

# The Jute Regulation Act, 1940 (Bengal Act)

( ACT NO. V OF 1940 )

**An Act to provide for the regulation of the growing of jute, and for that purpose to provide for the preparation of a record of the lands on which jute was grown in any year. <sup>1</sup>♣**

WHEREAS it is expedient to provide for the regulation of the growing of jute, and for that purpose to provide for the preparation of a record of the lands on which jute was grown in any year;

It is hereby enacted as follows:-

## **Short title and extent**

1. (1) This Act may be called the <sup>2</sup>[\* \* \*] Jute Regulation Act, 1940.
- (2) It extends to the whole of Bangladesh.

## **Definitions**

2. In this Act, unless there is anything repugnant in the subject or context,-
  - (1) "Collector" means the Collector of the district and includes the Deputy Commissioner and any Government servant, other than a Police officer, appointed by the Government to exercise all or any of the functions of the Collector under this Act;
  - (2) "Committee" means a Union Jute Committee constituted under this Act;
  - (3) "Director of Land Records" means the person appointed by the Government to be the Director of Lands Records or to exercise all or any of the functions of the Director of Land Records under this Act, and includes every person who for the time being performs the duties of that office;
  - (4) "grow", with its grammatical variations when used in relation to jute, includes 'ÔÇÿsow' and the grammatical variations thereof, irrespective of whether the jute is harvested or not;

(5) "grower of jute" means any person who, either for his own consumption or for sale, and whether by himself or by members of his family or by hired labour or by adhiars or bargadars or bhagdars, grows jute in any year on any land in his possession;

(6) "jute" means the plant known botanically as belonging to the genus *Corchorus*, and includes all the species of that genus, whether known commonly as pat, kosta, nalia or by any other name, and also means the plant known botanically as *hibiscus cannabinus* and commonly as mesta;

(7) "land" includes any land covered with water at any time of the year but does not include any land on which, with the written permission of the Government or of a Government servant authorised by the Government in this behalf, jute is grown in any year for bona fide experimental or demonstrational purposes;

(8) "licensee" means a person to whom there has been issued under section 10 a licence which is still in force;

(9) "notification" means a notification published in the official Gazette;

(10) "prescribed" means prescribed by rules made under this Act;

(11) "recording officer" includes the Director of Land Records and any person appointed by him to perform all or any of the duties of a recording officer under this Act;

(12) "rules" means rules made under this Act;

(13) "Subdivisional Magistrate" means the Magistrate in charge of the subdivision of the district;

(14) "Union" includes a local area or group of dwellings declared to be a village, a village or group of villages constituted as a Union under any law for the time being in force.

**Preparation  
of record of  
lands on  
which jute**

3. (1) The Government may, by notification, direct that, for the whole of the areas to which this Act extends or for such part thereof as may for any special reason or purpose be specified in the notification, a record shall be prepared of all lands on which jute was grown by any grower of jute in

such year as may be specified in the notification, and the Director of Land Records shall thereupon, in the prescribed manner and form, cause such a record to be prepared.

(2) The Government may, by notification, also direct that, in the area specified in the notification or in any part of such area, any grower of jute may, within the period, in the manner and to the authority specified in sub section (2) of section 4, apply to have entered in the record the nature of any land in his possession on which no crop other than jute can be grown:

Provided that after the records having been prepared under this sub section, persons having acquired newly accreted char lands and other reclaimed areas on which jute can be grown, may apply to the Government or an officer authorised in this behalf by the Government, have records of such lands and the Government or the authorised officer thereupon may cause an enquiry to be made and records of such lands prepared under this sub section.

(3) The Government may, by notification, further direct that, in the area specified in the notification or in any part of such area, any grower of jute may, within the period, in the manner and to the authority specified in sub section (2) of section 4, apply to have entered in the record any land in his possession on which, in any one of the three years immediately preceding the year specified in the notification, he or his predecessor-in interest grew jute in excess of the total area of land on which he grew jute in the year specified in the notification.

(4) For the purposes of preparing the record referred to in sub section (1), a recording officer, or any Government servant authorised by the Collector by general or special order in this behalf, may enter upon, examine in such manner as he thinks fit, and make a survey of, any land on which he has reason to believe that jute was grown in the said year by any grower of jute and, subject to the rules, may-

(a) publish, in the prescribed manner and form, a notice requiring any grower of jute and any other person whose attendance appears to him to

be necessary, to attend before him at the time and place specified in the notice and to furnish such information as he may require or to produce any document specified in the notice, and

(b) receive and record any information given, and examine any document produced, by any grower of jute.

(5) After publication of a notice under sub section (4), every grower of jute and other person to whom such notice is directed shall, either personally or by an authorised agent, attend before the recording officer at the time and place specified in the notice and shall, as the case may be, furnish such information as the recording officer may require or produce such document as may be specified in the notice.

Explanation.- For the purposes of this sub section the expression “authorised agent” means a person employed, with authority expressed or implied, to represent before a recording officer a grower of jute or other person to whom a notice under sub section (4) has been directed.

(6) No person shall be entitled to compensation for any damage done in good faith to any land or to any crop thereon in connection with any entry, examination or survey made under sub section (4).

#### **Disposal of objections against entries in the record**

4. (1) The recording officer shall, in the manner prescribed, furnish free of cost to every grower of jute a copy of the entry standing against his name in the record prepared under section 3.

(2) Within such period, in such manner and to such authority as may be prescribed, any person may make an objection against the correctness of any entry in the record and

any grower of jute referred to in sub section (2) or sub section (3) of section 3 may make the application referred to respectively in those sub sections, and such objection and application shall, in the prescribed manner, be heard by such authority, whose decision thereon shall, for the purposes of this Act, be final.

#### **Preparation of final**

5. (1) When any objection or application made under sub section (2) of section 4 is allowed, either wholly or in part, the recording officer shall, in the manner prescribed, correct the record accordingly and, after the disposal of all such objections and applications, shall, in the manner prescribed, authenticate the record so corrected, and the record so authenticated shall, in respect of the area for which it is prepared, be the final record of all lands on which jute was grown in that year by any grower of jute:

Provided that the Government may, in any year subsequent to that in respect of which the final record is prepared, direct that any correction so made in the final record in respect of an application made under sub section (2) of section 4 by any grower of jute referred to in sub section (2) of section 3 shall, in the prescribed manner, be examined and, if necessary, be revised:

Provided further that the Collector, on his own initiative at any time, or on receipt of an application made in the prescribed manner and on payment of the prescribed fee by any grower of jute within one year from the date on which the record is so authenticated, may examine the final record and if, after such inquiry as he thinks fit, he is satisfied that any entry in the final record is incorrect or that any entry has been improperly omitted from the final record, he shall direct that the final record be revised accordingly.

(2) The recording officer shall send the final record to the Union Jute Committee constituted under sub section (1) or sub section (5) of section 6 for the local area to which the record relates, or to such Government servant as may have been authorised under sub section (5) or appointed under sub section (7) of section 6 to perform the functions of such Committee in such local area.

**Constitution  
of Union  
Jute  
Committees**

6. (1) The Government shall, by notification, declare the local areas in which there shall be constituted Union Jute Committees, and thereupon the Collector shall, as soon as may be, cause to be constituted such a Committee for each such local area within his jurisdiction.