

The M.P. Tractor Dwara Kheti (Prabharo Ki Vasuli) Adhiniyam, 1972

MADHYA PRADESH

India

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Act 9 of 1973

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The M.P. Tractor Dwara Kheti (Prabharo Ki Vasuli) Adhiniyam, 1972 (M.P. Act No. 9 of 1973) [Dated 27th January, 1973] Received the assent of the Governor on the 27th January, 1973; assent first published in the "Madhya Pradesh Gazette (Extraordinary)", dated the 2nd February, 1973. An Act to provide for cultivation of certain lands by means of tractors by the State Government and for the recovery of charges in respect thereof Be it enacted by the Madhya Pradesh Legislature in the Twenty-third Year of the Republic of India as follows :-

1. Short title, extent and commencement.

(1) This Act may be called the Madhya Pradesh Tractor Dwara Kheti (Prabharo Ki Vasuli) Adhiniyam, 1972. (2) It extends to the whole of Madhya Pradesh. (3) It shall [come into force on such date] [W.e.f. 15-2-1979.] as the State Government may, by notification, appoint.

2. Definitions.

- In this Act, unless the context otherwise requires, - (a) "cultivator" means a person who cultivates his land personally; (b) "Director" means the Director of Agriculture, Madhya Pradesh, or any other officer appointed by the Government as such for the purposes of this Act; (c) "to cultivate personally" means to cultivate on one's own account - (i) by one's own labour; or (ii) by labour of one's family; or (iii) by servant on wages payable in cash or kind; or (iv) by hired labour under one's personal supervision or the personal supervision of any member of one's family; (d) "tractor" means a tractor owned by, or worked under the control, direction or supervision of, the State Government; (e) "tractor cultivation" includes any agricultural operations such as ploughing, eradication of kans, harrowing, discing, sowing or harvesting which may be performed by tractors; (f) "tractor cultivation charges" means the charges recoverable on account of tractor

cultivation.

3. Application for Tractor cultivation.

(1)A cultivator may make an application to the Director for carrying out tractor cultivation in whole or any part of his land.(2)An application made under sub-section (1) shall be in such form and shall contained such particulars as may be prescribed.

4. Procedure on receipt of application.

(1)The Director may accept or reject the application received under Section 3 and where he accepts the application shall call upon the cultivator to execute a bond in the prescribed form within thirty days of the receipt of intimation by him of such acceptance.(2)On failure of the cultivator to execute the bond within the period specified under sub-section (1) the application shall stand rejected.

5. Recovery of tractor cultivation charges.

(1)On the cultivator executing the bond under Section 4, the Director-shall cause tractor cultivation to be carried on the land of the cultivator.(2)On completion of the work of tractor cultivation, the Director shall,-(a)by notice, in the manner prescribed, inform the cultivator of the tractor cultivation charges and call upon him to make the payment to the Collector or such other officer as the Collector may specify in this behalf in such manner as may be specified in the notice;(b)forward a copy of the notice to the Collector for purpose of recovery of the tractor cultivation charges.(3)The tractor cultivation charges shall be payable in the number of annual instalments not exceeding ten as may be specified in the notice, the first instalment becoming payable on the 1st day of October next following the revenue year in which the works of tractor cultivation has been completed and shall carry interest as from the date aforesaid at such rate as the State Government may, from time to time by notification, specify in this behalf.(4)If any instalment of tractor cultivation charges together with the interest is not paid by the due date, it shall be recoverable by the Collector from the cultivator as arrears of land revenue.

6. Delegation of power.

- The Director may delegate any or all of his powers and functions under this Act to any officer of the Agriculture Department not below the rank of Assistant 1 Engineer, Agriculture, Assistant Director of Agriculture.

7. Rule making power.

(1)The State Government may, by notification, make rules for the purposes of carrying into effect the provisions of this Act.(2)In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely:-(a)the form in which an application under Section 3 shall be made and the particulars which such application shall

contain;(b)the form in which a bond shall be executed by the cultivator under Section 4 and the particulars which such bond shall contain;(c)(i)the scale of tractor cultivation charges,(ii)the form and the manner in which notice shall be given, under Section 5;(d)any other matter which is to be or may be prescribed.(3)All rules made under this Act shall be laid on the table of the Legislative Assembly.

8. Repeal.

- The Madhya Bharat Tractor Cultivation (Recovery of Charges) Act, Samvat 2007 (No. 83 of 1950), is hereby repealed.