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

Act 11 of 1949

Keyword(s):
Cultivator, Tractor, Tractor Cultivation, Tractor Cultivation Charges

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THE EAST PUNJAB TRACTOR CULTIVATION
(RECOVERY OF CHARGES) ACT, 1949

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(Recovery of Charges)

4THE EAST PUNJAB TRACTOR CULTIVATION
(Recovery of Charges) ACT, 1949.

East Punjab Act No. 11 of 1949.

[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].

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<th>Year</th>
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<th>Short title</th>
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<td>1949</td>
<td>11</td>
<td>The East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949</td>
<td>Amended in part by the Adaptation of Laws Order, 1950</td>
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<td>Amended in part by the Adaptation of Laws (Third Amendment) Order, 1951</td>
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<td>Amended in part by Punjab Act 24 of 1953*</td>
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An Act to provide for the cultivation of certain areas by means of tractors by the Department of Agriculture, 4[Punjab], and for the recovery of the charges in respect of such cultivation

It is hereby enacted as follows:—

1. (1) This Act may be called the East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949.

1For Statement of Objects and Reasons, see East Punjab Government Gazette (Extraordinary), page 138; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume III, 1949, pages (24) 72—75.

2For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), dated 16th April, 1953, page 535.

3For statement of Objects and reasons, see Punjab Government Gazette (Extraordinary), 1958, page 546 k.

4Substituted for the word "East Punjab" by the Adaptation of Laws (Third Amendment) Order, 1951.
(2) It extends to the whole of the \(^1\)State of \(^2\)Punjab.

2. 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 labour or by a tenant;

(b) "director" means the Director of Agriculture, \(^2\)Punjab;

(c) "prescribed" means prescribed by rules made under this Act;

* * *

\(^3\)(d) "tractor" means a tractor owned by or worked under the control of the Department of Agriculture, \(^2\)Punjab;

\(^3\)[ \(^4\)(e) "tractor cultivation" means any agricultural operation carried on with the help of tractors such as ploughing, harrowing, discing, sowing, or harvesting and includes any other operation for the purpose of reclaiming banjar land:]

\(^4\)[(f) "tractor cultivation charges" means the charges recoverable on account of tractor cultivation.

3. (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.

\(^1\)Substituted for "Province" by Adaptation of Laws Order, 1950.

\(^2\)Substituted for "East Punjab" by Adaptation of Laws Order, 1950.

\(^3\)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).

\(^4\)Substituted for the old clause by Punjab Act 24 of 1953, section 2(ii)
(2) Such application shall be accompanied by a deposit, made in the prescribed manner, of [* *] tractor cultivation charges according to the prescribed scale:

Provided that—

(I) 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) * * * *

4. (I) 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. 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. 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 instalments as may be allowed in this behalf].

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

*The word "full" and proviso (2) omitted by Punjab Act, 24 of 1953, section 3 (I) and (II).

*Substituted for the old section by ibid, section 4.
8. The Director may delegate any or all of his powers and functions under the Act to any officer of the 1[State] Government.

9. (1) The 1[State] Government may by notification make 2 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, the 1[State] 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 3section 6.

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1Substituted for the word “Provincial” by the Adaptation of Laws Order, 1950.


3The words, figures and brackets “sub-section (f) 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.