



The Madhya Pradesh Land Survey Act, 1947

Act 42 of 1947

Keyword(s):

Land Survey, Soil Erosion

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THE MADHYA PRADESH LAND SURVEY ACT, 1947

No. 42 of 1947

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THE MADHYA PRADESH LAND SURVEY ACT, 1947

(No. 42 of 1947)¹

(Received the assent of the Governor on the 6th November 1947; assent first published in the Central Provinces and Berar Gazette Extraordinary on the 25th November 1947.)

An Act to provide for the entry of authorised persons upon any land for the purpose of making survey to determined soil-erosion in the [State].²

Preamble :

Whereas it is expedient to provide for the entry of authorised persons upon any land for the purpose of making a survey to determine soil erosion in the [State];²

It is hereby enacted as follows :—

1. (1) This Act may be cited as [the Madhya Pradesh]³ Land Survey Act, 1947.

Short title, extent and commencement.

[(2) It extends to and shall be in force in the whole of Madhya Pradesh.]⁴

2. (1) For the purpose of determining soil erosion in any area in [the State]⁵, the State Governemnt may, by written order, authorise any officer of the [Government]⁶ to enter upon any land, survey, and mark out such land and do all acts necessary for such purpose^s as aforesaid.

Power to enter upon lands.

(2) Any officer of the [Government]⁶ so authorised and, when authorised 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 authorised officer or his authorised 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.

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1. For Statement of Objects and Reasons see Central Provinces and Berar Gazette, dated the 23rd August 1946, Part II, page 92. For Report of Select Committee, see Central Provinces and Berar Gazette, dated the 21st March 1947, Part II, page 63. For Proceedings in Assembly, see Central Provinces and Berar Legislative Assembly Proceeding, 1946, Vol. II, page 106, pages 773-779, 1947, Vol III, page 45 of No.1 dated the 25th February 1947, and Vol. IV, pages 27-29 of No. 3, dated the 8th October 1947.
 2. Subs, by A.O 1950 , for "Province".
 3. Subs, by M.P. Act 23 of 1958, S. 3 (4) , for "the Central Provinces and Berar".
 4. Subs. by S.3 (3) , ibid., Sch Part A, item 50, sub-sections (2) and (3).
 5. Subs, by M.P. Act 23 of 1958, for " the Mahakoshal region".
 6. Subs. by A.O. 1950, for "Crown".

Manner of serving notice.

3. Every notice under section² shall be served in the manner provided in the Central Provinces Land Revenue Act, 1917,¹ [* * * * *]² for service of notice.

Delegation of authority.

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

Persons acting under the Act to be public servants.

5. 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).

Protection of persons acting in good faith and limitations of suits and prosecutions.

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

(2) No suit shall be instituted against the [Government]³ 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 month from the date of the act complained of.

1. See now "the M.P. Land Revenue Code 1959 (20 of 1959).
 2. Words "or the Berar Land Revenue Code 1928" omitted by M.P. Act 23 of 1958, S. 3 (3), Sch., Part A, item 50.
 3. Subs. by A. O. 1950, for "Crown".