

Madhya Pradesh Arthik Roop Se Kamzor Varg Tatha Nimna Aay Varg Ko Awas Guarantee Adhiniyam, 2017

MADHYA PRADESH

India

Madhya Pradesh Arthik Roop Se Kamzor Varg Tatha Nimna Aay Varg Ko Awas Guarantee Adhiniyam, 2017

Act 13 of 2017

- Published on 12 April 2017
- Commenced on 12 April 2017
- [This is the version of this document from 12 April 2017.]
- [Note: The original publication document is not available and this content could not be verified.]

Madhya Pradesh Arthik Roop Se Kamzor Varg Tatha Nimna Aay Varg Ko Awas Guarantee Adhiniyam, 2017(Madhya Pradesh Act No. 13 of 2017)Last Updated 13th February, 2020[Received the assent of the Governor on the 12th April, 2017; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 20th April, 2017.]An Act to gurantee houses at affordable price or free of cost residential plots to eligible residents of the State of Madhya Pradesh and for matters connected therewith and incidental thereto.Be it enacted by the Madhya Pradesh Legislature in the sixty-eighth year of the Republic of India as follows: -

1. Short title and extent and commencement.

(1)This Act may be called the Madhya Pradesh Arthik Roop Se Kamzor Varg Tatha Nimna Aay Varg Ko Awas Guarantee Adhiniyam, 2017.(2)It shall extend to whole of the State of Madhya Pradesh.(3)It shall come into force from the date of its publication in the Madhya Pradesh Gazette.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a)"affordable price" means price prescribed by the State Government from time to time;(b)"Authorized Officer" means an officer not below the rank of Deputy Collector prescribed by the State Government from time to time, who is authorized to register the eligible persons for a house or residential plot;(c)"District Level Housing Committee" means a District Level Housing Committee constituted under section 6;(d)"domicile of Madhya Pradesh" means the person who is native of Madhya Pradesh as prescribed by the State Government from time to time;(e)"economically weaker section or lower income group" means a family of economically weaker section or lower income group as prescribed by the State Government from time to time;(f)"eligible person" means a economically weaker section or lower income group

persons who is domicile of Madhya Pradesh and who does not own either in his own name or in the name of any member of his family any house or residential plot in the State of Madhya Pradesh: Provided that a person having any type of house or plot as an owner or as a lease holder under any scheme of the Government shall not be eligible, but if a beneficiary is eligible as per the eligibility criteria specified in a Central or State Government Scheme, then such ineligibility shall not be applicable. (g) "family" means husband/wife, their minor children and unmarried children of less than 25 years of age: provided that a widow/divorced daughter, sister, daughter-in-law, father, mother, father-in-law/mother-in-law or physically challenged brother, sister, son, daughter who is wholly dependent and living under the same roof shall be considered part of the family; (h) "house" means a single store or multi-stored superstructure with roof and toilet of (minimum super built-up (constructed) area of each unit not less than 25 square meters, usable for residential purposes; (i) "implementing agency" means as agency empowered to construct or allot house or residential plot under this Act and shall include the rural or urban local bodies, development authorities and the Madhya Pradesh Housing and Infrastructure Development Board; (j) "residential plot" means a piece of land of minimum 45 square meters in municipal Corporations and 60 square meters in other areas, upon which construction of a house shall be permissible.

3. Entitlement of houses at affordable price or free of cost residential plots to eligible persons.

(1) Every eligible person shall be entitled to a house at affordable price or free of cost residential plot and the State Government guarantees houses at affordable price or free of cost residential plots gradually to all eligible persons. (2) The power to allot either a house or a residential plot shall vest with the implementing agency, and the grievances of housing shall be redressed by the District Level Housing Committee.

4. Registration of eligible person.

(1) If an eligible person is identified in a survey for getting a house at affordable price or free of cost residential plot, the Authorized Officer shall register such eligible person in the prescribed manner, who is having documents in proof of his eligibility. (2) The Authorized Officer shall maintain the register of eligible persons and give information of registered beneficiaries to the District Level Housing Committee.

5. Allotment of houses and residential plots.

- Notwithstanding anything to the contrary contained in any other law for the time being in force, the urban and rural local bodies may/ adopt land pooling for the purpose of allotment of houses and residential plots in such manner as may be prescribed.

6. Constitution of District Level Housing Committee.

- The State Government may constitute District Level Housing Committees in such manner and consisting of such members as may be prescribed.

7. Duties of the District Level Housing Committee.

- The District Level Housing Committee shall estimate the requirement of housing on the basis of the information of eligible persons registered under its jurisdiction. The District Level Housing Committee may direct implementation agency for providing houses at affordable price or free of cost residential plots gradually to the eligible persons registered under its jurisdiction, and it shall also perform such other duties as entrusted to it by the State Government.

8. Appeal against the decision of the Authorized Officer.

- Appeal against the decision of inclusion or exclusion eligible person by the Authorized Officer shall lie before the District Collector, who shall dispose such appeal within a period of sixty days.

9. Power to make rules.

(1)The State Government may, by notification, make rules to carry out the provisions of this Act.(2)All rules made under this Section shall be laid before the Legislative Assembly.

10. Power of the State Government to issue directions.

- The State Government may issue such directions as it may consider necessary to give effect to the provisions of this Act.

11. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty.