

Law for fixing the price and sale of water below Kajakai and Arghandab dams

10 agrab 1341

Article 1

Water rights in land which existed prior to the construction of the new dams shall be preserved and shall not be subjected to the payment of fees.

The term land with water rights designates that parcel of land which has been registered under the name of individuals in statistical books prior to the construction of dams and for which the fixed amount of tax has been paid. Should the individual qualify for the ownership of other land, in addition to his present land, the surplus amount of land shall be recognized as being without water rights.

Article 2

For that part of the land which is the legitimate and established property of individuals and remains without water rights under the provision of article (1) of this law water shall be given in exchange for land as described in Article (3) and the land owner does not have the right to avoid making use of the new water.

Should the person refuse to purchase water, the Government in accordance with the provisions of Article (3) of this law shall have the right to take-over a part of his property equivalent to the price of water.

Article 3

The fixing of and accounting for the price of each Jerib of newly granted permanent water rights shall be determined in terms of the original amount of Jeribs of private property progressively as follows:

Amount of Jeribs of private property (omissis) rights

From	1	to	50	Jeribs
From	51	to	100	Jeribs
From	101	to	200	Jeribs
From	201	to	300	Jeribs
From	301	to	400	Jeribs
From	401	to	500	Jeribs
From	501	to	600	Jeribs
From	601	to	700	Jeribs
From	701	to	800	Jeribs
From	801	to	900	Jeribs
From	901	to	1000	Jeribs
From	1001	to	5000	Jeribs

The price of (omissis) rights for Jeribs of land

1	Jerib of land without water rights
1½	Jerib of land without water rights
2	Jerib of land without water rights
2½	Jerib of land without water rights
3	Jerib of land without water rights
3½	Jerib of land without water rights
4	Jerib of land without water rights
4½	Jerib of land without water rights

- 5 Jerib of land without water rights
- 5½ Jerib of land without water rights
- 6 Jerib of land without water rights
- 7 Jerib of land without water rights

Article 4

The amount of Jeribs to be transferred to the State from the price of water on behalf of one village or region shall be demarked on one side of the village or the region on the basis of a majority of the land owners.

Article 5

The regulation of this law shall be applicable only to those lands for which equipment for making use of water reservoir of the dams has been provided and for which sufficient water can arrive.

Article 6

From the date of publication of this law the chapter on the "Sale of Water Below Kajakai and Arghandab Dams" of the law published in Meezan 1335 shall be abrogated and the provisions of this law shall come into force.

Amendment:

For the specification of the excess lands and the sale of water rights in land in the Shemalan project.

Following the other principles contained in this Law, the specification of excess lands and the sale of water rights in the lands belonging to the Shemalan project, is as follows:

1. If the total extent of the owned land and the excess lands does not exceed 20 Jeribs, the excess land is entered in the tax office in the name of the owner, and the owner is bound to pay the fixed tax from that date.

The excess lands in the Shemalan area, means the difference of area measured by the Cadesteral Survey and the measurement recorded in the tax office according to the declaration papers (Law for Setting Ownership and Tax Matters, and the Price of Water for Lands Below the Arghandab and Kajakai Dams).

2. If the area of excess lands and the owned property exceeds 20 Jeribs up to 50 Jeribs, 10% of the land is taken by the Government.

If the area of excess land and the owned property exceeds 50 Jeribs, the owner is treated in accordance with Article (3) of the Law for Fixing the Price and Sale of Water Below the Kajakai and Arghandab Dams.

3. This order is in force from the date it is published in the Official Gazette.

15 Hoot 1349

Attended: 15 Hoot 1349