

Madhya Pradesh Land Survey Act, 1947

42 of 1947

[25 November 1947]

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An Act to provide for the entry of authorized persons upon any land for the purpose of making survey to determine soil erosion in the State. Whereas it is expedient to provide for the entry of authorized persons upon any land for the purpose of making a survey to determine soil erosion in the State; It is hereby enacted as follows :-

1. Short Title, Extent And Commencement :-

(1) This Act may be cited as the 1[Madhya Pradesh] Land Survey Act, 1947.

1[(2) It extends to and shall be in force in the whole of Madhya Pradesh.]

1. Substituted by MP. Act No. 23 of 1958.

2. Power To Enter Upon Lands :-

(1) For the purpose of determining soil erosion in any area in the State, the State Government may, by written order, authorize any officer of the Government to enter upon any land, survey and mark out such land and do all acts necessary for such purposes as

aforesaid.

(2) Any officer of the Government so authorized and, when authorized by him in writing, his subordinates and workmen, may, after giving not less than seventy-two hours notice to the owner, occupier or other person having interest in any land, enter upon, survey and mark out such land and do all acts necessary for such purpose as aforesaid, but shall cause no damage except such as may be necessary for such purpose as aforesaid.

(3) Where the damage exceeds ten rupees such authorized officer or his authorized subordinate shall certify accordingly and upon presentation of the certificate at the nearest Treasury the person suffering the damage shall be entitled to be paid the sum certified.

3. Manner Of Serving Notice :-

Every notice under section shall be served in the manner provided in the Central Provinces Land Revenue Act, 1917 1[x x x] for service of notice.

1. Omitted by MP. Act No. 23 of 1958.

4. Delegation Of Authority :-

The State Government may, by notification, delegate to any officer the power of authorization conferred on it by sub-section (1) of Section 2.

5. Persons Acting Under The Act To Be Public Servants :-

All persons acting in pursuance of the provisions of this Act shall be deemed to be public servants within the meaning of that expression in the Indian Penal Code (XLV of 1860).

6. Protection Of Persons Acting In Good Faith And Limitations Of Suits And Prosecutions :-

(1) No suit, prosecution or other legal proceedings shall be instituted against any person for anything which is in good faith done or intended to be done under this Act.

(2) No suit shall be instituted against the Government and no prosecution or suit shall be instituted against any person for anything done or intended to be done under this Act unless the suit or prosecution has been instituted within three months from the date of the Act complained of.

