

MADHYA PRADESH ACT NO. 15 OF 1984

THE MADHYA PRADESH NAGARIYA KSHETRO KE BHOOMIHIN VYAKTI (PATTADHRITI ADHIKARON KA PRADAN KIYA JANA) ADHINIYAM, 1984.

[Published in the "Madhya Pradesh Gazette" (Extraordinary), dated the 17th April, 1984.]

An Act to provide for the conferring of leasehold rights on landless persons in respect of sites for dwelling house in urban areas in the State of Madhya Pradesh.

Be it enacted by the Madhya Pradesh Legislature in the Thirty-Fifth Year of the Republic of India as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Madhya Pradesh Nagariya Kshetro ke bhoomihin Vyakti (Pattadhruti Adhikaron Ka Pradan kiya Jana) Adhiniyam, 1984.

(2) It shall extend to urban areas in the State of Madhya Pradesh and Five Kilometers thereof.

(3) (A) It shall in the first instance come into force in the district headquarters and towns having population of more than one lac according to the last census.

(B) It shall come into force in any other town on such date as the State Government may, by notification, specify.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "**Authorised Officer**" means a Sub-Divisional Officer or any other Assistant Collector or Deputy Collector in the district as the Collector may by order specially authorise to exercise the powers of the Authorised Officer in such area as may be specified therein;

(b) "**dwelling house**" means a single storeyed super structure but shall not included any building owned by the Government of any local or statutory authority;"

- (c) Omitted;
- (d) **"Landless Person"** means a person who does not own either in his own name or in the name of any member of his family any house or land in an urban area where he is actually residing.

Explanation.- For the purpose of this clause 'family' includes husband, wife, minor son, unmarried daughter or any relation by blood wholly dependent on the landless person.";

- (d-1) **"Occupy"** means occupation of land in urban area belonging to the State Government, local body or Development Authority for residential purposes.

(d-2) Omitted.

- (d-3) **"Urban area"** means the area comprised within the limits of the Municipal Corporation constituted under the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) or Municipal Council or Nagar Panchayat constituted under the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961) or such area which is situated within a distance of five kilometers from the limits thereof and the area of the dissolved Special Area Development Authority constituted under Section 64 of the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973) and the planning area as per the Development Plan of a town prepared under Section 13 of the Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973)."

- (d-4) **"Government land"** means such vacant land held by the State Government in the Revenue Department situated in an urban area and which has not been allotted to any other Government department for special purpose;

(d-5) Omitted.

(d-6) Omitted.

- (e) Words and expressions used but not defined in this Act and defined in the Madhya Pradesh land Revenue Code, 1959 (No. 20 of 1959), shall have the meanings, respectively, assigned to them in that Code.

3. Settlement of land.- (1) Notwithstanding anything contained in any law for the time being in force, the land occupied by a landless person in any urban area on

the 31st day of December, 2012 shall subject to the provisions of sub-section (2) be deemed to have been settled in his favour on the said date.

(2) The Authorised Officer may, subject to the rules framed or directions issued by the State Government from time to time, either settle the land in actual occupation of the landless person or allot to him any other land not exceeding forty five square metres in lease hold rights in his favour, provided he adduces following proof of his residence in the urban area prior to 31st December, 2012,-

(a) the ration card issued to him by the competent authority; or

(b) the written testimony from the appropriate officer authorized by the Municipal Corporation, Municipality or Nagar Panchayat as the case may be, certifying that he lived in the area prior to 31st December, 2012:

Provided that where the landless person is in occupation of more than forty-five square metres of land, settlement may be made for land up to 80 square metres in a Nagar Panchayat area, 60 square metres in a Municipal Council area; however the land settlement in the area of a Municipal Corporation shall not exceed 45 square metres of land".

(3) The lease hold rights accrued under sub-section (1) shall not be transferable by sub-lease, sale, gift, mortgage or any other manner whatsoever except by inheritance."

Provided that such lease hold rights may be mortgaged in favour of a nationalized bank or a Co-operative society or a government undertaking, to securing loan for construction of a expansion of a residential house.

(4) If the landless person to whom the leasehold rights have been accrued in respect of any land under this Act, transfers such land in contravention of the provisions of sub-section (3) or uses the said land for any purpose other than residential purpose, the following consequences shall ensue, namely:-

(i) the lease shall stand automatically cancelled on the data of such transfer.

(ii) such transfer shall be null and void.

(iii) no lease hold rights shall accrue to the transferee in respect of such land.

(iv) the authorised officer shall have the right to disposes the person who is in actual possession of such land.

(5) Notwithstanding anything contained in the Registration Act, 1908 (No. 16 of 1908) no officer empowered to register documents thereunder shall admit to registration any document which purports to contravene charges at such rate and in such manner as may be prescribed.

(6) The landless person to whom the lease hold rights have accrued under sub-section (shall) pay development charges at such rate and in such manner as may be prescribed.

(7) The lease deed in respect of the lease hold rights granted to the landless person shall be affixed with a recent photograph of the person and a copy of such photograph shall also be affixed in the land rent register and where the lease hold rights are granted jointly in the name of both husband and wife a joint photograph of both shall be affixed on the aforesaid documents.

3-A. Removal of dwelling houses.- (1) the Committee constituted by the State Government in this behalf shall decide the removal of any slum dwelling and its settlement in accordance with the procedure prescribed.

(2) Any landless person who is occupation of the land of a public park in the side of a road or in between road and dwellings may be removed from such place in public interest and may be given lease hold rights elsewhere.

(3) Any site for dwelling house where the landless persons are settled under sub-section (1) of Section 3 may be shifted elsewhere in public interest and their lease hold rights may be cancelled and such persons may be settled elsewhere."

4. Restoration of possession.- (1) If any landless person to whom leasehold rights have accrued in the land under section 3 dispossessed from that land or any part thereof otherwise than in due course of law, the Authorised Officer shall on an application made to him by the said landless person within six months from the date of dispossession restore such possession.

(2) If any dispute arises as to the occupation of the land in question on the 31st December 2012 the landless person claiming such occupation on the said date may

refer the dispute to the Authorised Officer for decision. The decision of the Authorised Officer thereon shall be final.

Provided that no order under sub-section (2) shall be passed without giving a reasonable opportunity of being heard to the parties in dispute.

4-A. Revision - The Collector may, at any time, on his own motion or on application made by any party interested for the purpose of satisfying himself as to legality or propriety of any order passed by or as to the regularity of any proceeding before the authorised officer, call for and examine record of any cause disposed of by or pending before such officer and may pass such order in reference thereto as he thinks fit:

Provided that-

(i) no such application shall be entertained unless presented within thirty days from the date of the order;

(ii) no order shall be varied or reversed in revision unless notice has been served on the party interested and the opportunity given to him of being heard.

5. Penalties.-(1) Any person who-

(i) Wrongfully dispossesses or attempts to dispossesses an occupier of a dwelling house;

(ii) Recovers or attempts to recover rent in any manner from an occupier of a dwelling house.

(iii) Conceals any information or gives wrong information with intention to fraudulently acquire leasehold rights;

Shall be punished with rigorous imprisonment which shall not be less than three months but which may extend to three years and with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees.

(2) If it is found that the landless person to whom the lease hold rights have accrued in respect of any land under this Act sold such land or otherwise transferred the same in contravention of the provisions of sub-section (3) of Section 3, the

Authorised Officer may file a complaint before the competent court and such person shall, on conviction, be punished with imprisonment which shall not be less than three months but which may extend to three years and with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees.

(3) If any person by force, deception or Seduction of money, dispossess an occupier of a land or dwelling house, the Authorised officer may file a complaint against such person in the competent court and such person shall, on conviction, be punished with imprisonment which shall not be less than three months but which may extend to three years and with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees.

5-A. Effect of illegal Possession.- If any land is not in possession of the occupier who has been given lease hold rights under this Act but is in possession of any other person, then an amount equal to one and a quarter times of the market value of the land, in case such land is used for dwelling purposes and two times of the market value of such land if it is used for commercial or for other non-dwelling purposes, shall be recovered from such person who is in possession of such land at present and upon payment of such amount the present occupier shall be entitled to get a lease hold rights over such land under this Act.

6. Power to make rules.- (1) The State Government may make rules to carry out all or any of the purposes of this Act including matters relating to premium and ground rent.

(2) Any rule made under this Act shall be laid on the table of the legislative Assembly.

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“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक “छत्तीसगढ़/दुर्गा/ सी. ओ./रायपुर/17/2002.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 108-स]

रायपुर, रविवार, दिनांक 26 अप्रैल 2003—वैशाख 6, शक 1925

विधि और विधायी कार्य विभाग
मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 26 अप्रैल 2003

क्रमांक 2839/21-अ/प्रारूपण/03.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 21-4-2003 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सी. बी. बाजपेयी, उप-सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 7 सन् 2003)

छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 2003

छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना), अधिनियम, 1984 में और संशोधन हेतु अधिनियम.

भारत गणराज्य के चौवनवें वर्ष में छत्तीसगढ़ विधान-मंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

- संक्षिप्त नाम तथा प्रारंभ. 1. (1) इस अधिनियम का संक्षिप्त नाम छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) विधेयक, 2003 (क्रमांक 7 सन् 2003) है.
- (2) यह उस तारीख से प्रवृत्त होगा जिसे राज्य सरकार, राजपत्र में अधिसूचना द्वारा नियत करे.
- धारा 3 (1) एवं (2) में संशोधन. 2. छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 1998 (क्रमांक 19 सन् 1998) की धारा 3 की उपधारा (1) एवं (2) में निम्नलिखित उपधारा अंतः स्थापित किया जाए, अर्थात् :-
- (एक) धारा 3 की उपधारा (1) में शब्द " 31 मई 1998 " के स्थान पर शब्द " 19 नवंबर, 2002 " स्थापित किया जाए.
- (दो) धारा 3 की उपधारा (2) में शब्द " 31 मई 1998 " के स्थान पर शब्द " 19 नवंबर, 2002 " स्थापित किया जाए.
- धारा 4 (2) में संशोधन. 3. छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 1998 (क्रमांक 19 सन् 1998) की धारा 4 में निम्नलिखित उपधारा स्थापित किया जाए, अर्थात् :-
- (एक) धारा 4 की उपधारा (2) में शब्द " 31 मई 1998 " के स्थान पर शब्द " 19 नवंबर 2002 " स्थापित किया जाए.

रायपुर, दिनांक 26 अप्रैल 2003

क्रमांक 2839/21-अ/प्रारूपण/03.— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 2003 (क्र. 7 सन् 2003) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सी. बी. बाजपेयी, उप-सचिव.

CHHATTISGARH ADHINIYAM
(No. 7 of 2003)

**THE CHHATTISGARH NAGARIYA KSHETRON KE BHUMIHIN VYAKTI
(PATTADHRTI ADHIKARON KA PRADAN KIYA JANA (SANSHODHAN)
ADHINIYAM, 2003**

**An Act further to amend the Chhattisgarh Nagariya Kshetron Ke Bhumihin Vyakti
(Pattadhriti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984.**

Be it enacted by the Chhattisgarh Legislature in the Fifty-fourth year of the Republic of India
as follows :—

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|----|------|--|-------------------------------------|
| 1. | (1) | This Act may be called the Chhattisgarh Nagariya Kshetron Ke Bhumihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) (Sanshodhan) Vidheyak, 2003 (No. 7 of 2003). | Short title and Commencement. |
| | (2) | It shall come into force on such date on which the State Government may, by notification in the official Gazette, appoint. | |
| 2. | | In Sub-section (1) and (2) of Section 3 of the Chhattisgarh Nagariya Kshetron Ke Bhumihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) (Sanshodhan) Adhiniyam, 1998 (No. 19 of 1998) the following Sub-section shall be substituted, namely :— | Amendment of Section 3 (1) and (2). |
| | (i) | In Sub-section (1) of Section 3 for words "31st May, 1998", the words "19th November, 2002" shall be substituted. | |
| | (ii) | In Sub-section (2) of Section 3 for words "31st May, 1998", the words "19th November, 2002" shall be substituted. | |
| | | In Sub-section (2) of Section 4 of the Chhattisgarh Nagariya Kshetron Ke Bhumihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) (Sanshodhan) Adhiniyam, 1998 (No. 19 of 1998) the following Sub-section shall be substituted, namely :— | Amendment of Section 4 (2). |
| | (i) | In Sub-section (2) of Section 4 for words "31st May, 1998" the words "19th November, 2002" shall be substituted. | |

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 133]

रायपुर, शनिवार, दिनांक 4 मई 2019 — वैशाख 14, शक 1941

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, अटल नगर, रायपुर

अटल नगर, दिनांक 4 मई 2019

क्रमांक 4513/डी. 95/21-अ/प्रारू./छ. ग./19. — छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 15-03-2019 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
मनीष कुमार ठाकुर, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 5 सन् 2019)

छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 2019

छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) अधिनियम, 1984 (क्र. 15 सन् 1984) को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के सत्तरवें वर्ष में छत्तीसगढ़ विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

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| संक्षिप्त नाम, विस्तार तथा प्रारंभ. | 1. | (1) | यह अधिनियम छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) (संशोधन) अधिनियम, 2019 कहलाएगा. |
| | | (2) | इसका विस्तार सम्पूर्ण छत्तीसगढ़ राज्य में होगा. |
| | | (3) | यह राजपत्र में इसके प्रकाशन की तारीख से प्रवृत्त होगा. |
| धारा 2 का संशोधन. | 2. | | छत्तीसगढ़ नगरीय क्षेत्रों के भूमिहीन व्यक्ति (पट्टाधृति अधिकारों का प्रदान किया जाना) अधिनियम, 1984 (क्र. 15 सन् 1984) (जो इसमें इसके पश्चात् मूल अधिनियम के रूप में निर्दिष्ट है) की धारा 2 के खण्ड (घ-6) का लोप किया जाये. |
| धारा 3 का संशोधन. | 3. | (1) | मूल अधिनियम में, धारा 3 में,- |
| | | (क) | उप-धारा (1) तथा (2) में, शब्द और अंक "19 नवम्बर, 2002" के स्थान पर, शब्द और अंक "19 नवम्बर, 2018" क्रमशः प्रतिस्थापित किया जाये; |
| | | (ख) | उप-धारा (2) में, परंतुक में, शब्द "राजभोगी नगरों" के स्थान पर, शब्द "रायपुर" प्रतिस्थापित किया जाये; और |
| | | (ग) | उप-धारा (3) में, पूर्ण विराम चिन्ह "." के स्थान पर, कोलन चिन्ह ":" प्रतिस्थापित किया जाये; और |
| | | (घ) | उप-धारा (3) के पश्चात्, निम्नलिखित जोड़ा जाये, अर्थात् :- |

"परंतु यह और कि दिनांक 19 नवंबर, 2002 तक अधिभोगित भूमि पर पट्टाधृति अधिकार, जो किसी भी समय प्रदत्त किये गये हों, का अंतरण उप-पट्टे अधिकार, विक्रय, दान एवं बंधक के माध्यम से या अन्य किसी माध्यम से किया जा सकेगा तथा इसका भू-अभिलेख में हस्तांतरण एवं नामान्तरण हो सकेगा."

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| नवीन धारार्ये 3-ख, 3-ग तथा 3-घ का अंतःस्थापन. | 4. | मूल अधिनियम में, धारा 3-क के पश्चात्, निम्नलिखित जोड़ा जाये, अर्थात् :- |
| | | "3-ख. नियमितिकरण.- धारा 3 में अंतर्विष्ट किसी बात के होते हुए भी, यदि प्राधिकृत अधिकारी यह पाता है कि कब्जाधारी, जिसे अधिनियम के अधीन पट्टा प्रदत्त किया गया है, के वास्तविक कब्जे की भूमि, उसके पक्ष में मूल रूप से की गई व्यवस्थापन (सेटलमेंट) से अधिक है, तो ऐसी आधिक्य भूमि भी व्यवस्थापित की जा सकेगी तथा ऐसे परिवर्तित भू-उपयोग का निम्नलिखित शर्तों के अधीन रहते हुए उसके पक्ष |

में नियमितिकरण किया जा सकेगा :-

- (क) इस धारा के अधीन शिथिलीकरण के लिये केवल ऐसे प्रकरण ग्रहित किये जायेंगे, जिसमें मूल पट्टाधृति, 19 नवम्बर, 2018 को या इसके पूर्व प्रदान किया गया हो;
- (ख) कब्जे के अधीन आधिक्य भूमि, व्यवस्थापित मूल भूमि के पचास प्रतिशत से अधिक नहीं होनी चाहिये;
- (ग) यदि कब्जे के अधीन आधिक्य भूमि, मूल भूमि के पचास प्रतिशत से अधिक है, तो कब्जाधारी, सर्वप्रथम पचास प्रतिशत की आधिक्य भूमि पर किये गये कब्जे को रिक्त करेगा;
- (घ) ऐसी आधिक्य भूमि, मूल भूमि से जुड़ी हुई होनी चाहिए ;
- (ङ) भूमि उपयोग से प्रचलित मास्टर प्लान का उल्लंघन नहीं होना चाहिए;
- (च) नियमितिकरण की जाने वाली आधिक्य भूमि के पट्टे के लिये प्रभारित दरें ऐसी होंगी, जैसा कि नियमों द्वारा विहित किया जाये.
- (छ) इस धारा के अधीन नियमितिकरण की जाने वाली आधिक्य भूमि के संबंध में, धारा 3 की उप-धारा (2) के परंतुक में विनिर्दिष्ट सीमाओं में पचास प्रतिशत वृद्धि की जायेगी, अर्थात् नगर पंचायत वाली शहरों के लिए 1000 वर्गफुट के स्थान पर 1500 वर्गफुट, नगरपालिका वाली शहरों के लिए 800 वर्गफुट के स्थान पर 1200 वर्गफुट, रायपुर के अलावा अन्य नगर पालिक निगम वाली शहरों के लिए 700 वर्गफुट के स्थान पर 1050 वर्गफुट, तथा रायपुर के लिए 600 वर्गफुट के स्थान पर 900 वर्गफुट लागू होगी.
- 3-ग. पट्टे का नवीनीकरण.- इस अधिनियम के अधीन पट्टाधृति अधिकार, धारा 6 के अधीन बनाये गये नियमों के अंतर्गत ऐसी अवधि, जैसा कि शासन द्वारा विहित किया जाये, के लिए प्रदाय किये जायेंगे तथा ऐसे पट्टाधृति अधिकार की अवधि की समाप्ति पर, इसका नवीनीकरण ऐसी और अवधि के लिए तथा ऐसी शर्तों पर, जैसा कि धारा 6 के अधीन बनाये गये नियमों में विहित किया जाये, किया जा सकेगा.
- 3-घ. विक्रय पर निर्बंधन.- इस अधिनियम में अंतर्विष्ट किसी विपरीत बात के होते हुये भी, कोई भी व्यक्ति, जिसे इस अधिनियम के अधीन भूमि पर पट्टाधृति अधिकार प्रदान किया गया हो, को ऐसी भूमि का आंशिक या पूर्ण रूप से अंतरण का अधिकार तब तक नहीं होगा, जब तक कि पट्टाधृति अधिकार प्रदान करने की तारीख से दस वर्ष पूर्ण नहीं हो गये हो. अंतरण के पंजीयन की प्रक्रिया ऐसी होगी जैसा कि विहित किया जाये :

परंतु यह कि यदि कोई व्यक्ति इस अधिनियम के अधीन पट्टे पर प्रदत्त भूमि का विक्रय करता हो, तो वह और/या उसका परिवार, स्वयंमेव किसी भी अन्य भूमि पर पट्टाधृति अधिकार प्राप्त करने की पात्रता तदुपरांत खो देगा.

टीप - “परिवार” से अभिप्रेत है पति, पत्नी, आश्रित बच्चे एवं माता-पिता.”

5. मूल अधिनियम में, धारा 4 में, उप-धारा (2) में, शब्द और अंक “19 नवम्बर, 2002” के स्थान पर, शब्द और अंक “19 नवम्बर, 2018” प्रतिस्थापित किया जाये. धारा 4 का संशोधन.
6. मूल अधिनियम में, धारा 6 में, उप-धारा (1) के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाये, अर्थात् :- धारा 6 का संशोधन.
- “(1) राज्य सरकार, प्रीमियम तथा भू-भाटक से संबंधित विषयों को सम्मिलित करते हुए, इस अधिनियम के समस्त या किन्हीं प्रयोजनों को क्रियान्वित करने के लिए नियम बना सकेगी.”

अटल नगर, दिनांक 4 मई 2019

क्रमांक 4513/डी. 95/21-अ/प्रारू./छ.ग./19.— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में इस विभाग की समसंख्यक अधिसूचना दिनांक 4-5-2019 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
मनीष कुमार ठाकुर, अतिरिक्त सचिव.

CHHATTISGARH ACT

(No. 5 of 2019)

**THE CHHATTISGARH NAGARIYA KSHETRO KE BHOOMIHIN VYAKTI
(PATTADHRITI ADHIKARON KA PRADAN KIYA JANA) (SANSHODHAN)
ADHINIYAM, 2019**

**An Act further to amend the Chhattisgarh Nagariya Kshetro Ke Bhoomihin Vyakti
(Pattadhriti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (No. 15 of 1984).**

Be it enacted by the Chhattisgarh Legislature in the Seventieth Year of the Republic of India, as follows :-

Short title, extent and commencement.	1.	(1)	This Act may be called the Chhattisgarh Nagariya Kshetro Ke Bhoomihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) (Sanshodhan) Adhiniyam, 2019.
		(2)	It extends to the whole State of Chhattisgarh.
		(3)	It shall come into force from the date of its publication in the Official Gazette.
Amendment Section 2.	of	2.	In Chhattisgarh Nagariya Kshetro Ke Bhoomihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (No. 15 of 1984), (hereinafter referred to as the Principal Act), clause (d-6) of Section 2 shall be omitted.
Amendment Section 3.	of	3.	(1) In the Principal Act, in Section 3,-
		(a)	in sub-section (1) and (2), for the word and figures "19th November, 2002", the word and figures "19th November, 2018" shall be substituted, respectively;
		(b)	in sub-section (2), in proviso, for the words "Rajbhogi cities", the word "Raipur" shall be substituted;
		(c)	in sub-section (3), for the punctuation full stop ".", the punctuation colon ":" shall be substituted; and
		(d)	after sub-section (3), the following shall be added, namely :-
			"Provided further that lease-hold rights granted at any time over land under occupation up to 19th day of November, 2002 can be transferred through sub-lease rights, sale, gift and mortgage or other means and it can be made for transfer or change of name in land records."
Insertion of New Sections 3-B, 3-C and 3-D.	4.		In the Principal Act, after Section 3-A, the following shall be added, namely :-
		"3-B.	Regularization.- Notwithstanding anything contained in Section 3, if the Authorised Officer finds that the land actually occupied by an occupier who has been granted lease under the Act, is in excess of the settlement originally

made in his favour, then such excess land may also be settled and such changed land-use may be regularized in his favour subject to the following conditions :-

- (a) Only such cases where the original lease was granted on or before 19th day of November, 2018 shall be entertained for relaxation under this Section;
 - (b) The excess land under occupation should not exceed fifty percent of the original land settled;
 - (c) In case the excess land under occupation is more than fifty percent of the original land, the occupier will have to first clear the encroachment on land in excess of fifty percent;
 - (d) Such excess land must be contiguous to the original land;
 - (e) The land use must not be violative of the current Master Plan;
 - (f) The rate to be charged for lease on the excess land being regularized shall be as may be prescribed by rules;
 - (g) In respect of the excess land being regularized under this Section, the ceilings specified in proviso to sub-section (2) of Section 3, shall be increased by fifty percent, namely, 1500 sft in place of 1000 sft for Nagar Panchayat towns, 1200 sft in place of 800 sft for Municipality towns, 1050 sft in place of 700 sft for other Municipal Corporation towns other than Raipur, and 900 sft in place of 600 sft for Raipur, shall be applicable.
- 3-C. Renewal of Lease.- The lease rights shall be granted under this Act in terms of rules framed under Section 6, for such period as the Government may prescribe and on completion of the lease term, it may be renewed for such further period and on such conditions as may be prescribed in the rules framed under Section 6.
- 3-D. Restriction on Sale.- Notwithstanding anything to the contrary contained in this Act, no person who has been granted lease over land under this Act shall be entitled to transfer such land, in part or in whole, before expiry of ten years from the date of grant of lease. Procedure of the registration of transfer shall be such as may be prescribed :

provided that if a person chooses to sell the land granted on lease under this Act, he and/or his family shall forthwith forfeit all eligibility for being granted lease over any other land at any time thereafter.

Note - "Family" means husband, wife, dependent children and mother-father"

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| 5. | In the Principal Act, in Section 4, in sub-section (2), for the word and figure "19th November, 2002", the word and figures "19th November, 2018" shall be substituted. | Amendment
Section 4. | of |
| 6. | In the Principal Act, in Section 6, for sub-section (1), for the following shall be substituted, namely :-

“(1) The State Government may make rules to carry out all or any of the purposes of this Act including matters relating to premium and ground rent.” | Amendment
Section 6. | of |