

Command Areas Development Act, 1980

Section 2 - Definitions

In this Act, unless the context otherwise requires,-

- (1) "Authority" means a Command Area Development Authority constituted under section 3;
- (2) "agricultural labourer" means a person who does not hold any land whether as owner or tenant or mortgagee with possession and whose principal means of livelihood is manual labour on land;
- (3) "Command Area" in relation to one or more irrigation projects means such area as may be notified by the State Government, comprising among other lands, lands benefitted by such irrigation project or projects;
- (4) "comprehensive development" in relation to a Command Area includes,-
 - (a) bringing the land records up-to-date for consolidation of land holdings, land survey and mapping with aerial photographs;
 - (b) conservation of land and water;
 - (c) construction of field channels with related structures;
 - (d) construction of field drains with related structures;
 - (e) land shaping including grading, levelling; bunding and the like;
 - (f) realignment of field boundaries and rectangularisation of plots and consolidation of land holdings under a pipe-outlet or under an adjacent pipe-outlet for efficient farm management;
 - (g) lining of field channels with suitable material to prevent seepage of water.
 - (h) construction and upgrading of ayacut roads with related structures;
 - (i) grouping of small holdings in a contiguous area nearer the outlet and larger ones farther away;
 - (j) other ancillary measures to avoid wastage of water and prevent water-logging, salinity, alkalinity and the like;
 - (k) conjunctive use of surface and ground water for multiple cropping and proper utilisation of available water resources;
 - (l) all round development of the farm in the areas pertaining to agriculture, horticulture, sericulture, farm forestry, animal husbandry, fisheries, communication, agro-based industry and co-operation;
- (5) "credit agency" means,-
 - (i) a banking company as defined in the Banking Regulation Act, 1949;
 - (ii) the State Bank of India constituted under the State Bank of India Act, 1955;
 - (iii) a subsidiary Bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959;

(iv) a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970;

(v) the Agricultural Refinance and Development Corporation constituted under the Agricultural Refinance and Development Corporation Act, 1963;

(vi) the Agro-Industries Corporation as defined in clause (c) of section 2 of the Karnataka Agricultural Credit Operations and Miscellaneous Provisions Act, 1974;

(vii) the Agricultural Finance Corporation Limited, a company incorporated under the Companies Act, 1956; and

(viii) any other financial institution notified by the State Government as a credit agency for the purpose of this Act;

(6) "distribution system" includes,-

(a) all main canals, branch canals, distributories, sub-distributories and channels between an outlet and field channels constructed for the supply and distribution of water for irrigation;

(b) all works, structures and appliances connected with the distribution of water for irrigation;

(c) all field channels and farm channels and related structures under a pipe-outlet;

(7) "drainage system" includes,-

(a) channels either natural or artificial for the discharge of waste or surplus water and all works connected therewith or ancillary thereto;

(b) all connecting drains and main drains to drain off surplus water;

(c) all field drains and related structures under a pipe-outlet;

(8) "field channel;" means regulated water course or hikkal having capacity not exceeding one cubic feet per second or 0.028 cumec maintained by the land owner or by any other agency on his behalf to receive supply of water from a pipe-outlet;

(9) "field drain" means a channel excavated and maintained by the land holder or by any other agency on his behalf to discharge waste or surplus water from the land holding under a pipe-outlet;

(10) "ineligible person" means a person not eligible for ordinary land development loans and belonging to one of the following categories, namely:-

(i) farmers occupying lands without any valid title to mortgage such lands;

(ii) minors without guardians;

(iii) farmers occupying Government lands which have not been assigned to them or Government lands assigned but which revert to Government in case the assignee mortgages the same;

(iv) farmers occupying lands alienated by women prior to the coming into force of the Hindu Succession Act, 1956;

(v) land holders holding lands in excess of the ceiling under the Karnataka Land Reforms Act, 1961;

(vi) land holders unable to get loan from any credit agency because of overdues which are to be cleared before obtaining any loan for further capital investment; and

(vii) farmers who are unwilling to apply for land development loans;

(11) "irrigation system under a pipe-outlet" includes the filed channels, filed drains, and ayacut roads with all the related structures thereto;

(12) "land holder" means a person in actual possession of the land, whether as an owner or as a tenant or sub-tenant or as a mortgagee in possession or as a licensee or otherwise and includes a person who is likely to be benefitted by any development work under this Act and the expression "land holding" shall be construed as land held by a land holder;

(13) "member" means member of an Authority;

(14) "pipe-outlet" means an opening or contrivance constructed by the State Government in an irrigation system through which water is delivered at the periphery of a block of land the extent of which ordinarily not exceeding forty hectares;

(15) "Scheduled Castes" and "Scheduled Tribes" shall have the meaning assigned to it in the Constitution;

(16) "small farmer" means a person who holds whether as owner, tenant or mortgagee with possession or partly in one capacity or partly in another capacity not more than two and a half acres of A class of land specified in part A of Schedule I of the Karnataka Land Reforms Act, 1961 (Karnataka Act 10 of 1962) or not more than five acres of any other class of land.