

## The Chhattisgarh Land Revenue Code (Amendment) Adhiniyam, 2002

Act 31 of 2002

**Keyword(s):**

**Rights in Fruit Bearing Trees, Chotte Jhad Ka Jungle**

**Amendment appended: 11 of 2003**

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छत्तीसगढ़ राजपत्र, दिनांक 8 नवम्बर 2002

5. (1) मूल अधिनियम की धारा 241 की उपधारा (4) में शब्द "एक हजार रुपये" के स्थान पर "पाँच हजार रुपये" स्थपित किए जाएँ। धारा 241 में संशोधन।
- (2) मूल अधिनियम की धारा 241 की उपधारा (5) के अंत में निम्नलिखित शब्द अन्तः स्थापित किए जाएँ, अर्थात् :—
- "तथापि ऐसे व्यक्ति से यह अपेक्षा की जाएगी की वह सक्षम अधिकारी द्वारा अपनी भूमि का सीमांकन कराएँ और ऐसे वृक्षों को काटकर गिराएँ जाने या हटाएँ जाने के कम से कम दस दिन पूर्व क्षेत्राधिकारित रखने वाले राजस्व अधिकारी एवं वनक्षेत्राधिकारी को लिखित सूचना दें।"

रायपुर, दिनांक 7 नवम्बर 2002

क्रमांक 7017/21-अ/प्रारूपण/2002.— भारत के संविधान के अनुच्छेद 248 के खण्ड (3) के अनुसरण में "छत्तीसगढ़ भू-राजस्व संहिता (संशोधन) अधिनियम, 2002 (क्रमांक 31 सन् 2002) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,  
प्रभात शास्त्री, उप-सचिव।

**CHHATTISGARH ADHINIYAM**  
(No. 31 of 2002)

**CHHATTISGARH LAND REVENUE CODE (AMENDMENT) ADHINIYAM, 2002**

An Act to amend the Chhattisgarh and Revenue Code, 1959 (No. 20 of 1959).

Be it enacted by the Chhattisgarh Legislature in the 53rd Year of the republic of India as follows :—

1. (1) This Adhiniyam may be called the Chhattisgarh Land Revenue code (Amendment) Adhiniyam, 2002. Short title and Commencement.
- (2) It shall come into force from the date of its publication in the Gazette.
2. After entry (vii) of clause (Z-1) of Sub-section (1) of Section 2 of the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959), (Here in after referred as the Principal Act) the following entries shall be inserted, namely :— Insertion in section 2 (1) (Z-1).
- |        |                       |           |
|--------|-----------------------|-----------|
| (viii) | Adina cardifolia      | (Haldu)   |
| (ix)   | Mitragyna parviflora  | (Mundi)   |
| (x)    | Terminalia arjuna     | (Arjun)   |
| (xi)   | Diospyros melanoxylon | (Tendu)   |
| (xii)  | Gmelina arborea       | (Khamhar) |
3. (1) In Section 239 of the Principal Act, for the previous marginal heading "rights in fruit bearing trees planted in unoccupied land" the marginal heading "rights in fruit bearing trees and other trees planted in unoccupied land and Bhata Land and Bada Jhad/Chhole Jhad Ka Jungle" shall be substituted. Amendment in Section 239.
- (2) In Sub-section (1) and (2) of Section 239 after the words "unoccupied Land" wherever it occurs the words "and Bhata Land and Bada Jhad/Chhole Jhad Ka Jungle" shall be added.



वि. (2)

उत्तीसगढ़ राजपत्र, दिनांक 3 नवम्बर 2002

- Insertion after Sub-section (5) in Section 239.**
4. After Sub-section (5) of Section 239 of the Principal Act, the following Sub-section shall be inserted, namely :—
- "(5. A) Permanent lease for such Bhata Land, on which the provisions of the Forest, Conservation Act, 1980 (No. 69 of 1980) shall not apply may be granted.
- (5. B) An agreement can be executed for plantation on Bade Jhad/Chhote Jhad Ka Jungle. No bhumiswami right shall accrue to the agreement holder or of his/her heir of the Land of Bade Jhad/Chhote Jhad Ka Jungle and on the trees planted on the above land. The agreement holder or his/her heir shall be entitled to only usufruct of the trees"
- Amendment in Section 241.**
5. (1) In the Sub-section (4) of Section 241 of the Principal Act for the words "One thousand rupees" the words "Five thousand rupees" shall be substituted.
- (2) At the end of Sub-section (5) of Section 241, of the Principal Act, the following words shall be added, namely :—
- "However such person shall be required to get his land demarcated by the competent authority and to inform in writing the Revenue Officer and Range Forest Officer having Jurisdiction atleast 10 days before felling of removal of such trees"

- धारा 114-ए में संशोधन. 13. (1) संहिता की धारा 114-ए के पूर्व पार्श्व शीर्षक में शब्द "भू-अधिकार एवं ऋण पुस्तिका" के स्थान पर नया पार्श्व शीर्षक "किसान किताब" स्थापित किया जाय.
- (2) संहिता की धारा 114-ए की उपधारा (1), (2) एवं (3) में जहां कहीं शब्द "भू-अधिकार एवं ऋण पुस्तिका" आया हो वहां उसके स्थान पर "किसान किताब" स्थापित किये जायें.

रायपुर, दिनांक 9 मई 2003

क्रमांक 3141/21-अ/प्रारूपण/03.— भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ भू-राजस्व संहिता (संशोधन) अधिनियम, 2003 (क्र. 11 सन् 2003) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

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

CHHATTISGARH ACT  
(No. 11 of 2003)

CHHATTISGARH LAND REVENUE CODE (AMENDMENT) ACT, 2003

An Act to further amend the Chhattisgarh Land Revenue Code 1959 (No. 20 of 1959).

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

Short Title and Com-  
mencement.

1. (1) This Act may be called the Chhattisgarh Land Revenue Code (Amendment) Act, 2003.
- (2) It shall come into force from 23rd November 2002 (Twenty third November Two Thousand Two).

Amendment in Sec-  
tion 3.

2. Section 3 of the Chhattisgarh Land Revenue Code 1959 (No. 20 of 1959) (Here in after referred as the Code) shall be substituted by the following :—
- (1) There shall be a Board of Revenue for Chhattisgarh having a President.
- (2) In addition to the President, the State Government may appoint as many members as it may deem fit.

Substitution of Sec-  
tion 10.

3. Section 10 of the Code shall be substituted by the following. :—
- "10 (1) All appeals, applications for revision, review and other proceedings under the Code pending before the Board of Revenue of Madhya Pradesh, relating to the State of Chhattisgarh on 31st October 2002 shall stand transferred to and, be heard and decided by the Board of Revenue of Chhattisgarh.
- (2) All appeals, applications for revision, review and other proceedings under the Code pending as on 23rd November, 2002 before the Commissioners and Additional Commissioners, shall stand transferred to and, be heard and decided by the Board of Revenue.

Provided that all bona fide decisions, proceedings and actions taken by the Commissioners or the Additional Commissioners appointed under the Code after the 22nd November, 2002 till they relinquished office, shall be deemed to be legal and valid.

4. The following words appearing in Section 11 of the Code shall be omitted :—  
Commissioner (including Additional Commissioners);  
Amendment in Section 11.
5. Sub-section (2) of Section 12 of the Code shall be omitted.  
Amendment in Section 12.
6. Section 14 of the Code shall be omitted.  
Amendment in Section 14.
7. Section 15 of the Code shall be omitted.  
Amendment in Section 15.
8. Sub-section (2) of Section 29 of the Code shall be omitted.  
Amendment in Section 29.
9. The words "Commissioner, a" appearing in Sub-section (2) of Section 30 of the code shall be omitted.  
Amendment in Section 30.
10. (1) In clause (c) of Sub-section (1) of Section 44 of the Code, for the word "Commissioner" the words "Board of Revenue" shall be substituted.  
Amendment in Section 44.
- (2) In clause (g) of Sub-section (1) of Section 44, of the Code the word "Commissioner or the" shall be omitted.
- (3) In clause (i) of Sub-section (2) of Section 44, of the code for the word "Commissioner" the words "Board of Revenue" shall be substituted.
- (4) clause (iii) of Sub-section (2) of Section 44 of the code shall be omitted.
11. Sub-section (b) of Section 47 of the Code shall be omitted.  
Amendment in Section 47.
12. Sub-section (3) of Section 49 of the Code shall be substituted by the following :—  
Amendment in Section 49.
- "(3) After hearing the parties, the Appellate Authority may confirm, vary or reverse the order appealed against; or may take such additional evidence as it may consider necessary for passing its order.
- Provided that the Appellate Authority shall not remand the case for disposal by any Revenue Officer subordinate to it."
13. (1) In Sub-section (1) of Section 50 of the Code the words "or Commissioner" appearing before the words "or the Settlement Commissioner" shall be omitted.  
Amendment in Section 50.
- (2) In sub-clause (c) of clause (i) of the proviso to Sub-section (1) of Section 50 of the Code, the words "Commissioner or" appearing before the words "the Settlement Commissioner" shall be omitted.
- (3) In clause (i) of the proviso to Sub-section (1) of Section 50 of the Code, the words "Commissioner or" appearing before the words, "the Settlement Commissioner," shall be omitted.
- (4) In clause (i) of Sub-section (2) of Section 50 of the Code, the words "the Commissioner or" appearing before the words "the Settlement Commissioner"; shall be omitted.
- (5) In clause (ii) of Sub-section (2) of Section 50 of the Code, the words "the Commissioner or" appearing before the words "the Settlement Commissioner." shall be omitted.
- (6) In clause (iii) of Sub-section (2) of Section 50 of the Code the word "Commissioner" appearing before the words, "Settlement Commissioner," and the words "the Commissioner or" appearing before the words "the Settlement Commissioner" shall be omitted.

- (7) In clause (iv) of Sub-section (2) of Section 50 of the Code, the words "the Commissioner or" appearing before the words "the Settlement Commissioner" shall be omitted.
- Amendment in Section 51.** 14. In clause (i) of the proviso of Sub-section (1) of the Section 51 of the Code the word "Commissioner" appearing before the words, "Settlement Commissioner" shall be omitted.
- Amendment in Section 114-A.** 15. (1) In Section 114-A of the Code, for the marginal heading "Bhoo Adhikar Avam Rin Pustika" the new marginal heading "Kisan Kitab" shall be substituted.
- (2) In Sub-section (1), (2) and (3) of Section 114-A of the Code, for the words "Bhoo Adhikar Avam Rin Pustika", wherever it occurs the word "Kisan Kitab" shall be substituted.