

# **The M.P. Resettlement and Rehabilitation of Displaced Persons (Land Acquisition) Act, 1949**

MADHYA PRADESH

India

## **The M.P. Resettlement and Rehabilitation of Displaced Persons (Land Acquisition) Act, 1949**

### **Act 20 of 1949**

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The M.P. Resettlement and Rehabilitation of Displaced Persons (Land Acquisition) Act, 1949(M.P. Act No. 20 of 1949)[Dated 16th April, 1949]Received the assent of the Governor on the 16th April, 1949; assent first published in the Central Provinces and Berar Gazette on the 22nd April, 1949.An Act to make provisions for the speedy acquisition of land for the resettlement and rehabilitation of displaced persons.Preamble- Whereas it is expedient to make provisions for the speedy acquisition of land for the resettlement and rehabilitation of displaced persons;It is hereby enacted as follows :-

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

(1)This Act may be cited as the Madhya Pradesh Resettlement and Rehabilitation of Displaced Persons (Land Acquisition) Act, 1949.(2)[ It extends to and shall be in force in the whole of Madhya Pradesh] [Substituted by M.P Act No. 23 of 1958.].

### **2. Definition.**

- In this Act, unless there is anything repugnant in the subject or context,-"Displaced person" means any person who, on account of the setting-up of the Dominions of India and Pakistan, or on account of civil disturbance or fear of such disturbances in any area now forming part of Pakistan, has been displaced from or has left his place of residence in such area after the 1st day of March, 1947 and who was subsequently been residing in India.

### **3. Acquisition of land.**

- The State Government may, where it considers it necessary or expedient to acquire speedily any land for the resettlement and rehabilitation of displace persons, acquire such land and the

provisions of Land Acquisition Act, 1894, as modified by the provisions contained in the Schedule shall apply to such acquisition.

#### **4. Disposal of land.**

- Subject to such rules as may be made by the State Government, the [Collector] [Substituted by M.P. A.O. 1956.] may use or deal with any land acquired under the provisions of this Act in such manner and subject to such conditions as may appear to him to be expedient for the purpose of resettling displaced persons ;Provided that no displaced person to whom any land has been allotted under the provisions of this section shall transfer such land to any other person except with the previous consent of the [Collector] [Substituted by M.P A.O. 1956.] given in writing by a general or special order.

#### **5. Power to make rules.**

- The State Government may make rules to carry out the objects of this Act and for the guidance of officers in all matters connected with its enforcement.The Schedule(See Section 3)Modifications in the Land Acquisition Act, 1894

#### **1. For clause (f) of Section 3, the following clause shall be deemed to be substituted, namely :-**

"(f) the expression 'public purpose' includes the provision of land for agriculture or for residential, business or industrial purposes, or for any purpose incidental to any of these with a view to resettlement and rehabilitation of displaced persons."

#### **2. In Section 17-**

(i)in sub-section (1), the words "waste or arable" shall be deemed to have been omitted; and(ii)the following proviso shall be deemed to have been added to the said sub-section, namely :-"Provided that the Collector shall not take possession of any building or part of a building under this sub-section without giving to the occupier thereof at least forty-eight hours notice of his intention so to do, or such longer notice as may be reasonably sufficient to enable such occupier to remove his movable property from such building without unnecessary inconvenience."