

The East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949

PUNJAB

India

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Act 11 of 1949

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The East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949 East Punjab Act No. 11 of 1949 For statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), dated 16th April, 1953, page 535. For statement of Objects and reasons, see Punjab Government Gazette (Extraordinary), 1958, page 546k. Received the assent of His Excellency the Governor on the 14th April, 1949, and first published in the East Punjab Government Gazette (Extraordinary) of April 18, 1949]. An Act to provide for the cultivation of certain areas by means of tractors by the Department of Agriculture, [Punjab] [Substituted for the words 'East Punjab' by the Adaptation of Laws (Third Amendment) Order, 1951.], and for the recovery of the charges in respect of such cultivation. It is hereby enacted as follows :-

1. Short title and extent.

(1) This Act may be called the East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949. (2) It extends to the whole of the [State] [Substituted for 'Province' by Adaptation of Laws Order, 1950.] of [Punjab] [Substituted for 'East Punjab' by Adaptation of Laws Order, 1950.].

2. Interpretations.

- In this Act, unless there is anything repugnant in the subject or context, - (a) "cultivator" means a person who actually cultivates the soil himself or through members of his household, or gets it cultivated by hired labor or by a tenant; (b) "director" means the Director of Agriculture, [Punjab] [Substituted for 'East Punjab' by Adaptation of Laws Order, 1950.]; (c) "prescribed" means prescribed by rules made under this Act; * * * * [(e) "tractor cultivation" means any agricultural operation carried on with the help of tractors such as ploughing, harrowing, dicing, sowing, or harvesting and includes any other operation for the purpose of reclaiming banjar land;] [Clause (d) omitted by

Punjab Act, 24 of 1953, section 2 and subsequent clauses (e)(f), and (g) re-lettered as (d), (e) and (f).]
](f)["tractor cultivation charges" means the charges recoverable on account of tractor cultivation.]
[Substituted for the old clause by Punjab Act 24 of 1953, section 2(ii).]

3. Application for Tractor Cultivation.

(1)Any cultivator may make an application in writing to the Director for having any agricultural operation performed by tractors on his land or any part of it.(2)Such application shall be accompanied by a deposit, made in the prescribed manner, of [* *] [The word 'full' and proviso(2) omitted by Punjab Act, 24 of 1953, section 2(i) and (ii).] tractor cultivation charges according to the prescribed scale :Provided that -(1)in exceptional cases, Director may require only such part as he may specify of the full cultivation charges to be deposited with the application.(2)[* * * * *] [The word 'full' and proviso (2) omitted by Punjab Act, 24 of 1953, section 2(i) and (ii).]

4. Procedure in dealing with applications.

(1)If the Director accepts an application made under section 3 he shall take all steps necessary in connection therewith.(2)In case such application is rejected, any deposit made with the application shall be refunded in the prescribed manner to the applicant.

5. Notice of demand.

- As soon as may be after the tractor cultivation has been completed, the Director shall in respect of such cultivation serve on the cultivator a notice of demand specifying the amount due from him after taking into account the deposit, if any, made by him.

6. [Period within which payment is to be made. [Substituted for the old section by Punjab Act, 24 of 1953, section 2(i) and (ii), section 4.]

- A cultivator whose land has been brought under tractor cultivation shall, within one month or such further time as may be allowed from the date of the receipt of the notice of demand under section 5, deposit in the prescribed manner the amount specified in that notice or in such other manner and in such installments as may be allowed in this behalf].

7. Recovery of outstanding dues as arrears of a land revenue.

- If any cultivator fails to make payment is specified in section 6, the sum due from him shall be recoverable as arrears of land revenue.

8. Delegation.

- The Director may delegate any or all of his powers and functions under the Act to any officer of the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government.

9. Rules.

(1)The [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may by notification make [rules for the purposes of carrying into effect the provisions of this Act.] [For rules, see East Punjab Government notification No. 1581-Agr-49/125, dated 8th September, 1949.](2)In particular and without prejudice to the generality of the foregoing power, the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may make rules regulating or determining all or any of the following matters :-(a)the mode of making a deposit under sub-section (2) of section 3;(b)the scale of tractor cultivation charges;(c)the mode of making a refund under sub-section (2) of section 4;(d)the manner of making payment under [****] [The words, figures and brackets 'sub-section (1) or sub-section (2) of' omitted by Punjab Act, 24 of 1953, Section 5, Act 24 of 1953, shall be deemed to have come into force on 16th April, 1953.] section 6.