



The Land Acquisition (Madhya Pradesh Amendment) Act, 1959

Act 5 of 1959

Keyword(s):

Central Act Amendment, Land Acquisition Act, Bhopal Area

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MADHYA PRADESH ACT

No. 5 of 1959

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ACT, 1959****TABLE OF CONTENTS**

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MADHYA PRADESH ACT(No. 5 of 1959)¹**THE LAND ACQUISITION (MADHYA PRADESH AMENDMENT)
ACT, 1959**

(Received the assent of the President on the 28th March, 1959, assent first published in the Madhya Pradesh Gazette extraordinary on the 1st April, 1959.)

An Act to amend the land Acquisition Act, 1894 in its application to Bhopal area.

BE it enacted by the Madhya Pradesh Legislature in the Tenth Year of the Republic of India as follows :—

Short title

1. This Act may be called the Land Acquisition (Madhya Pradesh Amendment) Act, 1959.

Definition.

2. In this Act, the expression "Bhopal area" shall mean the area comprised within the Municipal limits of Bhopal town and the area extending up to ten miles beyond such limits.

Amendment of Act, I of 1894 in its application to Bhopal area.

3. The Land Acquisition Act, 1894 (1 of 1894), shall, in its application to Bhopal area, be amended in the manner and to the extent specified below :—

Amendment of Section. 3.

A. After clause (g) of section 3, the following clause shall be inserted, namely :—

"(h) the expression "Bhopal area" shall have the same meaning as assigned to it in the Land Acquisition (Madhya Pradesh Amendment) Act, 1959 (5 of 1959)."

Insertion of new section 17-A

B. After section 17, the following section shall be inserted, namely:—

"17-A. Whenever it appears to the State Government that it is urgently necessary to acquire immediate possession of any building site (together with the building, if any, standing thereon) situate in Bhopal area, the State Government may issue a direction accordingly to the Collector and thereupon the provisions of section 17 shall in all respects apply in the case of such site as they apply in the case of waste or arable land :

Provided that the Collector shall not take possession of any building or part of a building under this section without giving to the occupier thereof two months' notice of his intention so to do in order to enable such occupier to vacate the building without necessary inconvenience."

Amendment of section 23.

C. In section 23,—

(i) to clause beginning with the word 'firstly', the following proviso shall be added, namely :—

"Provided that when the market value of any land situate in Bhopal area, in respect of which the date of publication of the notification aforesaid is after the commencement of the Land Acquisition (Madhya Pradesh Amendment) Act, 1957 (21 of 1958) is in excess of its market value as on the first day of October, 1955, the market value thereof shall be deemed to be its market value as on the 1st day of October, 1955"; and

1. For Statement of objects and Reasons, (in English) see Madhya Pradesh Gazette, Extraordinary dated the 25th February 1959, page 69 and (in Hindi) 71. For Proceedings in Assembly see Madhya Pradesh Vidhan Sabha Proceedings, 1959, Volume 5, No 6, page 430-448.

- (ii) after sub-section (2), the following sub-section shall be inserted, namely :—

“(3) Where in respect of any land situate in Bhopal area the market value thereof is determined in accordance with the proviso to clause firstly, then in addition to such market value and the additional sum provided under sub-section (2), the Court shall award a further sum not exceeding twenty five per centum of such market value as may be deemed fit in consideration of the appreciation in the price of the land concerned by reason of the location of the Capital at Bhopal, regard being had to the situation of such land.”

4. (1) The Land Acquisition (Madhya Pradesh Amendment) Ordinance, 1958 (3 of 1959) is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 1st January, 1959.