

MADRAS LAND IMPROVEMENT SCHEMES (CONTOUR BUNDING AND CONTOUR TRENCHING) RULES, 1950

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MADRAS LAND IMPROVEMENT SCHEMES (CONTOUR BUNDING AND CONTOUR TRENCHING) RULES, 1950

In exercise of the powers conferred by Section 23 of the Madras Land Improvement Schemes (Contour Bunding and Contour Trenching) Act, 1949 (Madras Act XXII of 1949). His Excellency the Government of Madras hereby makes the following rules:

1. . :-

These rules may be called the Madras land improvement schemes (Contour bunding and contour trenching) Rules,1950.

2. . :-

In these rules, unless there is anything repugnant in subject or context,

(a) "the Act" means the Madras Land Improvement schemes (Contour Bunding and Contour Trenching) Act, 1949 (Madras Act XXII of 1949);

(b) "Assistant Agricultural Engineer" means any person appointed

by the Government to exercise the powers of an Assistant Agricultural Engineer.

(c) "Joint Director of Agriculture" means any person appointed by the Government to exercise the powers of a Joint Director of Agriculture;

(d) "Section" means a section of the Act.

3. . :-

Publicity shall be given to the appointment of the officer referred to in sub section (1) of Section 4 by notification in the Fort St. George Gazette and the District Gazettes or District Gazette of the district or districts in which the lands proposed to be included in the scheme are situated.

4. . :-

Publicity for the draft scheme shall be given by hand bills which shall be distributed freely through village officers and a copy of which shall also be affixed in the village chavadi or in any conspicuous place in the village or villages in which the lands proposed to be included in the scheme are situated.

5. . :-

The amount payable under sub section (1) or sub section (4) of Section 9 if not paid in a lump sum, shall be paid together with interest at the same rate that chargeable for loans under the Land Improvement Loans Act, 1883 (Central Act XIX of 1883), in equated annual instalments not exceeding twenty in number; the amount of each instalment shall be paid within fifteen days from the date of receipt of intimation of the amount payable from the Collector or any officer authorized by him in this behalf. The first annual instalment shall not become payable until two years after the completion of the work.

6. . :-

Where there are two or more owners in respect of the same land, the amount payable under sub section (1) or sub section (4) of Section 9, shall be apportioned among such owners in proportion to the areas they enjoy, which shall be decided by a summary enquiry by the executive officer with reference to the relevant records.

7. . :-

On completion of the work, the executive officer shall report to the Collector the amounts due from the land owner benefited by the

scheme. The Collector shall thereupon serve individual notices on the persons concerned to pay the amount payable under sub section (1) or (4) of Section 9 in a lumpsum or in instalments as contemplated under sub section (5) of Section 9. The persons concerned shall exercise their option within one month from the date of receipt of such notices. If no reply is received from any of them within the said period, he shall be deemed to have exercised the option to pay the amount in a lump sum and lump sum payments shall be paid within two months from the date of receipt of intimation of the dues which shall be given immediately after the end of two years after the completion of the work.

8. . :-

Service of a notice under sub section (3) of Section 5 shall be made by delivering or tendering a copy thereof signed by the inquiring officer on the person therein named whenever it may be practicable. When such person cannot be found, the service may be made on any adult male member of his family residing with him; and if no such adult male member can be found, the notice may be served by fixing the copy on the outer door of the house in which the person therein named ordinarily dwells or carries on business, or by fixing a copy thereof in some conspicuous place of the office of the inquiring officer or of the Collector and also in the village chavadi.

9. . :-

The notice under sub section (2) of Section 9 shall be in writing and shall state that the owner is prepared to execute the works himself as and when required and according to the specifications laid down by the executing officer. It shall be signed by the owner and shall be handed over in person to the Executive Officer or sent to him by registered post acknowledgment due.

10. . :-

Service of notice under sub section (3) of Section 9 shall be made by delivering or tendering a copy of thereof signed by the Executing Officer to the person therein named, whenever it may be practicable. When such person cannot be found, the service of such notice, signed by the Executing Officer may be made in the manner prescribed in Rule 8.

11. . :-

The record of rights and liabilities referred to in Sub section (1) of Section 13 shall be maintained by the executing officer in the form

of a register. Besides the details referred to in the said sub section, the register shall also contain upto date information regarding the names of transferees and successors in respect of the lands.

12. . :-

Publicity shall be given to the notice under sub section (3) of Section 13 by hand bills which shall be distributed freely through village officers and a copy of which shall also be affixed in the village chavadi or in any conspicuous place in the village or villages in which the lands to which the record relates or situated.

13. . :-

Before revising the record under sub section (4) of Section 13, the Collector shall give separate notices to the persons affected by such revision. The notices shall be served in the same manner as the notices under sub section (3) of Section 5. The notice shall prescribe the last date for the receipt of objections by the Collector. The Collector shall then consider the objections, if any, and decide the question of revision of the record. The fact of such revision shall be published in the same manner as the notice referred to in sub section (3) of Section 13.

14. . :-

The notice referred to in Section 15 shall contain a description of the land, name of the owner, the designation of the officer who will enter upon, survey and demarcate the land and do all other acts under the said section, and also the date or dates on which he will do those acts. The notice shall be served in the same manner as the notice under sub sec. (3) of Sec.5.

15. . :-

Any person applying for inspection of the records, documents, plans or maps as provided in sub section (2) of Section 18, shall make an application in writing to the Collector or to the executing officer, who shall permit the applicant to inspect the same after collecting from him an inspection fee of Re.1 for every day of inspection. Such fee shall be paid in cash to the officer granting permission for inspecting them, or into a Government treasury under the head "XXIX. Agriculture Agricultural Receipts Miscellaneous Receipts," Any person desiring to obtain copies of such records, documents, plans or maps shall apply in writing to the Collector or the executing officer and shall pay a sum of Rs.5 for each set of copies of records, documents, plans or maps (or parts thereof) pertaining to each survey number or contiguous holding. The amount shall be

paid in cash to the officer issuing the copies or into a Government treasury under the head "XXIX. Agriculture Agricultural Receipt Miscellaneous Receipts." The Collector or executing officer shall thereupon issue the copies of the records, documents, plans or maps.

16. . :-

Under Section 19, the Collector may delegate in writing any of the powers conferred on him under the Act except the appellate and the revisional powers conferred on him under sub sections (4) and (5) of Section 13, to any officer in the district, or having jurisdiction over the district or any part thereof.