

14. Without prejudice to the generality of section 13, in a Project Area, the Corporation-

Additional
functions in
Project Areas

- (a) shall organise the dissemination of technical knowledge among agriculturists with a view to ensuring intensive and co-ordinated use of improved seeds, fertilisers, plant protection materials, better cultivation techniques, and credit, including supervised credit;
- (b) shall deal with all matters pertaining to land reclamation, range management, dairy industry, organisation of agriculture in new areas, harnessing of hill streams, conservation of catchments, exploitation of potential areas, planned agriculture through suitable crop rotation and mixed farming, marketing and processing of agricultural produce and organisation of co-operative and block farming;
- (c) shall organise supervised credit and linking of credit with marketing through co-operative societies;
- (d) shall supervise cash credit in such manner as may be prescribed by the regulations;
- (e) shall perform all functions, which were, immediately before the issue of notification under section 23 were being performed in such area by the Departments dealing with agriculture, animal husbandry, livestock, co-operative societies, fisheries, forests and consolidation of holdings;
- (f) may undertake distribution of water for irrigation;
- (g) may undertake anti-salinity measures;
- (h) may assist, encourage and promote the use of agricultural machinery; and
- (i) may organise, or enter into contracts for, such research as may be necessary for carrying out its functions, including research in land and water utilisation.

CHAPTER IV

POWERS OF THE CORPORATION

15. (1) The Corporation may take such measures and exercise such powers as it considers necessary or expedient for carrying out the purposes of this Ordinance.

General powers

(2) Without prejudice to the generality of the powers conferred by any other provisions of this Ordinance, the Corporation may undertake any works, supply anything and services, incur any expenditure, procure any plants, machinery or materials required for its use and may enter into any contracts and do all acts and things necessary for the performance of such contracts.

(3) The Corporation may fix up-rates with the previous approval of the Government for the supply of mechanised cultivation services and irrigation waters and such rates shall be recoverable by the Corporation under this Ordinance.

Power regarding use of land

16. (1) The Corporation may-

- (a) grant land vested in the Corporation to any person on any condition it thinks fit, and for this purpose issue a statement or statements of conditions on which the Corporation is willing to grant such land:

Provided that no land shall be granted to any person without the statement of conditions having been approved by the Government:

Provided further that no land shall ordinarily be leased for a period exceeding ten years, and where any lease for a longer period is given the provisions of the ¹[* * *] State Acquisition and Tenancy Act, 1950, shall apply, and any other grant shall also be subject to the provisions of the said Act;

- (b) resume the land so granted or in the alternative impose a penalty not exceeding five hundred taka, where the grantee is proved to the satisfaction of the Corporation to have committed a breach of any of the conditions of the tenancy:

Provided that before an order is made under this clause, the grantee shall be given an opportunity to appear and state his objections:

Provided further that in a case of resumption, the grantee shall be liable to restore possession forthwith, but shall be entitled to compensation for the standing crops and for improvements made by him during the tenancy;

¹ The words "East Bengal" were omitted by section 8 of the Agricultural Development Corporation (Amendment) Ordinance, 1975 (Ordinance No. XL of 1975).

- (c) notwithstanding anything contained in any other law for the time being in force,-
- (i) prepare or confirm schemes for consolidation of holding in any Project Area by re-distribution of title or any of the lands therein so as to reduce the number of plots in the holdings, and order payment of compensation to any person who has received an allotment under any such scheme of consolidation of less market value than his original holding to be paid by all or any of the other persons affected by any such scheme and in such proportion as the Corporation may decide; and
 - (ii) appoint officer to perform the duties of Consolidation Officers under the law relating to consolidation of holding;
- (d) take over and manage *Khas* lands of the Government on such terms and conditions as may be agreed upon between the Corporation and the Government;
- (e) regulate by general or special order the use of land and restrict or prohibit the carrying of any offensive or unwholesome trade or the construction of any building or structure;
- (f) direct, in respect of any area-
- (i) the levelling, terracing and embankment of fields;
 - (ii) the afforestation of such area or part thereof;
 - (iii) the construction of earthworks in fields or ravines;
 - (iv) the provision of drains for storm water, construction of surface field drains and sub-surface drains;
 - (v) the training of streams; and
 - (vi) the execution of such other works as are necessary in the opinion of the Corporation to protect the land from the erosive action of wind or water, or for the development of such area or for the exploitation of its water resources;

- (g) direct that any work, which has been required to be done by any person under the preceding clause, and which remains undone, shall, after due notice to such person and consideration of any objection raised by him, be executed by the Corporation, and specify the portion in which the risk and expenses of such work shall be borne by such person, or by any other person who is held by the Corporation, upon due enquiry after reasonable notice to him, to be responsible for the execution of such work in whole or in part;
- (h) regulate, restrict or prohibit by general or special order in respect of any area-
 - (i) the clearing or breaking up of land for cultivation;
 - (ii) the quarrying of non-mineral stone and the burning of lime or charcoal;
 - (iii) the admission, herding, parking and retention of cattle;
 - (iv) the felling, girdling, lopping, tapping or burning of any tree or timber; and
 - (v) the kindling, keeping or carrying of any fire;
 - (vi) direct the growing of a particular kind or type of crops or trees in a particular area and specify the rotation of crops to be followed;
 - (i) undertake the breaking of land, planting of trees, construction of water-courses and do all necessary acts to bring land vested in the Corporation under cultivation; and
 - (j) make grant of money to any person for the purpose of furthering any of the objects of this Ordinance on such terms and conditions as may be prescribed.

(2) Any general order made under sub-section (1) shall be published in such manner as may be prescribed.

Power to control letting of land and rights of tenants

17. (1) The Corporation may by regulations provide for the terms and conditions on which persons who, at the commencement of this Ordinance, were in cultivating possession of agricultural land may continue in such possession.

(2) An order made under sub-section (1) shall have effect, notwithstanding anything contained in any other law for the time being in force.

(3) On the application of the Corporation, any Magistrate or Police Officer may summarily reject any person who is in cultivating possession of agricultural land contrary to the provisions of an order made under sub-section (1), and on similar application summarily restore possession to any person who may be entitled to it and may use such force as may be necessary for the purpose.

18. In order to improve communications in and around a Project Area, the Corporation may-

Powers regarding improvement of communications

- (a) subject to any conditions it may deem fit to impose,-
 - (i) guarantee the payment from the funds at its disposal, of such sums as it may deem fit, by way of interest on capital expended on the construction, maintenance or working any means of communication; and
 - (ii) make such payments as it may deem fit from the said funds, by way of subsidy to persons undertaking to provide, maintain and work any means of communications:

Provided that no guarantee or subsidy shall be made without the previous sanction of the Government;
or

- (b) either singly, or in combination with any other person, construct, maintain and work any means of communication subject to the provisions of any law applicable thereto; or
- (c) construct or widen, strengthen or otherwise improve roads and bridges, subject to the provisions of any law applicable thereto.

19. The Corporation may-

Power to make surveys or contribute towards their cost

- (a) cause a survey of any land to be made when it considers that a survey is necessary or expedient for carrying out any of the purposes of this Ordinance; or
- (b) contribute towards the cost of any such survey made by any other authority.

Power of entry

20. (1) The Chairman, or any other person authorised by him in writing, may enter upon and survey any land, undertake investigations, erect pillars for the determination of areas and intended lines of works, make borings and excavations for the discovery of water, construct channels and aqueducts for securing the flow of water, and do all other acts which may be necessary in order to carry out all or any of the objects of this Ordinance:

Provided that when the affected land does not vest in the Corporation, the powers conferred by this sub-section shall be exercised in such manner as to cause the least interference with and the least damage to, the rights of the owner thereof.

(2) When any person enters into or upon any land in pursuance of sub-section (1), he shall, at the time of entering, pay or tender payment for all necessary damage to be done as aforesaid, and in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the Corporation whose decision shall be final.

(3) It shall be lawful for any person authorised under sub-section (1) to make an entry for the purpose of inspection or search, to open or cause to be opened a door, gate or other barrier, at any time between the hours of sunrise and sunset,-

- (a) if he considers the opening thereof necessary for the purpose of such entry, inspection, or search; and
- (b) if the occupier or owner, as the case may be, is absent, or being present refuses to open such door, gate or barrier:

Provided that the compensation shall be paid for the damage caused in such manner as the Corporation may prescribe, and in case of dispute as to the sufficiency of the amount the matter shall be referred to the Corporation, whose decision shall be final.

CHAPTER V**PLANS, PROJECTS AND SCHEMES**

Outline Plans

21. Subject to the provisions of this Ordinance and the rules and regulations, the Corporation shall, with the previous approval in writing of the Government, prepare an outline plan or plans for the execution of its objectives.