

PUNJAB VIDHAN SABHA

Bill No. 35-PLA-2017

THE PUNJAB LAND IMPROVEMENT SCHEMES (AMENDMENT)
BILL, 2017

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BILL

further to amend the Punjab Land Improvement Schemes Act, 1963.

BE it enacted by the Legislature of the State of Punjab in the Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called Punjab Land Improvement Schemes (Amendment) Act, 2017. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Land Improvement Schemes Act, 1963, after section 14, the following sections shall be inserted, namely :— Insertion of new sections 14-A and 14-B in Punjab Act 23 of 1963

“14-A (1) Where—

Laying of underground pipeline or repair or renovation of existing underground pipeline.

(a) the Department intends to lay underground pipeline or repair or renovation, as the case may be, of existing underground pipeline through holding of any other land holders for the purpose of irrigation; or

(b) a farmer or a group of farmers intend to lay an underground pipeline or repair or renovation, as the case may be, of existing pipeline through the holding of any other land owner for the purpose of irrigation on his holding or as the case may be, their holdings; and

the matter is not settled by mutual agreement, then the District Level Committee may, by order, allow the Department or the farmer or the group of farmers, as the case may be, to lay pipeline or repair or renovation, as the case may be, of existing pipeline, at least three feet beneath the surface of the land along the demarcated line on payment of such compensation arising out of crop damage or damage to any structure to the land owner. The District Level Committee shall determine the amount of compensation to be paid as per prevalent market prices to the land holder through whose land the pipeline is to be laid or repaired or renovated and its decision shall be binding upon all the parties.

(2) The Department or the farmer or the group of farmers, as the case may be, shall submit a written application to the District Level Committee detailing the land owner/s details through which the pipeline shall be laid or repaired or renovated and line demarcated for laying of pipeline alongwith the damage as shall be caused to crop or any structure that is in way of demarcated line.

(3) The Department or the farmer or the group of farmers, as the case may be, permitted to avail any of the facilities referred to in sub-section (1) shall not, by virtue of the said facility, acquire any other right in the holding through which such facility is granted.

(4) The Department or the farmer or the group of farmers, as the case may be, to whom such facility is granted, shall also ensure that the land be restored up to the satisfaction of the land holder after laying of underground pipeline.

14-B. (1) In every district, there shall be constituted a Constitution of District Level Committees. Committee to be called the District Level Committee for granting compensation, to the Department or the farmer or the group of farmers, as the case may be, consisting of the following, namely :-

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| (i) Deputy Commissioner | .. | Chairman |
| (ii) Divisional Soil Conservation Officer | .. | Convener |
| (iii) District Revenue Officer | .. | Member |
| (iv) Executive Engineer, Public Works Department (B&R) | .. | Member |
| (v) Divisional Forest Officer | .. | Member |

(2) The Convener shall convene the meeting of the District Level Committee on receipt of request to lay underground pipeline or repair or renovation, as the case may be, of existing pipeline.

(3) Four members including the Chairman and the Convener shall form the quorum for a meeting of the District Level Committee.

(4) All questions before the District Level Committee shall be decided according to the opinion of the majority of the members present and voting. In the case of equality of votes, the Chairman shall have a second or casting vote.”.

STATEMENT OF OBJECTS AND REASONS

Laying of Underground Pipelines for Irrigation is by the far most effective way for efficient use of water resources in the State and Department of Soil and Water Conservation, Punjab is promoting this activity in a big way. Sometimes other individual land holders or land held by others entities/ agencies do not allow the underground pipeline to pass through their lands, thus depriving the farmer whose land is located on other side of availing of irrigation facilities. In order to overcome this bottleneck, it is intended to introduce 'Right of Way' as Section 14-A and Section 14-B by way of an Amendment in Punjab Land Improvement Schemes Act, 1963 (Act No. 23 of 1963) which shall grant Department and the farmers legal right to lay underground irrigation pipelines in other land holders land at a depth of 3 feet beneath the surface of land as per demarcated line on payment of **Compensation** arising out of crop damage or damage to any structure as per prevailing market rates.

CAPTAIN AMARINDER SINGH,
Chief Minister, Punjab.

CHANDIGARH :
The 28th November, 2017.

SHASHI LAKHANPAL MISHRA,
Secretary.

N.B.— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 28th November, 2017 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).