

**Madhya Pradesh Land Revenue Code (Amendment) Act,
2015**

23 OF 2015

[31 December 2015]

CONTENTS

1. Short title
2. Amendment of Section 50
3. Amendment of Section 162
4. Amendment of Section 166
5. Amendment of Section 247
6. Repeal and Saving

**Madhya Pradesh Land Revenue Code (Amendment) Act,
2015**

23 OF 2015

[31 December 2015]

An Act further to amend the Madhya Pradesh Land Revenue Code, 1959.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-Sixth year of the Republic of India as follows:-

1. Short title :-

This Act may be called the Madhya Pradesh Land Revenue Code (Amendment) Act, 2015.

2. Amendment of Section 50 :-

In Section 50 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) (hereinafter referred to as the principal Act),
(i) for sub-section (1), the following sub-section shall be substituted, namely :-

"(1) The Board may, at any time on its motion or on an application made by any party or the Commissioner or the Settlement Commissioner or the collector
or the Settlement Officer may, at any time on his own motion, call

for the record of any case which has been decided or proceedings is which an order has been passed by any Revenue Officer subordinate to it or him and in which no appeal lies thereto, and if it appears that such subordinate Revenue Officer,-

(a) has exercised a jurisdiction not vested in him by this Code; or

(b) has failed to exercise a jurisdiction so vested; or

(c) has acted in the exercise of his jurisdiction illegally or with material irregularity,

the Board or the Commissioner or the Settlement Commissioner or the Collector or the Settlement Officer, as the case may be, make such order in the case as it or he thinks fit :

Provided that the Board or the Commissioner or the Settlement Commissioner or the Collector or the Settlement Officer shall not, under this Section, vary or reverse any order made, or any order deciding an issue, in the course of the proceeding, except where-

(a) the order, if it had been made in favour of the party applying for revision to the Board, would have finally disposed of the proceedings, or

(b) the order, if allowed to stand, would occasion a failure of justice or cause reparable injury to the party against whom it was made.";

(ii) in sub-sections (2) and (3), for the words "or the Collector or the Settlement Officer" wherever they occur, the words "or the Commissioner or the Settlement Commissioner or the Collector or the Settlement Officer" shall be substituted; and

(iii) for sub-section, (6), the following sub-section shall be substituted, namely:-

"(6) Notwithstanding anything contained in sub-section (1),-

(i) where proceedings in respect of any case have been commenced by the Board under sub-section (1), no action shall be taken by the Commissioner or the Settlement Commissioner or the Collector or the Settlement Officer in respect thereof;

(ii) where proceedings in respect of any such case have been commenced by the commissioner or the Settlement Commissioner under sub-section (1), no action, shall be taken by the Collector or the Settlement Officer in respect thereof;

(iii) where proceedings in respect of any such case have been commenced by the commissioner or the settlement Commissioner or the Collector or the Settlement Officer under sub-section (1), the Board may either refrain from taking any act on under this Section in respect of such case until the final disposal of such proceedings by the Commissioner or the Settlement Commissioner or the Collector or the Settlement Officer, as the case may be, or may

withdraw such proceedings and pass such order as it may deem fit; (iv) where proceedings in respect of any such case have been commenced by the Collector or the Settlement Officer under sub-section (1), the Board or the Commissioner or the Settlement Commissioner may either refrain from taking any action under this Section in respect of such case until the final disposal of such proceedings by the Collector or the Settlement Officer, as the case may be, or may withdraw such proceedings and pass such order as it may deem fit."

3. Amendment of Section 162 :-

In section 162 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :-

"(1) Notwithstanding anything contained in Section 248 and subject to rules made in this behalf, any land belonging to the State Government in such areas as notified in the official Gazette by the State Government, which is in unauthorized possession, may be disposed of for agricultural purposes in Bhumiswami rights and non-agricultural purposes, in Government lessee rights by the Collector to such extent and on payment of such amount as may be prescribed."

4. Amendment of Section 166 :-

In Section 166 of the principal Act, in sub-section (3), the word, bracket and figure "and (2)" shall be omitted.

5. Amendment of Section 247 :-

In Section 247 of the principal Act, in sub-section (4), for the words, figures and bracket "the Land Acquisition Act, 1894 (1 of 1894)", the words, figures and bracket "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (No. 30 of 2013)" shall be substituted.

6. Repeal and Saving :-

(1) The Madhya Pradesh Land Revenue Code (Second Amendment) Ordinance, 2015 (No. 5 of 2015) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act.

