

The Bihar Canal Chat/Land Settlement Rules, 2010

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Rule

THE-BIHAR-CANAL-CHAT-LAND-SETTLEMENT-RULES-2010 of 2010

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The Bihar Canal Chat/Land Settlement Rules, 2010 Published vide Notification No. 21/Wad-8-01/2006-276., dated 13th July, 2010, Bihar Gazette (Extraordinary) No. 583, dated 16 August, 2010 Notification No. 21/Wad-8-01/2006-276. - In exercise of the powers conferred by Article 162 of the constitution of India, the State Government of Bihar makes the following Rules, to provide provision for the settlement of canal chat/land of Water Resource Department for agricultural purposes.

1. Short title, extent and commencement.

- (i) These Rules may be called "The Bihar Canal Chat/Land Settlement Rules, 2010". (ii) It shall extend to the whole of the State of Bihar. (iii) It shall come in to force at once.

2. Procedure of Settlement.

(a) The settlement of Canal Chat/Land will be made by a duly constituted committee for a period of three years on a fixed rent, by adopting a method of lottery. (b) The members of the lottery committee will be as follows:-

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| (i) The concerned Executive Engineer | Chairman |
| (ii) The Circle Officer/The B. D.O. Of the area | Member |
| (iii) The Mukhiya of the concerned Gram Panchayat | Member |

(c) The Lottery for the purpose of Settlement will be opened on the prefixed date and place before the aforesaid committee & the applicants present. (d) The Executive Engineer of the area on an interval of 3 years, will publish a notice for the settlement of such Canal Chat/Land on his office Notice Board as well as on the Notice Board of the concerned Police Station/Office of the Circle

Officer and the Office of the Sub-Divisional Magistrate, while also publishing the same in the local Hindi News-Paper latest by 15th April of that year. A copy of this notice will also be sent to the local M.L.A. & the local M.P. separately through registered posts.

3. Persons eligible for Settlement.

- Following categories of persons, who are residents of the concerned village or neighbouring villages within a radius of three miles where Canal Chat/Land is to be settled, shall be eligible/competent to participate in the Lottery, starting in order of preference given below:- (a) Landless members of Scheduled Castes/Scheduled Tribes (b) Landless members of other categories (c) Such retired Soldier/widows or dependents of martyrs who are landless.

4. Other Requirements.

- (i) Any competent/eligible person/family to whom once the Canal Chat/Land has been settled, will not be entitled to participate in the lottery for the immediate next settlement. However, no such bar would be operative on subsequent settlements. (ii) For participating in settlement through lottery it shall be essential for the willing persons to deposit an amount of 10% of the pre-fixed rent as earnest money, in the office of the concerned Executive Engineer/Sub-divisional Officer, Water Resource Department, latest by but not later than one day before the date of the lottery. Successful person(s) shall have to deposit 50% of total rent amount so fixed (including the earnest money) within 3 days of the lottery and the rest 50% will be deposited within 15 days from the date of lottery. Failure to deposit such amount in time will lead to forfeiture of the earnest money. The earnest money shall be adjusted against the payable rent at the time of depositing the full rent amount. The earnest money of unsuccessful persons shall be refunded to them soon after the lottery. (iii) A maximum of upto 2 Acres of land shall be settled to any eligible person. In case of a dispute which can not be settled by the Superintending Engineer/Chief Engineer concerned, it will be decided at the level of the department. (iv) If the land falls in the extremist infested zone and where there is a prior history of any incident in settling the lands, the concerned Chief Engineer, shall provide full details about it to the Department and arrangement for the settlement of land in the particular area will be made with the co-operation of the local RS./Circle Officer/B.D.O./Sub-Divisional Magistrate/District Magistrate.

5. Determination of leviable rent of Canal Chat/Land.

- Rate of rent for settlement of all Canal Chat/Land earmarked for settlement will be determined/revised worked out on the basis of annual increase of 5% over the base rates fixed by the department in the year 2007 vide Notification No. 422 dated 29th June, 2007.

6. Repeal.

- "Bihar Chat/Land Settlement Rules, 2007" issued by Water Resources Department Notification No. 21/Wad-8-01/2006-426, dated 5th July, 2007 shall be deemed to be repealed from the date of

commencement of these Rules.