

The Culturable Waste Land (Utilization) Ordinance, 1959 (East Pakistan Ordinance)

(Ordinance NO. XIII OF 1959)

WHEREAS it is necessary to bring under cultivation culturable waste land with a view to step up production of food;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the 7th day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make and promulgate the following Ordinance, namely:-

**Short title,
extent and
commencement**

1. (1) This Ordinance may be called the Culturable Waste Land (Utilization) Ordinance, 1959.

¹[(2) It extends to the whole of Bangladesh but shall not apply to any urban area within the meaning of the Paurashava Ordinance, 1977 (Ordinance No. XXVI of 1977)].

(3) It shall come into force at once.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(i) “Deputy Commissioner” used in relation to any culturable waste land, means the Deputy Commissioner of the district within which such culturable waste land is situated and includes any officer ²[* * *] appointed by the Deputy Commissioner to carry out all or any of the functions of a Deputy Commissioner under this Ordinance.

(ii) “food crops” include vegetables and fruits;

(iii) “culturable waste land” means any land classified in the record-of-rights published under ³[* * *] the ⁴[* * *] State Acquisition and Tenancy Act, 1950, as nutan patit, purantan patit, layek patit, garlayek patit or layek

jungal and includes any land which, in the opinion of the Deputy Commissioner, has not been cultivated during the last two preceding years and no preparation for its cultivation has been made on the day of making a declaration under section 3, but does not include land forming part of, or conterminous with, any homestead, farm-house or any place of worship.

Application of the provisions of this Ordinance to culturable waste land

3. The Deputy Commissioner may declare that the provisions of this Ordinance shall apply to any culturable waste land and on and from the day of making such declaration the possession of such culturable waste land shall vest in the Deputy Commissioner for a period not exceeding one year, and where the culturable waste land would, in the opinion of the Deputy Commissioner, require substantial reclamation, for a period not exceeding ten years, from the date of such declaration:

Provided that no such subsequent declaration for any year shall be made more than three months in advance or for a period of more than one year.

Lease of culturable waste land

4. When the possession of any culturable waste land has vested in the Deputy Commissioner, he may lease it out on such terms and conditions as he thinks proper to any person or persons for purpose of cultivation for production of food crops for the period for which the possession has vested in the Deputy Commissioner.

Compensation

5. (1) Whenever a declaration is made under section 3, the owner of the culturable waste land, in respect of which the declaration has been made, shall, for the period during which the possession of the culturable waste land remains vested in the Deputy Commissioner, be paid an annual compensation equivalent to the amount of the annual rent or land revenue payable in respect of such land.

(2) No person shall be entitled to claim any compensation from the Deputy Commissioner, for leasing out any culturable waste land to any other person under section 4.

Right of lessees

6. Notwithstanding anything contained in any other law for the time being in force no person to whom the Deputy Commissioner leases out any