

Bengal Development Act, 1935

Section 11 - Additional improvement levy in certain cases

section 8. (2) The rate or rates of the improvement levy shall be fixed under subsection (1) for one year or for such period not exceeding five years as may be specified in the notification issued under that sub-section. (3) For the purposes of sub-section (1) the net increase in the profits and the net value of the estimated increase in outturn shall be estimated, in accordance with rules made under this Act, on the price or prices fixed under section 9. (4) The 1212. Words "Provincial Government" subs, for the words "Local Government" by the Government of India (Adaptation of Indian Laws) Order, 1937. and thereafter the word "State" subs, for the word "Provincial" by the Adaptation of Laws Order, 1950. [State Government] may, by rules made under this Act, declare what persons or classes of persons shall be deemed, for the purposes of sub-section (1), to be occupiers of land but no person shall, by such rules, be declared to be an occupier of land unless, otherwise than as a hired labourer, he cultivates such land or (if it is not cultivated) unless he is in direct possession of such land. (5) Notwithstanding anything contained in sub-section (4), where a person under the system generally known as "adhi, "barga" or "bhag", cultivates the land of another person on condition of delivering a share of the produce to that person or receiving a share thereof from him, the person whose land is cultivated and the person who cultivates it shall each be deemed, for the purposes of sub-section (1), to be an occupier of such land, and each shall be liable to pay a prescribed proportion of the improvement levy imposed in respect of such land, and any contract to the contrary shall, to that extent, be void. (6) In the case of any land, the amount of improvement levy realised for any year 1313. Clause (a) subs, by W.B. Act 24 of 1954. (a) in respect of the Mayurakshi Reservoir Project, including the Bakreswar Canal, shall not exceed ten rupees per acre; (b) in respect of the Damodar Canal and the Eden Canal shall not exceed five rupees eight annas per acre : Provided that in the case of any land which was irrigated from the Eden Canal in any year during the ten years prior to the first day of 1) Notwithstanding anything contained in