The Punjab Land Reforms Rules, 1973

PUNJAB India

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Rule THE-PUNJAB-LAND-REFORMS-RULES-1973 of 1973

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The Punjab Land Reforms Rules, 1973Published vide Punjab Government Revenue Department, Notification No. GSR 60/PA.0/73/5.26/73 dated 4.7.1973.

1. Short title and commencement.

(1) These rules may be called the Punjab Land Reforms Rules, 1973.(2) They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Punjab Land Reforms Act, 1972;(b)["Circle Revenue Officer" means the Assistant Collector of the Second Grade or any other officer, not below the rank of Naib-Tehsildar, authorised by the Collector in this behalf;] [Substituted vide Punjab Government Notification No. GSR 162/PA.10/73/Section 26/Amd(6)79, dated 16.11.1977.](c)"form" means a form appended to these rules;(d)"schedule" means a schedule appended to these rules;(e)"section" means a section of the Act.

3. Appointment, powers and jurisdiction of Collector.

(1)Within his jurisdiction, the Sub-Divisional Officer, exercising powers of Assistant Collector of the first grade, shall be the Collector within the meaning of sub-section (3) of section 3.(2)Where a person owns or holds land as land-owner or tenant in more than one tahsil, the Collector having jurisdiction in the area, where the largest portion of such land is situate, shall be the Collector within the meaning of sub-section (3) of section 3.

1

4.

[-] [Omitted vide Punjab Government Notification No. GSR 162/PA.10/73/Section 26/Amd(6)79, dated 16.11.1977.]

5. Selection of permissible area and furnishing of declaration.

(1) Every person, who on the appointed day or at any time thereafter, owns or holds land as landowner or tenant or mortgagee with possession or partly in one capacity and partly in another, in excess of the permissible area shall intimate his selection through a declaration in form A, to be furnished in duplicate personally or by registered post (acknowledgement due).(2)In the case of a person who owns or holds land as landowner or tenant or mortgagee with possession or partly in one capacity and partly in another, in excess of the permissible area on the appointed day or at any time before the commencement of these rules, the declaration referred to in sub-rule (1) shall be furnished within a [period of four months and fifteen days] [Substituted by Notification No. GSR 87, dated 4.10.1973.] of the date of commencement of these rules and in the case of a person, who becomes liable to furnish the declaration at any time after the commencement of these rules, the declaration shall be furnished within a [period of four months and fifteen days] [Substituted by Notification No. GSR 87, dated 4.10.1973.] of the date on which he becomes so liable.(3)If the lands owned or held by a person are situate in more than one tahsil, the declaration shall be furnished to the Collector having jurisdiction in the area in which the largest portion of such lands is situate.(4)In the case of a family, the declaration shall be filed by the husband and where the husband is dead or does not own or hold any land, by the wife, and in any other case by the eldest surviving child, who is a member of the family. (5) On receipt of the declaration, the Collector shall issue a receipt to the person furnishing the declaration.

6. Procedure for obtaining information as required by section 6.

(1)Where a person, who is required to furnish a declaration in accordance with the provisions of section 5, fails to do so, the Collector may cause necessary entries in form A to be filled up by the patwari or patwaris concerned.(2)The correctness of entries in the form filled up by the [patwari or patwaris as the case may be] [See Punjab Government Notification dated 2.9.1987.] shall be verified by the Circle Revenue Officer concerned.

7. Determination of permissible area and surplus area.

- On receipt of form A, the Collector shall, after satisfying himself as to the correctness of the entries made therein, and after giving an opportunity to the landowner, mortgagee with possession or tenant, as the case may be, of being heard and after making such enquiry as he may deem necessary by an order, determine the permissible area and the surplus area of a landowner or mortgagee with possession or the tenant, as the case may be. A copy of such order shall be endorsed to the circle Revenue Officer.

8. Valuation of different classes of land.

- The valuation of different classes of land shall be as follows:-(i)Land under assured irrigation and capable of yielding at least two crops in a year - 100 per cent.(ii)Land under assured irrigation for only one crop in a year - 63.6 per cent.(iii)Barani land - 34 per cent.(iv)Sailab, Bet Sailab, Dakar, Rosli, Bhud, Chhamb, Thur, Sem, Kallar and Banjar Jadid, nor falling under sub-clauses (i), (ii) and (iii) - 34 per cent.(v)Banjar - 27 per cent.

9. Determination of area under assured irrigation when land is Nehri or Chahi.

(1)Where land is commanded for irrigation by a perennial canal the area of such land shall be multiplied by half of the irrigation intensity ratio specified against such a canal in Schedule 'A'. The figure thus arrived at shall be treated as the land under assured irrigation and capable of yielding at least two crops in a year and the remaining area of such land shall be treated as Barani land.(2)Where land is commanded for irrigation by a non-perennial canal, the area of such land shall be multiplied by the irrigation intensity ratio specified against such a canal in Schedule 'A'. The figure thus arrived at shall be treated as the land under assured irrigation for one crop in a year and the remaining area of such land shall be treated as Barani land.(3)Where land is commanded for irrigation by a tubewell owned by the Government, the area of such land shall be multiplied by half the irrigation intensity ratio specified against such a tubewell in Schedule 'A'. The figure this arrived at shall be treated as the land under assured irrigation and capable of yielding at least two crops in a year and the remaining area of such land shall be treated as Barani land.(4)Where land is irrigated by water drawn from a privately owned tubewell, pumping set, open well or bore, the land under assured irrigation and capable of yielding at least two crops in a year shall be according to the norms specified in Schedule 'B'. The remaining area shall be treated as Barani land. (5) Where irrigation by canal water or Government owned tubewell is supplemented by water drawn from a privately owned tubewell, pumping set, open well or bore, the area determined in accordance with the provisions of Schedule 'B' shall also be taken into consideration for the purpose of this rule.(6)Where a tubewell, a pumping set, an open well or a bore has been installed on or before the appointed day in the land described in the Jamabandi prepared immediately before that day as Banjar Jadid or Banjar Qadim, the land determined in accordance with the provisions of Schedule 'B' shall be treated as land under assured irrigation and capable of yielding at least two crops in a year or land under assured irrigation for only one crop in a year depending on whether according to the khasra-girdawari record of the year 1970 at least two crops were raised on this land or only one crop was raised.

10. Valuation of land for determining permissible area.

- For the purpose of proviso (i) of clause (d) of sub-section (2) of section 4, the land owned or held by a person shall be valued according to the relative valuation of various classes of land as given in rules 8 and 9 and the whole of the land shall be converted into the first quality land. After it is so valued and converted, the land in excess of seven hectares of first quality land shall be treated as surplus area. The figure arrived at on the basis of total valuation of all the classes of land shall be

treated as land of the class referred to in clause (a) of sub- section (2) of section 4 and the permissible area and the surplus area shall be determined accordingly. Illustration, -(1)A person has 20 hectares of land commanded for irrigation by a perrennial canal the projected intensity ratio whereof is 62 per cent for the whole year. There is a privately owned tubewell with a motor of 5 H.P. installed in that land. Besides, he has Barani land measuring 10 hectares. In this case, the permissible area shall be worked out as follows:-

The first quality land irrigated by canal water = 20x | 622 | x | 1100 | 6.2 hectares.

The first quality land irrigated by tubewell = 5 hectares. Total area of the first quality land = 6.2 + 5 = 11.2 hectares. Land deemed to be Barani out of 20 hectares = 20 - 11.2 = 8.8 hectares. Barani land = 10 + 8.8 = 18.8 hectares. Value of the Barani land including land deemed to be Barani = 10 + 8.8 = 18.8 hectares. Value of the Barani land in terms of the first quality land = $|18.8 \times 34100|$ 6.392 hectares. Value of the whole land in terms of the first quality land = |11.2 + 6.392| = |17.592| hectares. Permissible area in terms of first quality land = |7| hectares. Surplus area in terms of the first quality land = |10.592| hectares. Land selected by this person as his permissible area shall be valued accordingly. The area equivalent to |7| hectares of the first quality land shall be allowed to him as permissible area and the rest shall be declared as surplus area. (2) A person has |12| hectares of land commanded by a non-perennial canal whereof the projected intensity ratio is |5| per cent. Besides, he has |20| hectares of Barani land and |10| hectares of Banjar land.

The first quality land irrigated by canal water = $|12 \times 55100| \times |63.6100| = 4.2$ hectares.

Land deemed to be Barani = 12 - 4.2 = 7.8 hectares. Total Barani land including land deemed to be barani = 20 + 7.8 = 27.8 hectares.

Value of the Barani land in terms of the first quality land = | 27.8 x 34100 | hectares.

Value of the Banjar land in terms of the first quality land = 10 x 27100 hectares.

Total value of the land in terms of the first quality land = $4.2 + |27.8 \times 34 + 10100| \times |27100|$ = 4.1 + 9.452 + 2.7 = 16.352 or 16.35 hectares. Permissible area in terms of the first quality land = 7 hectares. Surplus area in terms of the first quality land = 9.35 hectares. The land selected by this person as his permissible area shall be valued accordingly. The area equivalent to 7 hectares of the first quality land shall be allowed to him as permissible area and the rest shall be declared as surplus area.

11. Determination of value of gross produce for the purpose of section 10.

- The value of the gross produce referred to in the explanation to sub- section (1) of section 10 for the purpose of determining fair rent shall be determined on the following basis:-(1)The gross produce per agricultural year per hectare of the land shall be the total of average yield of crops generally grown on such lands in the National Extension Service Block in which land is situate.(2)The average yield per hectare of a crop grown on a certain land shall be worked out by taking the arithmetic average of the yield as determined by crop cutting experiments on such class of land during a period of five years immediately preceding the appointed day.(3)If results of crop cutting experiments are not available either for irrigated or for unirrigated land the average yield per hectare of a crop grown on irrigated land shall be taken as twice the average yield per hectare of such crop grown on unirrigated land and vice versa.(4)The value of gross produce for one hectare of uncultivated Kallar,

Sem, Thur and Banjar land shall be taken as 80 per cent of the value determined for gross produce for one hectare of Barani land.(5)If results of crop cutting experiments are not available for any block to determine the average yield of any particular crop, the average yield as recorded in the Season and Crop Report prepared immediately before the appointed day shall be taken to be the average yield.(6)The money value of the gross produce shall be arrived at by multiplying the gross produce determined according to sub-rules (1), (2), (3), (4) and (5) above, by the average market value determined by taking the arithmetic average of the market prices of crops prevailing in the principal market of the area of 15th June (for Rabi) and 15th January (for Kharif) for a period of 3 preceding years: Provided that where the procurement price is fixed by the Government of India in respect of a certain crop, it will be taken as the market price of the crop for the purpose of sub-rule (6).

12. Relevancy of revenue record for determining irrigated and unirrigated land.

- For the purpose of these rules, the relevant revenue record for determining whether the land is irrigated or unirrigated shall be the entries in khasra girdawari record for the year 1970: Provided that when the land is acquired by a person [on or after the appointed day] [Substituted by Notification No. GSR 87, dated 4.10.1973.] of the Act, in any manner, other than by inheritance, bequest or gift from a person to whom he is an heir, the relevant revenue record for the aforesaid purpose shall be the khasra girdawari record prepared immediately before such acquisition.

13. Procedure for determining amount to be paid for surplus area.

(1) The statement referred to in sub-section (2) of section 10 shall be prepared in form 'B'.(2) After the statement referred to in sub-rule (1) has been prepared, the Collector or the officer authorised by the State Government shall serve a [ninety days] [Added vide Notification dated 2.9.1987.] notice in form 'C' on the persons having interest in the land.(3) When the period specified in the notice issued under sub-rule (2) has expired, the Collector or the officer authorised by the State Government, after taking into consideration the claims put in by various persons and after such enquiry as he deems necessary, shall apportion the amount determined under sub-section (1) of section 10 amongst the persons having interest in the land.

14. [Manner of payment. [Substituted vide Notification dated 2.9.1987.]

- Where the amount determined under sub-section (1) of section 10 is one thousand rupees or less, it shall be paid in lump- sum. Where the amount is more than one thousand rupees, [atleast one thousand rupees or the amount of instalment whichever is more] will be paid in lump sum and the remaining amount in half-yearly equated instalments not exceeding fifteen: [Provided that half yearly instalments will not be less than five hundred rupees each, the last instalment being the amount in balance.] [Substituted vide Punjab Government Notification No. GSR 162/PA.10/73/Section 26/Amd(6)79, dated 16.11.1977.]

15. Issue of vouchers for cash payment.

(1) The amount shall be paid by issuing vouchers in form 'D'. A book containing such vouchers shall be kept in double-lock by the Treasury Officer or Sub-Treasury Officer, as the case may be, and shall, on receipt of a demand in form 'E' be issued to the Collector or to an officer authorised by the State Government, who shall keep the book in his personal custody and shall before commencing the use thereof, send an intimation to the Treasury Officer or Sub-Treasury Officer, as the case may be, in form 'F'. Ordinarily, only one book shall be issued [at a time] [Added vide Notification dated 2.9.1987.] by the Treasury Officer or Sub-Treasury Officer to the Collector or to the officer concerned.(2)A voucher, which is not encashed within a period of three months from the date of its issue, shall cease to be valid unless it is, on an application by the holder thereof, countersigned and revalidated for payment by the Collector or an officer authorised by the State Government. The holder, on failure to obtain payment within three months from the date of issue, shall submit the voucher with an application for its revalidation.(3)In the case of loss, destruction or mutilation of the [-] [Word 'original' omitted vide Notification dated 2.9.1987.] voucher, the holder may apply for the issue of fresh voucher. A new voucher shall not be issued until after the expiry of six months from the date of issue of the said voucher and until a non-payment certificate has been obtained from the Treasury Officer or Sub-Treasury Officer.

16. Procedure for Treasury Officer and Sub-Treasury Officer.

(1)The Treasury Officer or Sub-Treasury Officer, as the case may be, shall keep an account of vouchers, presented and encashed on each day of payment in form 'G'. These forms shall be kept in a guard-file. Where no payments are made on any day, the Treasury Officer or Sub-Treasury Officer shall prepare a blank statement in this form.(2)The Treasury Officer or Sub-Treasury Officer shall prepare a monthly statement in form 'H' and send one copy thereof to the Collector of the district or the officer authorised by the State Government, who shall consolidate all the statements for the district in form 'I'.

17. Procedure on application made under section 15.

(1)The application under sub-section (2) of section 15 shall be made in form 'J'.(2)The Assistant Collector of the first grade shall, after verifying the particulars given in the application made under sub-rule (1) and after making a summary enquiry, determine the amount payable in respect of the land for which the application is allowed.(3)When a tenant has become owner of any land in accordance with the provisions of sub-section (4) of section 15, the Assistant Collector of the first grade shall issue to him a certificate in form 'K'. The Assistant Collector of the first grade shall prepare three copies of such certificate, one to be placed on the file, the second to be sent to the landowner and the third to the patwari concerned, who shall make entries in the mutation register in accordance with the certificate, which shall, for purposes of attestation of the mutation and charging of fee, be treated as if it were an order of a revenue officer.

18. Payment of purchase price.

- [(1) The amount determined under sub-section (2) of section 15 shall be paid in lump sum where it does not exceed two hundred rupees and in fifteen equated half yearly instalments in other cases.] [Substituted by Notification No. GSR 87, dated 4.10.1973.](2)The lump sum or the first instalment of the amount determined under sub-section (2) of section 15 shall be deposited in a Government Treasury or Sub-Treasury or paid to the Assistant Collector of the first grade having jurisdiction within fifteen days of such determination and every subsequent instalment shall be paid within fifteen days of the date on which it becomes due.

19. Court fees.

- An appeal or an application for review or revision, as the case may be, shall be made on -(a)one-rupee court fee stamped paper, when made to the Collector;(b)two-rupee court fee stamped paper, when made to the Commissioner, and(c)four-rupee court fee stamped paper, when made to the Financial Commissioner.

20. Court fee on miscellaneous applications and process fees.

- Save as provided in rule 19, an application made under the provisions of the Act, shall bear one-rupee court fee stamp. Process fees shall be chargeable as prescribed by or under the Court Fees Act, 1870 (Act VII of 1870).

21. Procedure to be followed generally.

- In all proceedings under the Act and these rules, the Collector or any other officer shall, in respect of matters for which provision has not been made in the Act or these rules observe the procedure prescribed for revenue officers under the Punjab Treasury Act, 1887, and the rules thereunder.

22. Manner of service of notice or orders.

- Save as otherwise provided in these rules, notices or orders under the Act, shall be served in the manner provided in section 90 of the Punjab Tenancy Act, 1887 (Act XVI of 1887).

23. Repeal.

- The Punjab Security o	of Land Tenures Rules, 1953, t	he Punjab Security of Land Tenu	ures Rules, 1956		
and the Pepsu Tenancy and Agricultural Lands Rules, 1958, in so far as they are inconsistent with					
the provisions of these	rules, shall stand repealed.Fo	rm 'A'(See rule 5)(To be furnishe	ed in duplicate		
for each district under rule 5 of the Punjab Land Reforms Rules, 1973)Name of the land					
owner/tenant	, son of	resident of			
	Patwar Circle	Tehsil	(a)[
Name of minor children with their ages on 24th January, 1971.] [Substituted by Notification No.					

GSR 87, dated 4.10.1973.]Sr. No. Name Age

1.
2.
3.
4.
5.
(b)Names of adult sons for whom separate permissible area is selected :-Sr. No. Name

1.
2.
3.

Part I – (Village-wise) Name of the village _____

Total area owned and Particulars of area Names of tenants area (if any) held as transferred since under the mortgagee 24th January, 1971 Particulars of landowner with Area Area withpossession or as a held cultivated in withnames of the land acquired area held by share in a as a te any other transferees, and since 24th eachand the date nature of transfer, January, 1971 from which the Co-operative Society nant capacity (to beindicated whether saleor gift or tenancy separately) otherwise commenced 2 3 5

Part II – (Village-wise) (Details of Khasra Nos. owned or held as a mortgagee with possession and as a tenant)

Area

5.

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*Substituted vide Notification dated 2-9-1987.AffidavitI solemnly affirm that particulars given by me in the above form are true to the best of knowledge and belief and that nothing has been concealed.Dated						
	and Khewat Ar	Class of land	Amount of fair rent			
2	3		5			
Note - (Please mention the first quality land, the land with assured irrigation for one crop, barani land and banjar land, in that order). 4. Amount payable for the surplus area - (a)Amount for the first three hectares of land(b)Amount for the next three hectares of land(c)Amount for the remaining areaSignature of the Circle Revenue Officer.Form 'C'[See sub-rule (2) of rule 13]To						
	mentioning if under orchardexcluding the *[land under banana or guava trees or landcomprised in vineyard) 3 2 Notification dated 2-9-1987. After form are true to the best of know	mentioning if under orchardexcluding the *[land under banana or guava trees or landcomprised in vineyard) 3 4 Notification dated 2-9-1987.AffidavitI solemnly form are true to the best of knowledge and belief 19Landowner/Ten or solemn affirmation was made before me at hent who admitted it as correct.Dated ommissioner.ReceiptReceive form 'A' (in duplica, resident Dated Dated The landowner or tenant. In respect of land comprised in the surplus are and Khewat No. 2 3 ention the first quality land, the land with assured and, in that order). Expable for the surplus area -	mentioning if under orchardexcluding the *[land under banana or guava trees or landcomprised in vineyard) 3 4 5 e Notification dated 2-9-1987.AffidavitI solemnly affirm that part form are true to the best of knowledge and belief and that nothing			

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TABL	E 'A'							
Serial No.	and	Total area to be purchased	Village, tahsil and district where land is situate	Khasra, Khatauni and Khata Nos. of the land	Name, parentage and address of the landowner	Number of years for which it has been in occupation and sincewhen	Land Revenue rates and cesses assessed on land	Remarks
1	2	3	4	5	6	7	8	9

Signature of the Tenant.TABLE 'B' Land held

Village, tahsil
Serial and district As
No. where land is situate

In any other capacity Total of items as mortgagee or Nos. 3(b) and lessee ortenant (d), Remarks

Khasra, Khewat, and Khatauni Nos. (a)

Area (b)

Khasra, Khewat and Khatauni Nos. (c)

Area (b)

Nos. (c)

4

1st. Grade.

'A'

1

2

(See Rule 9)

Serial No.	Name of Canal	Projected Intensity Per cent
1	Bist Doab Canal (Perennial)	45
2	Sidhwan Canal (Non-perennial)	31
3	Bhakra Canals (Perennial)	62
4	Sirhind Canal (Perennial)	62
5	Eastern Canal (Non-perennial)	55

5

6	Sirhind Feeder (Golewala System) (Perennial)	62
7	Upper Bari Doab Canal -(a) Perennial(b) Non-perennial	9045
8	Government Tubewell	100
9. [[Item 9 inserted by Notification No. GSR 87, dated 4.10.1973.]	Shah Nahar (Non-perennial)	80]

[Note. - In respect of private canals and kuhls and lift irrigation for which there is no projected intensity of irrigation, the land irrigated by such means shall be ascertained from the khasra girdawari record of Rabi, 1970 and Kharif, 1970. If the water drawn from such a source had irrigated some land for both Rabi and Kharif, 1970, it shall be treated as the land of the first quality and where such water had irrigated land only for one crop, it shall be treated as land having assured irrigation for only one crop.] [Note added by Notification No. GSR 87, dated 4.10.1973.]

'B'

[See sub-rule (4) of rule 9](1)Where land is irrigated by water drawn from a privately owned tubewell, pumping set or bore, the area of land having assured irrigation and capable of yielding at least two crops in a year shall be determined as follows:-(i)In the case of a tubewell or pumping set or bore worked with 3 H.P. [or more but less than 5 H.P.] [Added by Notification No. GSR 87, dated 4.10.1973.] motor - 3 hectares per tubewell or pumping set or bore.(ii)In the case of a tubewell or pumping set or bore worked with a 5 H.P. [or more but less than 7½ H.P.] [Added by Notification No. GSR 87, dated 4.10.1973.] motor - 5 hectares per tubewell or pumping set or bore.(iii)In the case of a tubewell or pumping set or bore worked with not less than 7½ H.P. motor - 6 hectares per tubewell or pumping set or bore: Provided that in the case of Sunam and Barnala tahsils of the Sangrur district, the Bhatinda district, the Faridkot district, Hoshiarpur and Garhshankar tahsils of the Hoshiarpur district, the Pathankot tahsil of Gurdaspur district, the Rajpura tahsil of the Patiala district and National Extension Service Blocks, Khuian Sarvar and Abohar in the Ferozepore district and the Ropar district except Chamkaur Sahib National Extension Service Block, the coverage of area shall be reduced by 25 per cent.(2) In the case of open wells (percolation wells), the area of land under assured irrigation and capable of yielding at least two crops in a year shall be two hectares per such well: Provided that in the Bhatinda and Mansa tahsils of the Bhatinda district, such land shall be treated as Barani.(3)If a well is shared by more than one person, the area irrigated by such a well shall be in proportion to the share of each person :Provided that where the land irrigated by any one or more of the modes referred to in paras (1), (2) and (3) is less than the land determined under those paras, the land so irrigated shall be treated as the land under assured irrigation and capable of yielding at least two crops in a year. Note. - This Schedule is subject to the provision of rule 9(6).