

## CHHATTISGARH VAS-STHAN DAKHALKAR (BHUMISWAMI ADHIKARON KA PRADAN KIYA JANA) ACT, 2003

31.RTAWi7,2002. " 30-5-2001. 226 (e-3) I 9 1925 s 2003 EFHiQi 3-9-2003 450 (12-9) 450 (12-10) (2) (3) (4) 9 2003 (m 16 2003) 2003 qif2--rg 2003 (FHtZF 16 2003) t; 21 2003 am. 2. fig) ' 'grßQ7 e, Peer fi fög atalta ar 21 2003 31Tfh g, 1959 (m. 20 1959) 450 (12-11) 3. 4. 5. 6, 7. (2) 21 2003 41 2, (3) 21 2003 341 342 21 2003 zz•rfra graft t. \$1 250 56 gg 12-12) '870 9' 2003 qrfta TTöTa•fÄ iii1UFTT Q•qzr fig (\$17) 8. 9. 10. (2) grfäfiz.M, 1870 (m 7 1870) ä3iaffe gate--7Ü1 10 qfia fi gfä Girt'?! fi t, qfia on. 9 2003 (FT) 2003 (n 16 2003) üTd1 eso (12-13) An Act to • and sites Be 10110ws . CHHAITISGARH ACJ (No. 16 or 2003) CHHATTISGARH VAS-STHAN OAKHALKAR (BliIJMLSWAM1 ADHIKARON KA PRADAN JANA), ACT, 2003 provkle for conferring Bhumiswami rights on landless persons in respect of dwelling house on or appurtenant to agricultural non-urban areas in the State of Chhattisgarh. it enacted by the Chhattisgarh Legislature in the Fifty fourth year of the Republic of India that this Act may be called the Chhattisgarh Vas-sLhan Dakhalkar (Bhumiswami • — •Adhikarn • kn Pradan Kiya Jana)• Adhiniyam, 2003 (No. 16 of 2003): extends to the whole of Chhattisgarh; (2) It shall apply to all non-urban areas in the State of Chhattisgarh; (3) shall come into force from 21st of May, 2003. In this Act unless the context otherwise requires- 2. 3 (d) (c) (D "agricultural land" means any land in non-urban area used for the purpose of agriculture; "authorised officer" means a Sub Divisional Officer or any other Assistant Collector or Deputy Collector specially authorised by the Collector in this behalf to exercise the powers of the authorised officer in such areas as may be specified; "dwelling house" includes a hut: "homestead" means a dwelling house situated on or appurtenant to an agricultural land which is complete in itself and is not shared with any person other than a person belonging to the same family and includes any courtyard, compound, garden, place of worship, family grave-yard, tank, well, privy, latrine, drain and boundary wall annexed to or appertaining to such dwelling house and in actual physical possession of the landless person on the day of May, 2003; "landless person" means a person or any of his family members, who do not hold any land or dwelling house; "family" means wife, son, daughter, any lineal descendant or any son or daughter and a relation by blood or marriage dependant upon such landless person: (g) words and expressions used in this Act but not defined shall have the meaning assigned to them in the Chhattisgarh Land Revenue Code, 1959 (No. 20 1959) (hereinafter referred to as Land Revenue Code). This Act shall not apply to the homestead- (O) belonging to any local authority and religious endowment or situated on the private groves or orchards; or Short title, extent, and application commencement. Denotations. Act not to apply to certain homesteads. 450 (12-14) Vesting of homestead. Restriction of Appeal against the order of acquisition. Revision. (Ili) (Ili) 9 2003 belonging to a member of Scheduled Castes and is in occupation on the 21st day of May, 2003 by a member not belonging to Scheduled Castes or Scheduled Tribes; or belonging to a member of Scheduled Tribes and is in occupation on the 21st day of May, 2003 by a member not belonging to such Tribes. (1) "Member of the Scheduled Castes" means a member Explanation-In this section.— 4. 5. 6. (2) (2) of any castes, races or tribes or parts or groups within castes, races or tribe; specified as Scheduled Castes under Article 341 or the Constitution of India in relation to the State of Chhattisgarh. "Member of the Scheduled Tribes" means a member any (Bbs. or tribal communities or parts of or group within tribes or tribal communities; specified as Scheduled Tribes under Article 342 of the Constitution of India in relation to the State of Chhattisgarh. -In any non-urban area, land occupied by a landless person in or appurtenant to an agricultural land on the 21st day of May, 2003 shall on the said date be deemed to vest in him Bhumiswami rights provided he had been in possession thereof for one year or more prior to that date. On such vesting or the homestead in the landless person, the original tenure holder shall cease to be a Bhumiswami of the area comprised in the homestead. Such a Bhumiswami occupant of a homestead is dispossessed otherwise than in due course of law, from such homestead or part thereof, authorised officer shall, on an application made by the said occupant of the homestead, within six months from the date of eviction or after following as nearly as may be the procedure laid down under section 250 of the Land Revenue Code, restore his possession award compensation. Notwithstanding anything contained in section 56 of the Land Revenue Code, an appeal against the order passed by authorised officer shall lie to the Collector or the district, order passed by the Collector shall be final except that the Board of Revenue

any time on its own 'motion or on the application made by any party for as to the regularity of the proceedings of the authorised officer called for and examined the record or any case pending before, or disposed of by such officer and lay such order in reference thereto as it may think fit. Provided that— no application for revision shall be entertained against an order appealable under such application shall be entertained unless within ninety days. 9. 10. of 2003 of the Board of Revenue from the date of the order and in computing the period aforesaid, time requisite for obtaining a copy of the said order shall be excluded; (iii) no order shall be varied or reversed in revision unless notice has been served on the parties interested and opportunity given to them of being heard. Notwithstanding anything contained in the Court Fees Act, 1870 (No. 7 of 1870), every application or memorandum of appeal, or an application for revision under this Act shall bear a court fee stamp or Rs. 10 and the copy of the order passed by the authorised officer or Collector shall be granted free of cost. No Civil Court shall have jurisdiction to entertain any suit or try any dispute or pass any interim injunction, in a matter for the decision of which the specific procedure has been prescribed by this Act. 450 (12-15) Exemption from Court Fees Act

**1870. Bar jurisdiction of Civil Courts Power (2) "The State Government may make rules to carry out all or any of the purposes of this Act. Any rules made under this Act shall lay down the procedure of the Legislative Assembly. and the**

