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Command Areas Development Act, 1980

Section 12 - Preparation of the Schemes

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(1) Every Authority shall prepare a scheme for the comprehensive development of the Command Area or any phase of it in such manner as may be prescribed.

(2) Any scheme so prepared shall amongst others, set out the following, namely:-

(a) area proposed to be covered under the scheme;

(b) the work or works to be executed;

(c) the phasing of the scheme both areawise and workwise;

(d) the sketch plan of the area proposed to be covered under the scheme;

(e) the reallocation or the realignment if any, of a pipe-outlet or the existing irrigation system;

(f) the survey numbers covered;

(g) field boundaries as existing and as proposed;

(h) the compensation to be given to or recovered from the land holders;

(i) the cost involved in the scheme as well as in each phase thereof;

(j) the charges or dues to be levied on the beneficiaries; and

(k) such other matters and particulars as may be prescribed.

(3) The Authority may also from time to time make and take up any new or additional schemes in the Command Area.

(4) The scheme shall provide for the payment of compensation to any affected land holder for the reduction in the extent of his holding under the above scheme and for recovery of compensation from any other landholder who is benefited in getting more extent of land under the scheme. The amount of compensation shall be determined so far as practicable in accordance with the provisions of the Land Acquisition Act, 1894:

Provided that nothing in sub-section (4) shall preclude the determination of the amount of compensation by agreement with the benefitted and affected land holders and thereupon the amount so determined shall be the amount payable to such affected land holder.

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