

**Madhya Pradesh Krishi Prayojan Ke Liye Upayog Ki Ja Rahi  
Dakhal Rahit Bhoomi Par Bhoomiswami Adhikaron Ka  
Pradan Kiya Jana (Vishesh Upabandh) Adhiniyam, 1984**

**27 of 1985**

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An Act to make special provision for conferral of Bhoomiswami rights on persons in possession of unoccupied land for purpose of agriculture in certain circumstances. Be it enacted by the Madhya Pradesh Legislature in the Thirty-fifth Year of the Republic of India as follows :-- 1. Received the assent of the Governor on 21-10-1984; assent first published in the "Madhya Pradesh Gazette" (Extraordinary), dated 21-10-1984.

**1. Short Title And Extent :-**

- (1) This Act may be called the Madhya Pradesh Krishi Prayojan Ke Liye Upayog Ki Ja Rahi Dakhal Rahit Bhoomi Par Bhoomiswami Adhikaron Ka Pradan Kiya Jana (Vishesh Upabandh) Adhiniyam, 1984.
- (2) It extends to the whole of Madhya Pradesh.

**2. Definitions :-**

In this Act, unless the context otherwise requires,--

- (a) "agricultural labourer" means a person who does not hold any

land and whose principal means of livelihood is manual labour on land and any member of his family of which he is member does not hold any land;

(b) "Code" means the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959);

(c) the words and expressions used in this Act but not defined shall have the meaning assigned to them in the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959).

### **3. Conferral Of Bhoomiswami Rights On Agricultural Labourer :-**

(1) All unoccupied land in a village in possession of an agricultural labourer on the 2nd October, 1984 shall, notwithstanding anything contained in the Code, or the rules made thereunder shall be held by such person as from the said date in Bhoomiswami rights and he shall be a Bhoomiswami of the said land for all purposes of the Code and any other enactment for the time being in force :

Provided that such conferral of Bhoomiswami rights shall not be for such land exceeding two hectares :

Provided further that nothing contained in this section shall apply in respect of land--

(a) set apart under Section 237 of the Code for the following purposes :--

(i) for burial ground and cremation ground;

(ii) for gaothan;

(iii) for threshing floor;

(iv) for skinning ground;

(v) for bazar;

(vi) for public purposes such as schools, playgrounds, parks, roads, lanes and drains;

1[(vii) for the Pasture, grass, bir or fodder;]

(b) held or reserved by the Central Government or the State Government for any specific purpose;

(c) which stands allotted to any person other than the person in possession of the land on the said date.

(2) Nothing contained in sub-section (1) shall apply unless the agricultural labourer is in possession of the land in the village in which he resides and none of the members of his family holds any land.

Explanation.-- For purposes of sub-section (2) the family shall be deemed to consist of the spouse, issues, parents and any other

person dependent on him.

1. Inserted by M.P. Act No. 27 of 1985.

#### **4. Transfer Or Diversion Not Permissible :-**

The agricultural labourer who becomes Bhoomiswami under Section 3 shall, notwithstanding anything contained in the Code, not be entitled to transfer the said land to any other person or to divert it for any other purpose.

#### **5. Power To Make Rules :-**

(1) The State Government may make rules generally for the purpose of carrying into effect the provisions of this Act.

(2) Rules made under this Act shall be laid on the table of the Legislative Assembly.

#### **6. Removal Of Doubt :-**

For removal of doubt it is hereby declared that in the event of there being a dispute as to whether the land stood allotted or not, the conferral of right under clause (c) of Section 3 shall be subject to the decision of the appropriate authority as may be prescribed.

#### **7. Provisions Of The Act To Apply To Landless Person :-**

1[(1) For the purpose of this section,--

(a) "Landless person" means a person who whether individually or jointly with other member of his family holds land less than two hectares;

(b) in computing the land of a landless person, one hectare of irrigated land shall be deemed to be equal to two hectares of unirrigated land and vice-versa.

(2) The provisions of this Act, shall apply to a landless person as they apply to an agricultural labourer subject to the modification that the landless person shall be entitled to hold unoccupied land in a village in his possession on the 2nd October, 1984 in Bhoomiswami rights to the extent as would make the total land held by him, that is to say, land already held by him and unoccupied land in his possession as aforesaid, equal to two hectares.]

1. Inserted by MP. Act No. 27 of 1985.