

# Punjab Land Improvement Schemes Act, 1978

PUNJAB

India

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### Rule PUNJAB-LAND-IMPROVEMENT-SCHEMES-ACT-1978 of 1978

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Punjab Land Improvement Schemes Act, 1978Published vide Punjab Government Notification No. G.S.R. 14/P.A.23/63, Section 30, 78, dated 8th February, 1978Punjab GovernmentSoil Conservation and Engineering DepartmentNo. G.S.R. 14/P.A.23/63.S.30.78 - With reference to Punjab Government, Soil Conservation and Engineering Department, Notification No. G.S.R. 2/P.A.23/63/section 30/78, dated the 16th January, 1978, and in exercise of powers conferred by Section 30 of the Punjab Land Improvement Schemes Act, 1963 (Punjab Act 23 of 1963), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules namely :-

#### 1. Short title.

(1)These rules may be called the Punjab Land Improvement Schemes Rules, 1978.(2)They shall come into force at once.

#### 2. Definitions.

- In these rules, unless there is anything repugnant in the subject or (sic)-(a)"Act" means the Punjab Land Improvement Schemes Act, 1963;(b)"committee" means the District Land Improvement Committee constituted under Section 4;(c)"Form" means a form appended to these rules;(d)"Section" means a section of the Act.

#### 3. Notice of publication of Scheme.

Sections 7(2) and 30(2)(b). - Simultaneously with the publication of scheme in the Official Gazette under sub-section (2) of Section 7, the committee shall publish the same alongwith a notice in Form 'A' in every village and at the headquarters of the tehsil and district in which the lands including in the scheme are situated. The notice shall be given by affixing a copy thereof on the notice board in

the offices of the Tehsildar and the Deputy Commissioner concerned and at conspicuous places in the village or villages affected by the scheme.

#### **4. Preparation of statement and entries in record of rights. Sections 16 and 30(2)(d).**

(1)The statement under sub-section (1) of Section 16 shall be in form 'B' and prepared in Punjabi language in Gurmukhi script. It shall be sent in triplicate by the Soil Conservation Officer to the Tehsildar concerned as soon as possible, after the 1st day of April in each year.(2)On receipt of the statement, the Tehsildar shall retain one copy and shall forward the other two copies to the Patwari of the village concerned.(3)The Patwari shall make the necessary entries in the mutation Register corresponding to each entry in the statement.(4)After the entry in the mutation register is certified as required by Section 35 of the Punjab Land Revenue Act, 1887, the Patwari shall transfer the entry to the record of rights, under the column "other rights".(5)The Patwari shall also fill in column 15 of the statement in form 'B' and return one of the copies to the Divisional Soil Conservation Officer through the Tehsildar concerned.(6)When the entries in the record of rights are altered on account of change of ownership of land, corresponding changes shall be carried out by the Tehsildar under his signature in column 14 of the statement in Form B prepared under Section 16 and received by him under sub-rule (5).

#### **5. Extent of enhancement of rent and conditions subject to which enhancement may be made.**

- Sections 22 and 30(2)(f). - The landowner whose land has been included in a scheme may after a period of three years from the date of which the scheme comes into force under Section 11, enhance the rent payable by a tenant in respect of such land by not more than ten per centum of the rent payable on the date on which the scheme comes into force.

#### **6. Form of notice to be served on the land owner for maintaining or repairing works. Sections 17 and 30(1).**

- If any landowner, shown in the statement prepared under Section 16 as liable to maintain and repair any work, does not maintain or repair it to the satisfaction of the Soil Conservation Officer, the Soil Conservation Officer shall serve upon the landowner a notice in Form 'C' specifying the time within which the repairs described in the notice are to be carried out.

#### **7. Manner in which documents Plans and maps relating to a scheme which has come into force shall be accessible to the public. Section 25.**

- Documents, plans and maps relating to a scheme which comes into force shall be open for public inspection at the office of the Tehsildar concerned at any time during office hours. Certified copies thereof shall be supplied on payment of a fee of five rupees for each set of documents, plans and maps pertaining to the scheme.

## **8. Authentication of decision of committee. Section 30(2)(f).**

- For the purposes of the Act the decisions of the Committee shall to authenticated and given effect to by the Secretary of the Committee.

## **9. Form of certificate under Section 13-A(1)(iii).**

- The certificate under clause (iii) of sub-section (1) of Section 13-A shall be in Form 'D'.

## **10. Procedure for financing schemes and advancing amount under Section 13-A.**

(1)The Punjab State Co-operative Land Mortgage Bank Limited shall examine the scheme along with the particulars received by it under sub-section (1) of Section 13-A from the Department and in case the said Bank is satisfied that the scheme is viable and is in order, it may sanction the financing of the scheme and forward the same to the Primary Land Mortgage Bank concerned for financing purposes under intimation to the Department.(2)In case the Punjab State Land Mortgage Bank Limited is not satisfied with the scheme, it will return the same to the Department along with memorandum containing the objections due to which the financing of the scheme cannot be sanctioned. On removal of the objections raised by the Bank, the Department shall resubmit the scheme to the Punjab State Co-operative Land Mortgage Bank Limited and when the scheme is resubmitted, the provisions of sub-rule (1) shall mutatis mutandis apply.(3)The notification under sub-section (3) of Section 13-A shall be issued in Form 'E'.(4)After the expiry of a period of one month of the issue of notifications under sub-rule (3), the Department shall intimate to the Primary Land Mortgage Bank concerned in Form 'F' the estimated amount which is to be financed by it for executing the scheme.(5)The Primary Land Mortgage Bank concerned shall advance the amount intimated under sub-rule (4) to the Department under intimation to the landowners concerned on whose behalf the amount is advanced.

## **11. Supply of information to the Bank.**

- Section 30(2)(f). - The Soil Conservation Officer shall supply such information to Punjab State Co-operative Land Mortgage Bank Limited or the Primary Mortgage Bank concerned as may be deemed necessary and shall also assist in the inspection of the works of execution of the scheme by the officers of the said Banks.

## **12. Repeal and saving.**

(1)The Punjab Land Improvement Schemes Rules, 1963 are hereby repealed.(2)Notwithstanding such repeal anything done or any action taken under the rules hereby repealed shall be deemed to have been done or taken under these rules.[13. Works under Section 14(4). - (1) When a Scheme for lining a common canal watercourses is executed under sub-section (4) of Section 14 on behalf of the landowners, a notice in Form 'G' specifying the share each landowner shall be displayed at a

conspicuous place in the concerned village and the substance for that notice shall also be published in the village by beat of drum.(2)If any landowner fails to deposit the amount of his share of the cost as specified in the notice referred to in sub-rules (1) with the Soil Conservation Officer within a period of two months from the date of publication of such notice, the same shall be recovered in ten half-yearly equated instalments together with interest thereon at the rate of twelve per cent per annum.] [Rule 13 added by Punjab Government Notification No. GSR97/PA23/63/Section 30, dated 22.8.1980.]Form 'A'[See rule 3]Notice of Publication of Draft SchemeIn pursuance of the provisions of sub-section (2) of Section 7 of the Punjab Land Improvement Scheme, Act, 1963, the District Land Improvement Committee noted below, hereby publishes the draft scheme approved under sub- section (1) of the aforesaid section.Notice of the publication of the scheme is hereby given in accordance with the provisions of section 8 of the Act. All persons affected by the scheme who wish to make any claim or to submit any objection to the draft scheme may do so in writing or by appearing personally before the Office of Agricultural Inspector or Sectional Officer, Soil Conservation Scheme, as given below in column 3 on or before the expiry of a period of 30 days of publication of this draft scheme.Draft Scheme approved under sub-section (1) of Section 7 of the Punjab Land Improvement Scheme Act, 1963.

S. No.	District Land Improvement Committee	Inquiry Officer	Division	Sub-division	District Tehsil,	
1	2	3	4	5	6	7
Approximate area in acres						
Village	Objects of the scheme	Private lands	Government lands	Panchayat lands	Total	The work or kind of work to be carried out under the scheme.
8	9	10	11	12	13	14
The agency or agencies through which the work shall be carried out						
Conditions according to which the construction work will be carried out		Name of the owner and his father's name	Rectangle No.	Khasra Nos.	Area.	
15	16	17	18	19	20.	

Secretary District Land Improvement Committee Form 'B' [See rule 4] Serial No.

Total cost of work done \_\_\_\_\_

Amount of subsidy \_\_\_\_\_

Amount to be recovered \_\_\_\_\_

Village \_\_\_\_\_

Tehsil \_\_\_\_\_

District \_\_\_\_\_

S. No.	Khasra No.	Name of owner	Area	Assessment
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1	2	3	4	5
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Nature of work

Number of bunds	Number of trenches	Number of waste weirs	Number of drains	Total amount to be recovered from landowner	Period of recovery and number of instalments of recovery,
6	7	8	9	10	11

Year from which recovery should begin	Annual instalment or six monthly instalment	Person or persons liable to maintain and repair work individually or jointly	*Serial Number of entry in the mutation register and date of certification of the entry	Remarks
12	13	14	15	16

\*To be filled in by the Patwari. Form 'C' [See rule 6] Form of

Notice To Shri \_\_\_\_\_. Whereas according to the statement of rights and liabilities prepared under Section 16 of the Punjab Land Improvement Schemes Act, 1963, you are liable to maintain and repair the works in land bearing Khasra Nos. \_\_\_\_\_ in the village of \_\_\_\_\_ tehsil \_\_\_\_\_ district \_\_\_\_\_. Therefore a notice is hereby given under Section 17 of the said Act that you should carry out completely to my satisfaction the repairs specified below at your cost within \_\_\_\_\_ days from the date of this

notice failing which I shall get the work carried out and the expenses incurred by me in carrying out the work shall be recovered from you along with interest thereon as arrears of land revenue. Description of repairs to be carried out Dated \_\_\_\_\_ the day of \_\_\_\_\_ 19\_\_\_\_ Soil Conservation Officer \_\_\_\_\_ . Form 'D' [See rule 9] Certificate Certified that \_\_\_\_\_ hectares of irrigated and \_\_\_\_\_ hectares of un-irrigated land is included in the scheme. The value of irrigated land per hectare is Rs. \_\_\_\_\_ and the value of the irrigated land per hectare is Rs. \_\_\_\_\_. Thus total value all the land is Rs. \_\_\_\_\_ which is sufficient security for the purpose of recovering cost of the scheme and the interest thereon. Dated :- Officer of the Soil Conservation and Engineering Department, Punjab Form 'E' [See rule 13(3)] Notification for financing of Soil Conservation Scheme by the Punjab State Co-operative Land Mortgage Bank Limited. Whereas the Punjab State Co-operative Land Mortgage Bank Limited has sanctioned the financing of the scheme mentioned in the schedule given below under sub-section (2) of Section 13-A of the Act. Now, therefore, it is hereby notified that all the land owners affected by the scheme who do not want to avail of the facility of financing by the said Bank, may deposit the amount of estimated cost falling to their respective shares to the Assistant Soil Conservation Officer or the Divisional Soil Conservation Officer concerned within a period of one month of the date of issue of this notification, and after the expiry of the said period of one month, the scheme shall be financed by the Bank and the loan amount so advanced on his or their behalf shall be deemed to be the loan advanced under Section II-A of the Punjab Co-operative Land Mortgage Banks Act, 1957, to such land owner or land owners and shall be subject to all the terms and conditions on which the Bank advance loans to its members for a purpose connected with the improvement of land :-

## Schedule

S.No.	Name of Scheme	Village and H.B. No.	Tehsil	District	Assistant Soil Conservation Officer/Divisional Soil Conservation Officer Concerned	Total estimated cost of the Scheme	Estimated cost per hectare	Remarks
1	2	3	4	5	6	7	8	9

Dated :- Chief Conservator of Soils, Punjab. Form 'F' [See rule 10(4)] To The Manager, The Primary Co-operative Land Mortgage Bank, Subject :- Estimated amount to be financed for executing the scheme. Dear Sir, Whereas the scheme regarding \_\_\_\_\_ of village tehsil \_\_\_\_\_ district \_\_\_\_\_ has been sanctioned for financing by the Punjab State Co-operative Land Mortgage Bank Limited for an estimated cost of Rs. \_\_\_\_\_ as intimated, \_\_\_\_\_ vide its No. \_\_\_\_\_ dated \_\_\_\_\_. And whereas an amount of Rs. \_\_\_\_\_ has been arranged/deposited by the landowners. Now, therefore, the balance amount of Rs. \_\_\_\_\_ required for the execution of the scheme, may please be advanced in the names of the landowners included in the scheme excepting these mentioned below, and be disbursed to the \_\_\_\_\_ in \_\_\_\_\_ instalments as detailed below :-

1.

2.

Name of landowners who have arranged or deposited the amount :-

1.

2.

3.

4.

Yours faithfully, Chief Conservator of Soils, Punjab  
Form 'G'[See rule 13] Notice for Recovery of Cost of Works  
Whereas the works of lining of common canal watercourses of outlet at R.D. \_\_\_\_\_ of \_\_\_\_\_ Distributary/Minor serving village/villages \_\_\_\_\_ H.B. No./Nos. \_\_\_\_\_ tehsil \_\_\_\_\_ district \_\_\_\_\_ have been carried out in accordance with the scheme approved by District Land Improvement Committee \_\_\_\_\_ and notified in the Punjab Government Gazette, dated \_\_\_\_\_ as provided in Section 14(4) of the Act, and cost of such works with interest thereon is to be recovered from the landowners in proportion of the area owned by such landowners which has been included in the scheme. Now, therefore, the landowners affected by the scheme, as mentioned in the Schedule below, are hereby informed that they may deposit their respective shares of cost as given in the Schedule, to the Assistant Soil Conservation Officer/Divisional Soil Conservation Officer \_\_\_\_\_ within a period of two months from the date of publication of this notice failing which the amount due shall be recovered from them in the manner specified in rule 13 of the Punjab Land Improvement Schemes Rules, 1978.

## Schedule 2

S.No.	Name of landowner with father's name	Cost per hectare	Area owned (included in the scheme)	Amount	Remarks
1	2	3	4	5	6
1.					
2.					
3.					
4.					

Dated \_\_\_\_\_ Divisional Soil Conservation Officer, \_\_\_\_\_