RAJASTHAN LANDS SPECIAL IRRIGATION CHARGES RULES, 1954

PUBLIC WORKS DEPARTMENT IRRIGATION BRANCH

NOTIFICATION

Jaipur, September 7, 1954.

No.F. 2 (108) I R G /52- In exercise of the powers conferred by section 15 of the Rajasthan Lands Special Irrigation Charges Act. 1953, the Government of Rajasthan is pleased to make the following Rules.

By Order of,
His Highness the Rajpramukh.
B S RANAWAT,
Secretary to the Government.

Rules

1. Short title:-These Rules may be called the Rajasthan Lands Special Irrigation Charge Rules, 1954.

Notes

Section 15 of the Rajasthan Lands Special Irrigation Charges Act, 1953 authorises the State Government to make rules for carrying out the purposes of the Act. Without prejudice to the generality of this power. Sub-section (2) of section 15 of the Act requires the State Government to make rules so as to provide for all or any of the following matters namely:-

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters namely:-

(a) the manner in which notice under this Act or the schedules of special irrigation charges shall be publised.

(b) the manner in which valuation may be made of any lands for the purpose of sub-section (7) of section 5 and for determining their increase in value.

(c) the manner in which rates of special irrigation charges shall be calculated with reference to any lands or class of lands in an irrigation scheme.
(d) the time when and the manner and form in which demand statement in respect of special irrigation charges levied under this Act shall be prepared.

(e) the form in which notices of demand in respect of special irrigation charges levied under this Act may be prepared under this Act and the manner of their service.

(f) the time within which objection may be preferred from notices of demand the procedure for the determination of such objections and the authorities to whom and the manner in which and the conditions subject to which appeals may be preferred therefor, or.

(g) the time within which special irrigation charges shall be payable after the notice of demand and the manner in which such charges may be realized.

(h) the conditions subject to which any sum due under this Act may be paid in instalments and the rate of interest for the payment of such sum in instalments.

(i) the conditions subject to which any landholder may be allowed to relinquish any part of his land to the Government in satisfaction of betterment charges due from him.

(j) the manner in which special irrigation charges may be apportioned between landholders and occupancy tenants.

(k) the manner in which and the conditions subject to which any officer shall exercise his powers under this Act, and

(L) any other matter requiring to be prescribed under this Act.

2. Definitions:- In these Rules:-


(b) “Perennial Irrigation” means Canal Irrigation that will be available throughout the year;

(c) “Restricted perennial Irrigation” means canal irrigation that will be available throughout the year except during the months of July and August;

(d) “Kharif Irrigation” means canal Irrigation” available during the months April to September, (both inclusive);

(e) “Rabi Irrigation” means canal irrigation available during the months October to March. (both inclusive);

(f) “Included Lands” means such lands for which canal water has been provided in a duly sanctioned chakband under any irrigation scheme coming within the purview of this Act, any.
areas subsequently incorporated in the scheme shall also be considered included land for the purpose or the Act:

(g) Board means a Board of:

(a) One or more revenue officers not below the rank of a collector or a Settlement Officer or a Colonization Officer; and

(b) One or more officers of the Irrigation Department not below the rank of an Executive Engineer as may be constituted by the Government for the appraisement of the enhancement in the value of the land included in an irrigation scheme for the purpose of betterment charges.

Notes

Sub rule (g) of rule 2 has been substituted in place of original one amending Notification No F. 9 (10) Irg./56 dated 12/5/58, published in Rajasthan Rajpatra Part IV (c) dated 5/6/58. The original sub rule (g) is reproduced below:

(g) Board means a Committee of a revenue officer of the rank of a Collector and a canal officer of the rank of a Divisional Canal Officer appointed by Government for appraisement of the enhancement in the value of lands included in an irrigation scheme for the purpose of levy of Betterment Charges.

Present clause (g) stands newly substituted for the previous one vide Irrigation Department Notification No.F. 9 (10) Irg./56 dated February 26, 1959 published in Rajasthan Raj-patra dated April 16, 1959

Previously clause (g) from time to time stood as under:

(g) Board means a Board of:

(a) one or more revenue officers not below the rank of a Collector or a Settlement Officer; and-

(b) One Executive Engineer, Irrigation appointed by the Government for appraisement of the enhancement in value of the lands included in an irrigation scheme for the purpose of levy of betterment charges.

(h) "Chief Engineer" means Chief Engineer Incharge of the scheme under which betterment charges are levied.

(i) "Net assets" of an estate or group of estates means the estimated average annual surplus produce or such estate or group of estates remaining after deduction of the ordinary expenses of cultivation as ascertained or estimated;
Explanation:- Ordinary expenses of cultivation include payments, if any, which the landowner customarily bears whether in kind or in cash either in whole or in part in respect of:-

(1) Land revenue and water rates,
(2) maintenance of means of irrigation
(3) maintenance of embankments,
(4) supply of seeds,
(5) supply of manure,
(6) improved implements of husbandry,
(7) concessions with regard to fodder,
(8) special abatements made for fallows or bad harests,
(9) cost of clooetion of rent,
(10) allowance for shortage in collection of rent, and
(11) interest charges payable in respect of advances made in cash free of interest, to tenants for the purposes of cultivation and harvesting.

(j) Any other expression which is used in these Rules and is not defined in the Rajasthan Land Special Irrigation Charges Act, 1953, or the Rules thereunder shall have the same meaning as assigned to it in the Rajasthan Irrigation and Drainage Act, 1954 or any subsequent amendment thereof.

Section 4

Notes

Section 4 of the Act reads as under:-

(1) Where in respect of any lands included in an irrigation scheme expenditure has breen, or is likely to be, incurred by the Government in the execution of any one or more of the following works or in undertaking any one or more of the following measures, namely:-

(a) rectangulation, sub-rectangulation or killabandi (that is to say subdivision of land into one acre fields);
(b) Level, topographical or soil surveys;
(c) construction or water courses;
(d) construction of village roads and works appertaining thereto; the Government may, for the purpose of recouping or meeting such expenditure, cause a schedule of acreage rates to be prepared showing the rates at which they shall be leviable on the lands, and the manner in which and the persons by whom they shall be payable.
(2) A draft of the schedule prepared under sub-section (1) shall be published in the Rajasthan Gazette and in such other manner as may be prescribed.

(3) Any landholder or occupany tenant who may be affected by the proposed acreage rates may within sixty days from the date of the publication of the schedule in the Rajasthan Gazette, present a petition in writing to the Government stating his objections, if any, to the levy of the acreage rates of the incidence thereof.

(4) After considering the objections and after making such further inquiry into the matter as the Government may think fit, the Government shall determine the final schedule of acreage rates and cause the same to be published in the Rajasthan Gazette and in such other manner as may be prescribed.

The rules 3 and 4 provide for the matters which are required to be prescribed by section 4 of the Act.

3. Mode of publication.- (1) Any proposal by Government to levy of Betterment Charges or acreage rate on lands inculed in any irrigation scheme or any other matter requiring publicity under this Act, shall be published in the Rajasthan Gazette and certified copies thereof shall be posted:-
   (a) at the offices of the Collector and Divisional Canal Officer concerned;
   (b) at conspicuous place in the locality affected such as Tehsil and Thanas. etc. situated in such locality;

(2) Such proposal or matter also be published by beat of drum or oral proclamation or other customary methods.

4. Procedure for working out acreage rates :- The acreage rate will be worked out by the Divisional Canal Officer on the basis of estimated cost of one or more works or measures mentioned in section 4 of the Act after consulting, where necessary, the Divisional Canal Officer of the District concerned. The Divisional Canal Officer will then submit his proposals to the Chief Engineer Incharge of the Scheme who will after, his scrutiny get the draft schedules prepared as contemplated in section 4 of the Act and obtain the approval of Government thereto.

Section 5.

Notes

Section 5 of the Act provides that,

(1) The Government may levy betterment charges in respect of the lands. which are included or are likely to be included in irrigation scheme, by notifying in the Rajasthan Gazette and in such other manner as may be prescribed its intention so to do, and shall specify in such particulars respecting
the proposed levy as it may think necessary, including particulars respecting the type and extent of irrigation proposed.

(2) At any time after the expiry of one month from the date of the notification referred to in sub-section (1), the Government may cause a schedule of betterment charges to be prepared for all lands or class of lands in cluded in an irrigation scheme showing the rates at which the charges shall the leviable on the lands and payable by the landholders and occupancy tenants thereof and the proportions in which the charges shall be so payable.

(3) In preparing a schedule under sub-section (2) for the levy of betterment charges in respect of any irrigation scheme regard shall be had to the following namely:

(a) the type of Irrigation,
(b) the improvement in irrigation,
(c) the extent of betterment accruing to the lands,

(4) A draft of the schedule prepared under sub-section (2) shall be published in the Rajasthan Gazette and in such other manner as may be prescribed.

(5) Any landholder or occupancy tenant who may be affected by the proposed betterment charges may, with in sixty days from the date of the publication of the schedule in the Rajasthan Gazette, present a petition in writing to the Government slating his objections, if any, to the levy of the betterment charges or the rate thereof.

(6) After considering the objections and after making such further inquiry into the matter as the Government may think fit, the Government shall determine the final schedule of betterment charges and cause the same to be published in the Rajasthan Gazette, and in such other manner as may be prescribed.

(7) The amount of the betterment charges leviable in respect of any lands included in as irrigation scheme shall not exceed one-half of the difference between the value of the lands sitetherefore to such date prior to the commencement of any work in connection with the irrigation scheme as the Government may, by notification in the Rajasthan Gazette, fix in this behalf and their estimated value with reference to such other date after such commencement as the Government may similarly fix, and such valuations shall be made in the prescribed manner.

(8) Where in an irrigation scheme only lift irrigation arrangements are maintained and operated by the landholders of occupancy tenants the betterment charges leviable shall not exceed one-half of the charges which would otherwise have been payable for gravity flow irrigation.
(9) Whenever such lift irrigation arrangements are converted into gravity flow irrigation, the landholders or occupancy tenants, as the case may be, shall be, liable to pay the full betterment charges in respect of the lands.

The rules 5 to 9A put into effect requirements of section 5 of the Act.

5. Procedure for working out betterment charges-

(1) The entire area included in an irrigation scheme shall be divided by a duty constituted Board into blocks or assessment circles so as to have more or less uniform physical characteristics of soil in each circle as per classification in the last settlement, duly amended by latest jambandi for the area under consideration.

(2) The Board shall work out for each class of land in an assessment circle an estimate of net assets in cash for a date prior to commencement of the scheme notified by the Government under subsection (7) of section 5.

(3) The share of the landholder in the net assets will be taken as 1/3rd of the total net assets for purpose of evaluating the cost of land.

(4) Similarly the Board shall estimate the share of the net assets of landholder for the classes of land mentioned in sub-rule (2) on a subsequent date as published in the Rajasthan Gazette under subsection (7) of section 5 of the Act when these classes of land are changed to Nehri as a result of the irrigation scheme.

(5) The value of landholder or an occupancy tenant will be taken as 30 times the value of his share of the net assets.

(6) The difference in value of each class of land in an assessment Circle on dates prior to and subsequent to the introduction of the scheme, taking the share of a landholder or an occupancy tenant at one-third of the divisible produce, will be considered as enhancement in the value of such land resulting from introduction of improvement in irrigation facilities.

(7) The rate of betterment charges will be as fixed by the Government but shall not exceed half of the enhancement in the value of land as determined under sub-rules (5 and 6).

(8) The Betterment Charges will be fixed by the calculated with reference to classes of lands recorded in the last settlement or jambandi or the latest revenue record available and also with reference to different record available and also with reference to different types of irrigation facilities provided for any particular types of land.
(9) In cases where canal irrigation facilities are made available to Chahi areas and where actual value of such lands is not likely to increase, the calculation of betterment charges will take into account the reduction in the cost of the working of wells and their maintenance.

(10) The cases where reliable data of Post and Preprojects periods is not available, or where the working out of the ent assets causes any complication the betterment charges will be worked out on the basis of one sixth share of the gross produce, as indicated by the average rates of the wet and dry soils of the commanded area. In this case also the rate of betterment charges shall not exceed fifteen times the wet and dry rates for the dry area and will be worked out on the formula:-

\[(X-Y) + 15 + Z\]

Where:-  
X-represents the average of the wet rent rates of the culturable commanded area of the projects.

Y-represents the average of the dry rent rates of the culturable commanded area (both cultivated and uncultivated) under the project.

Z-represents the intensity of the project.

(11) In cases where canal irrigation facilities have been given to chahi areas and the betterment charges have to be levied chiefly on account of the saving in the cost of the working the wells, and their maintenance the multiple '15' in the formula referred to in rule (10) above will be replaced by multiple '5' only and betterment charges worked out accordingly.

(12) In cases where new canal irrigating facilities have been made available to the area which is already Nehri or Talabi of some other old tanks, the Board will decide the matter on individual merits after examining the extent of benefit, if any, that may have actually accrued to such areas.

(13) In making assessment under sub-rules (10) and (11) of rule (5) the Board will have the powers to round off minor differences, if any, in the various areas to bring about uniformity and equity in the assessment of the areas of more or less similar nature.

Notes


6. Preparation of Draft Schedule :-The Board shall prepare in accordance with rule 5 a draft schedule of betterment charges which will show-

(i) The duties adopted by the Board for evaluating lands before and after the commencement of the scheme, and
(ii) the rates per acre payable as betterment Charges for each class of land when converted from existing class to Nehri in assessment

(a) When paid in one instalment, or
(b) When paid by instalments as prescribed, and
(c) The maximum number of instalments allowed for payment.

7. Publication of draft schedule of betterment charges and acreage rates- A draft of the schedule of acreage rates or betterment charges prepared in accordance with the Act and these rules shall be published in the specified manner in Rule 3.

8. Disposal of objections to schedule of betterment Charges-

(1) Application under sub-section (3) of section 4, and sub-section (5) of section 5 of the Act shall be considered by the Board which will submit its report thereon to the Chief Engineer within 60 days of the last date fixed for presenting such applications proposing such amendments in the Schedule as may be considered necessary.

(2) No such application shall be entertained or considered, if it is made after the expiry of the time limit specified in sub-section (3) of section 5, as the case may be and in case may be and in case of any land changing ownership after the date of case may be, no person shall be entitled to raise any fresh objections to the schedule on the ground that the ownership of the land was transferred after the publication of the draft schedule or that he had since the date of such change of ownership had less than 60 days for making such an application.

NOTES

Sub-section (3) of section 4 and sub-section (5) of section 5 permit the affected persons to present objection petitions in respect of proposed acreage rates and betterment charges. This rule prescribes the procedure for disposal of such objections.

9. Publication of Final Schedule for Betterment Charges-

(1) After considering the recommendations of the Board made under Rule 8, the Chief Engineer will prepare the final Schedule of Betterment charges and submit the same for the sanction of the Government.

(2) The Final Schedule determined and sanctioned by the Government shall then be published in the manner laid down in Rule 3.

9-A. Procedure where Lift Irrigation facilities are converted into gravity flow irrigation facilities are converted into gravity flow irrigation on a date subsequent to the introduction of the irrigation facilities originally provided but before the full betterment fees have been recovered, the assessee shall be required to pay the higher rate of betterment charges from the date the said improvement is effected, the number of instalments for payment remaining the same.
10. Distribution of demand slips:- As soon as the demand statements in respect of betterment charges or acreage rates for any village are completed, the copies of demand slips meant for assessees will be sent to the Patwari who will distribute them amongst assessees or failing them their recognised agents or an adult male member of the family of an assesse within 5 years of receipt. The acknowledgements of assessees for demand slips shall be submitted by the Patwari to the Divisional Canal Officer under a registered post or through the Tehsildar concerned within 10 days of their receipt.

11. Submission of Demand Statement to Tehsils- One copy of Demand Statement for each village shall be sent to the Tehsil concerned on the dates fixed by Government for despatch of Demand Statements for Occupiers rates.

12. Objections by Assessees to demand and their disposal :-

(1) Any assesse may, if he desires, present his objections to the demand within 21 days of the date of the receipt of demand slip by him or if the demand slip has been proved not to have been delivered to him or his representative to the satisfaction fo the Divisional Canal Officer within 10 days of the date in which the became first acquainted with the claim against him. The orders of the Divisional Canal Officer on such objection will be appealable to the Commissioner within 30 days of the date of such orders.

(2) Objection to the demand at the time of collection urged before the Collector shall be referred by him to the Divisional Canal Officer the collection not being suspended except on the receipt of an intimation from the Divisional Canal Officer that an objection has been admitted by him.

Notes

The rules 10, 11 and 12 are meant to carry out the purposes of section 7 of the Act which reads as under:

(1) When the schedule of acreage rates or betterment charges has been published in the Rajasthan Gazette under sub-section (4) of section 4 or sub-section (6) of section 5 the Canal Officer shall prepare a demand statement in respect thereof in such form as may be prescribed containing full particulars of the amount which each land-holder or occupancy tenant shall be liable to pay and caule a notice of demand to be served on him.

(2) Any landholder or occupancy tenant may, within such period as may be prescribed from the date of the notice of demand, present a petition to the Divisional Canal Officer objecting to the demand or
any part thereof, and the petition shall be disposed of in such manner and orders passed thereon shall subjected to such appeals as may be prescribed.

(3) Any amount due under a notice of demand shall, subject to any orders that may be passed on appeal under sub-section (2), be payable within such time as may be prescribed.

13. Procedure of Recoveries :- Any amount due from an assessee under a notice of demand for betterment charges or average rates shall be payable on demand. The procedure for recovery will be the same as followed in the case of recovery of land revenue.

14. Option of Assessee for mode of payment :- On publication of the final schedule or betterment charges or rates under the Act, the Divisional Canal Officer shall publish a notice in the villages effected thereby that the landholder or recupancy tenant shuld intimate to him through an application in writing, within 30 days of the notice, his noise with regard to payment in the area held or occupied by him. The notice will state that the choice is to be exercised between:

(a) One lump sum payment;
(b) by half-yearly instalments spread over a number of years as decided by Government; and
(c) offering a part of his land in lieu of full or part payment of betterment charges due from him.

If no intimation is received by the Divisional Canal Officer from any landholder or occupancy tenant within the prescribed period the recoveries will be made from him on instalment basis.

15. Assessee can after option subsequently :- The landholder or occupancy tenant will have the option, after payment of first or any subsequent instalment, to pay the balance in one lump-sum according to the amount given in the schedule of acreage rates or betterment charges for that area.

16. Rate of interest on instalments :- In computing the amount of each instalment simple interest @ 4.5% per annum shall be added.

17. Conditions for surrender of land in lieu of betterment charges :- The surrender of land by any assessee in lieu of full or part payment of betterment charges shall be accepted only if:

(a) the area to be supplanted free from all encumbrances.
(b) it does not reduce the holding of the assessee to less than 20 acres of land; and
(c) the area to be supplanted is in a compact block of not less than 5 acres.

18. Evaluation of land offered for wurrender in lieu of betterment charges :- In case surrender of land in lieu of betterment charges has been accepted by the Divisional Canal Officer after due investigation, he will evaluate the area surrendered at the rate subsequent to the completion of the Irrigation scheme. The decision of the Divisional Canal Officer shall be subject to the final approval of the Chief Engineer.

19. Disposal of lands surrendered :-
(1) The land surrendered by an assessee in lieu of betterment charges shall be disposed of in such manner as the Government may from time to time decide, and the cost thereof at the rate at which it was surrendered by the original holder shall be credited to the irrigation scheme concerned as if it were betterment charges.

(2) No betterment charges will be leviable on such lands as are disposed of by the Government under this Rule. Betterment Charges shall however be levied if the land is let out for cultivation and is not sold by the Government.

Notes

Section 8 of the Act, reading as under deals with the mode of recovery of the special irrigation charges. Rules 13 to 19 prescribe the matters as required under section 8 of the Act.

(1) The special irrigation charges may be paid in one or more instalments as may be prescribed.

Provided that were the special irrigation charges are allowed to be paid in instalments interest shall be payable in respect of such instalments at such rate as may be prescribed and such interest shall be recovered in the same manner as the special irrigation charges.

(2) Notwithstanding anything contained in this section, the Government may, subject to such conditions as may be prescribed, allow a landholder to relinquish any part of his land in favour of the Government in satisfaction of the betterment charges payable in respect thereof.

20. Apportionment of dues between landholder and occupancy tenants. The apportionment of special irrigation charges between the landholder and the occupancy tenants will be carried out by the Collector concerned, in accordance with their existing rights as stated in Revenue records.

Notes

Section 10 of the Act provides that the special Irrigation Charges shall be recoverable from the landholders and occupancy tenants concerned in such manner as may be prescribes the manner of apportionment.

21. Rules regulating the service of summons and notice etc-

(1) Every summons, notice, order or requisition which, under the Act or these Rules is required to be served on, or issued, delivered or communicated to any person, shall be so served, issued, delivered or communicated (as the case may be hereinafter provided.

(2) Every such summons, notice, order or requisition shall be drawn up in writing and dated, signed and sealed by the officer having authority to issue or make the same.
(3) Every summons, notice, order or requisition which is required to be served on or delivered or communicated to any person shall whenever possible, be so served, delivered or communicated.

(a) Personally on or to the person to whom it is addressed; or
(b) if such personal service, delivery or communication is on or to his recognised agent; or
(c) if there is no such agent or an adult male member of the family of the person to whom it is addressed and who usually resides with him.

(4) If service, delivery or communication cannot be so effected, or if acceptance is refused, the summons, notice, order or requisition may be served, delivered or communicated by posting a copy thereof at the usual or last known place of residence of the person to whom it is addressed, or if that cannot be done, then in such other manner as the officer having authority to issue or make the same may direct.

(5) If the summons, notice, order or requisition relates to a case in which persons having the same interest are so numerous that personal service on each one of them is not reasonably practicable it may be served delivered or communicated by delivery of a copy thereof to such of those persons as the officer having authority to issue or make the same specially nominates in this behalf, and by proclamation of the contents thereof for the information of the other persons interested.

(6) A summons, notice, order or requisition may be served on or delivered or communicated to the person named therein either in addition to, or in substitution for, any other mode of service by forwarding the summons, notice, order, or requisition by post in a registered letter addressed to that person.

(7) When a summons, notice order or requisition is so forwarded and it is proved that the letter was properly addressed and duly Posted and registered, the officer that it was served delivered or communicated at the time when the letter would be delivered in the ordinary course of post.

22. Intimation of Mutations :-If ownership of land subject to special Irrigation charges is transferred at any stage, the liability in respect of the unpaid instalments of such charges will also be transferred to the vendee. The vendor shall continue to be liable for payments of such charges till he intimates to the Divisional Canal Officer the change in ownership or property by sending to him a duly certified copy of the relevant transfer deed.

23. Method of dealing with alteration in deamm :-If after delivery of the demand slips to the assesses any addition is made to the demand, or any remission is allowed on any account admissible under
the Act or these rules such addition or remission shall be communicated to the landholder or occupancy tenant, as the case may be, by means of supplementary demand slips. Original demands shall be shown in black ink and additions or remissions in red. All such alterations as are made before the despatch of the demand statements to the Collector shall be included in that statement and shall also be included in that statement and shall also be written on slips similiy printed and attached to the Demand statement. Alterations made after the despatch of the Demand Statement shall be communicated to the Collector in a Supplementary consolidated Statement. Any additional or remission allowed the reafter shall be similarly incorporated in the Demand Statement for the succeeding harvest. Due intimation will be given about additions and remissions to assesses concerned by issue of supplementary demand slips in the manner prescribed in the Rule 10.

24. Demand for betterment charges and acreage rates not to be lapse :- The dues on account of betterment charges or acreage rates shall not lapse on account of their not having been demanded within a certain period.

25. Irrecoverable Balances :-When any balance are found to be irrecoverable owing to want of assets, absconding of defaulters or any other cause, they shall, be reported by the Collector to the commissioner who will deal with each case according to the orders of the Government.

26. Date of commencement of betterment charges and acreage rates:-

(1) Recoveries of betterment charges or acreage rates shall commence at least one year after providing the facilities for Irrigation, the date for which will be determined by Divisional Canal Officer.

(2) Such dates shall be published by the Notice in the villages concerned, and copy thereof shall be sent to the Collector and the Chief Engineer.

27. Receipts for collections, Receipts shall be invariably be given by the person making the collection to each landholder or occupancy tenant, of payment of betterment charges or acreage rates on a prescribed printed form.

28. Unit of area for calculation of betterment charges and acreage rates :-

(1) For purpose of calculating acreage rates fraction of less than half acre shall be ignored and areas of more than half and less than one acre shall be counted as one acre.

(2) For calculating the betterment charges, the exact area shall be the basis of charges.

29. Demand Statement to be accessible to Asesseees: The Patwari shall be responsible that the village copy of the Demand Statements is at all times accessible to any person who is liable to pay betterment charges or acreage rates.