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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 508]

भोपाल, गुरुवार, दिनांक 23 दिसम्बर 2021—पौष 2, शक 1943

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 23 दिसम्बर 2021

क्र. 16894-318-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश भू-राजस्व संहिता (संशोधन) विधेयक, 2021 (क्रमांक 30 सन् 2021) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,

राजेश यादव, अतिरिक्त सचिव.

MADHYA PRADESH BILL

No. 30 OF 2021

THE MADHYA PRADESH LAND REVENUE CODE (AMENDMENT) BILL, 2021

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MADHYA PRADESH BILL
No. 30 OF 2021

THE MADHYA PRADESH LAND REVENUE CODE (AMENDMENT) BILL, 2021

A Bill Further to amend the Madhya Pradesh Land Revenue Code, 1959.

Be it enacted by the Madhya Pradesh Legislature in the seventy Second year of the Republic of India as follows :—

Short title.

1. This Act may be called the Madhya Pradesh Land Revenue Code (Amendment) Act, 2021.

Insertion of Section 13-A.

2. Section 13-A of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) (hereinafter referred to as the principal Act), shall be renumbered as Section 13-B and before Section 13-B as so renumbered, the following new Section shall be inserted, namely:—

“13-A. Cyber Tahsil The State Government may create a Cyber Tahsil, comprising of one or more than one district, along with its headquarter, for the purpose of dealing with such class of cases, as the State Government may, by general order, notify, and may abolish or alter the limits of such Cyber Tahsil.”

Amendment of Section 19.

3. In Section 19 of the principal Act, after sub-section (3), the following sub-sections shall be added, namely:—

“(4) The State Government may appoint for each Cyber Tehsil a Revenue officer or any Gazetted officer as it thinks fit to be a Cyber Tahsildar, who shall exercise such powers and perform such duties conferred or imposed on a Tahsildar by or under this Code or by or under any other enactment for the time being in force and such Cyber Tahsildar may enquire into such cases as the State Government may, by general order, notify under section 13-A, in such manner as may be prescribed.

(5) The Cyber Tahsildar shall be a revenue officer for the purpose of Section 11 as well as other provisions of the Code and rules made thereunder.”

Insertion of Section 55.

4. After Section 54 of the principal Act, the following new Section shall be inserted, namely:—

“55. The provisions of this Chapter shall be applicable on all proceedings of, and orders passed by, a Cyber Tahsildar in the matters related to Cyber Tehsil as they are applicable to the proceedings of, and orders passed by, a Tahsildar having jurisdiction over his Tehsil.”

Appeal, review or revision of order passed by Cyber Tahsildar.

Amendment of Section 110.

5. In Section 110 of the principal Act, after sub-section (7), the following new sub-section shall be added, namely:—

“(8) Notwithstanding anything contained in this Section, the Tahsildar shall make entries in appropriate column of Khasra, within three days from the date of receipt of intimation from.

- (a) any bank or financial institution established and regulated under the provisions of the Reserve Bank of India Act, 1934 (No. 2 of 1934) or the Banking Regulation Act, 1949 (No. 10 of 1949) regarding mortgage or hypothecation, as the case may be, including its period, against the advances given or to be given by it to the tenure-holder; or
- (b) any Court regarding—
- (i) any charge, penalty or any liability created or imposed by it upon tenure-holder; or
- (ii) any decree or order passed by it,

and after making such entries, the Tahsildar shall inform the Bhumiswami, who, may object against such entries and may apply for its correction before the Tahsildar. The Tahsildar may after making such enquiry, as he may deem fit, make such correction as he may consider necessary.

Explanation.—For the purpose of clause (b) of sub-section (8), “Court” means any Civil, Criminal or Revenue Court.”.

6. In-section 247 of the principal Act, for sub-section (7) and sub-section (8), the following sub-section shall be Substituted, namely:—

Amendment of Section 247.

“(7) Such class of cases, in which minerals have been extracted or removed without lawful authority from any mine or quarry, the right to which vests in, and has not been assigned by the Government, shall be dealt with under the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) and rules made thereunder.”.

7. In sub-section (2) of Section 258 of the principal Act, after clause (i-a), the following clause shall be inserted, namely:—

Amendment of Section 258.

“(i-b) manner of dealing class of cases in a Cyber Tehsil;”.

STATEMENT OF OBJECTS AND REASONS

It is experienced that in certain class of cases, the Revenue Officers posted in a district may pass orders by verifying the documents produced before them and physical presence of the parties may be dispensed with for disposal of such cases. Therefore, it is proposed to insert a new Section 13A and amend section 19 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) for establishing Cyber Tehsil for a district or more and for appointment of a Cyber Tahsildar in such Cyber Tehsil, who shall dispose of undisputed revenue cases. For clarification of any doubt regarding appeal, review or revision in the matters decided by Cyber Tahsildar, the new Section 55 is proposed to be inserted:

2. Banks or financial institutions, who on the basis of mortgage of holdings, advance loans to agriculturalists and desires that entries regarding such mortgage be made in land records and send due intimation to the Tahsildar, it shall be verified and recorded within three days from the date of receipt of such intimation and similarly if a Court creates or Imposes any charge, penalty or liability on any holding or passes any decree or order regarding any holding, it shall also be recorded in land records. Therefore, it is proposed to amend Section 110 of the said Code for making such entries within three days from the date of intimation .

3. In sub-section (7) and sub-section (8) of Section 247 of the said Code, there are the provisions regarding penalty for unlawful extraction or removal of minerals from any mine or quarry and the provisions for the same are also there in the Mines and Minerals (Development and Regulation) Act, 1957 (No. 67 of 1957) and the rules made thereunder. To ensure that the penal provisions for any unlawful act should only be in one enactment, therefore amendment in Section 247 of the said Code is proposed.

4. To provide the provisions for rule making power, as required in Section 13-A of the said Code for prescribing the manner for dealing undisputed cases in a Cyber Tehsil, the amendment under section 258 of the said Code is proposed.

5. Hence this Bill.

BHOPAL :

Dated, the 14th December 2021.

GOVIND SINGH RAJPUT
Member-in-Charge.