnesses :

1.

2.

Sanyojak,Tahsil Bhudan Yagna Committee.Form C(See regulation 27)Patta granted to the AllotteeSerial No.Place.....Date.....Name of the Bhudan-holder.....resident of.....tahsil districtName of the village in which the land allotted to him is situated in Patwari circle.....tahsil.....district.

Date of distribution	Name of the field (if any) and boundaries	Survey No(s). in which the field(s) are comprised	Area	Land revenue
(1)	(2)	(3)	(4)	(5)
			A. G. Rs.	