

# Bare Acts Live

Central Acts and Rules Amended and Updated

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## ***Gujarat Irrigation and Drainage Rules, 2014***

***Published vide Notification NO. GER-2013-1-GN-2 (2014)-P, dated 1.2.2014***

*Last Updated 5th November, 2019 [guj364]*

**NO.GER-2013-1-GN-2 (2014)-P.** - In exercise of the power conferred by section 47 of the Gujarat Irrigation and Drainage Act, 2013 (Gujarat Act No.6 of 2013), the Government of Gujarat hereby make the Gujarat Irrigation and Drainage Rules, 2014, namely :-

### ***Preliminary***

1. (1) These rules may be called The Gujarat Irrigation and Drainage Rules, 2014.

(2) It extends to the whole of the State of Gujarat.

(3) It shall apply to all the works constructed and maintained relating to irrigation including drainage and water supply for drinking and industrial purpose by the State Government, State Government institutions and Grant-in-Aid Institutions of the State and includes all services rendered thereof.

**2. Definitions.** - In these rules, unless the context otherwise requires:-

(1) "Act" means the Gujarat Irrigation and Drainage Act, 2013.

(2) "Appellate Authority" means Canal-Officer of the rank of the Executive Engineer of the concerned project or part of the project;

(3) "Canal" includes-

(a) all canals, channels, water-courses, pipes and reservoirs constructed, maintained or controlled by the Government for the supply or storage of water;

(b) all works, embankments, structures and supply and escape- channels connected with such canals, channels, pipes or reservoirs; and all roads constructed for the purpose of facilitating the construction or maintenance of such canals, channels, pipes or reservoirs;

(c) all field channels, drainage-works and flood embankments;

(d) river, stream, lake, natural collection of water or natural drainage channels or any part thereof; to which the State Government may apply the provisions of section 4, or the water of which has been applied or used before the passing of this Act for the purpose of any existing canal;

- (e) all lands belonging to the Government which are situated on a bank of any canal, and which have been appropriated under the orders of the Government for the purposes of such canal;
- (f) all tube wells, artesian wells, bore-wells and dug wells, constructed by the Government and maintained or controlled by the Government;
- (g) percolation tank or pond used for recharge of ground water;
- (4) "*Canal Officer*" means any person or an officer not below the rank of Overseer or Additional Assistant Engineer or equivalent cadre appointed as a canal officer under section 3 of the act, for the purposes of the Act,
- (5) "*drainage work*" means any work in connection with a system of irrigation or reclamation made or improved by the Government for the purpose of the drainage, whether under the provisions of section 14 of the Act, or otherwise, and includes escape- channels from a canal, dams, weirs, embankments, sluices, groins and other works connected therewith, but does not include works for the removal of sewage from towns;
- (6) "*Executive Engineer*" means an Executive Engineer in charge of Irrigation in any area and includes any officer duly empowered in that behalf.
- (7) "*Federation*" means a federation of recognized associations;
- (8) "*field channel*" means any channel or pipe, constructed and maintained by the holder of a land either by himself or jointly with other holders of lands or constructed by the Government and maintained by such holder or holders beyond a water-course and includes all subsidiary works connected with any such channel or pipe;
- (9) "*flood-embankment*" means any embankment constructed or maintained by the Government in connection with any system of irrigation or reclamation works for the protection of lands from inundation or which may be declared by the Government to be maintained in connection with any such system, and includes all groins, spurs, dams and other protective works connected with such embankments;
- (10) "*Form*" means a form prescribed under these rules.
- (11) "*Government*" means the State Government;
- (12) "*Hot weather crop*" means a crop grown within the period between the end of the cold weather season and the breaking of the monsoon season.
- (13) "*Hot weather season*" means the period from the 16th February till the 15th June ensuing.
- (14) "*Kharif crop*" means a crop grown within the period from the break of the monsoon season to the beginning of the cold season.
- (15) "*land under irrigation command of a canal*" means such lands as are irrigated or capable of being irrigated from the canal, being under its command and shall includes such lands as are or shall be deemed to be irrigated within the meaning of section 34;
- (16) "*Lift Irrigation Scheme*" means the scheme in which the water is pumped from water body such as river, stream, drain, nalla, kotar, lake, pond, reservoir, bandhara, canal, tube-well, natural collection of water, etc. and supplied to the area situated at higher elevation for the purpose of irrigation or other purpose;
- (17) "*Monsoon season*" means the period from the 16th June till the 15th November ensuing.

- (18) "*outlet*" an opening in a canal through which water is delivered in to water-course, field channel, pipeline or directly to any land;
- (19) "*owner*" includes every person having a joint interest in the ownership in land, building or such other things; and all rights and obligations which attach to an owner under the provisions of this Act shall attach jointly and severally to every person having such joint interest in the ownership;
- (20) "*Perennial crop*" means a crop which is irrigated continuously for a period of more than eight months.
- (21) "*prescribed*" means prescribed by rules made under section 47;
- (22) "*Rabi crop*" means a crop grown between the period 16th October and 15th March ensuing.
- (23) "*Seasonal crop*" means a crop which is sown, cultivated and reaped during a particular season of the year.
- (24) "*Sub-Divisional Officer*" means the Deputy Executive Engineer in charge of irrigation in any area subordinate to the Executive Engineer.
- (25) "*Superintending Engineer*" means the Superintending Engineer in charge of Irrigation in any area.
- (26) "*Two season crop*" means a crop the period of growth of which extends over the whole or part of both the monsoon and Rabi seasons.
- (27) "*Water Conservation Structure*" means any structure permanent or otherwise constructed or maintained for the purpose of impounding or diverting water of any river, stream, lake or any natural collection of water and includes any dam, weirs, bandhara, tidal regulator, check-dam, sluices, head wall, groins, spreading channels or any other works constructed for water conservation;
- (28) "*water-course*" means a channel constructed and maintained at the cost of the Government to supply water from an outlet;
- (29) "*Water Users' Association (WUA)*" means an Association as defined in clause (I) of section 2 of the Gujarat Water Users' Participatory Irrigation Management Act, 2007 ("PIM Act, 2007");
- (30) "*Year*" means the period beginning on and from the 16th June of the calendar year and ending on the 15th June of the next calendar year.

### ***Part I***

#### ***Construction and Maintenance of Field Channel and Water-Courses***

**3. Construction of Field Channel.** - (a) Where there does not exist field channel in any service area in which lands are capable of being irrigated from a canal, the State Government may construct the field channel in the public interest at the cost of the State Government.

(b) Maintenance of field channel shall be carried out by individual farmer in whose land field channel passes.

**4. Manner of construction of water courses.** - The dimensions and the bed slope of a water course shall be such as may be adequate for the easy passage of water through the water course to all the fields to which water is supplied from the canal.

### ***Part II***

## **Supply of Water**

**5. Application for supply of water.** - (1) Wherever the canals are handed over to Water User's Association under the provision of Gujarat Water User's Participatory Irrigation Management Act, 2007 (PIM Act, 2007) -

- (i) Individual application shall not be accepted by the Canal Officer from beneficial area of concerned canal on which Water User' Association is formed.
- (ii) Individual applicants who are not member of the Water User's Association shall require to submit application form to the concerned Water User's Association of that canal.
- (iii) Water User's Association shall accept the application form from individual farmers who are member of Water User' Association but comes under beneficial area of canal system for which Water User's Association is formed.
- (iv) On the basis of forms collected from individual farmers who are not member of Water User's Association and member of Water User's Association, only a single application of consolidated area shall be made in duplicate to the canal officer in Form A-1, along with statement showing details of farmers (member wise and crop wise) and area to be irrigated.

(2) Canal system where Water User's Association is not existing.

- (i) every application for a supply of water for the purpose of Irrigation shall be made in duplicate to the Canal Officer.
- (ii) such application may be delivered personally or sent by post to the Canal Officer or to any officer authorized by the Executive Engineer to receive it.

(3) Such application shall be made in the case of-

- (i) kharif or Rabi or Hot Weather season, in Form A-1,
- (ii) additional watering, in Form A-2,
- (iii) supply of water from Nallas, River, Streams etc. vesting in the Narmada, Water Resource, Water Supply and Kalpsar Department on which Government has not incurred any expenditure, in Form A-3.

(4) supply of water for irrigation from Government tube-wells, in Form B-1,

(5) Printed copy of the prescribed form for application shall be available for applicant free of charge.

(6) An application for a supply of water for any purpose other than irrigation shall be made by a letter addressed to the Executive Engineer.

**6. Dates for submission of application.** - (1) In case of each canal, the Executive Engineer shall fix the date for submission of prescribed application form. Any change in such date shall be notified not less than 15 days in advance:

provided that if a change is deemed to be advisable on account of unforeseen seasonal or economic conditions or change in administrative arrangements, a later date may be fixed without notice as aforesaid.

(2) Every application for a supply of water for the purpose of irrigation shall be made in the prescribed form on or before the date fixed under sub-rule (1):

Provided that if an application is received after the date fixed under sub rule (1) above and the Executive Engineer is satisfied that the delay was unintentional and due to cause beyond the control of

the applicant, he may treat due application as if it had been received on the due date:

Provided further that if it appears to the Executive Engineer that a supply of water will be available after all applications received before due date have been disposed of, he may receive applications on later date.

**7. Acknowledgement of application.** - When an application for a supply of water is personally delivered, the counterfoil receipt for application attached to the duplicate form shall be initialed and dated by the officer receiving such application and handed back to the person from whom such application is received. In other cases, the counterfoil shall be similarly initialed and dated and shall be kept in the office for twelve months after the application is received and will be destroyed thereafter.

**8. Application by whom to be made and conditions for sanction.** - (1) An application for a supply of water for the irrigation of land for any period may be sanctioned in favour of -

- (a) the occupant or joint occupants of the land,
- (b) the superior holder or joint superior holders of alienated land, (c) any other person or persons having right to cultivate the land under irrigation for the period for which supply of water is to be given,
- (d) President of Water User's Association. or
- (e) any other person duly authorized by any of the persons mentioned in clauses (a), (b), (c) and (d) to receive such supply.

(2) An application made by a person having neither such interest in the land as mentioned in clauses (a), (b), (c) and (d) of sub-section (1) nor such authority as is mentioned in clause (e) of sub-section(1) may be summarily rejected by the Canal Officer.

(3) An application made by a person other than the occupant or superior holder shall not be sanctioned unless such applicant furnishes suitable security for the payment of water-rate or other charges which may become payable in respect of any obligation arising out of the sanction of such application, by the execution either of a bond in Form C - 1 with two sureties to be approved by the officer sanctioning the application or of a mortgage bond in Form C - 2. In the case of a person who is a member of a Co-operative Society as defined in the Gujarat Co-operative Societies Act, 1961 and who has taken a loan from such society under section 49 thereof and has made a declaration in respect of his land in the manner required by clause (a) or (b) of subsection (1) of that section, the execution of a mortgage bond, if any, shall be made in Form C - 3.

(4) When an application is made by the occupant or superior holder, the Canal Officer may, if he considers that security is necessary, require, by an order in writing such applicant to furnish similar security as stated in sub-rule (3).

(5) When an application is made by a person other than the occupant or superior holder, the Canal Officer may refuse to sanction such application unless the consent of the occupant or superior holder has been obtained by the applicant. If the consent of any other person having an interest in the land as mortgage or otherwise appears to the Canal Officer to be necessary to ensure that all obligation, arising out of the sanction, of such application will be carried out he may require such consent also to be obtained by the applicant.

**9. Disposal of Application.** - (1) The Canal Officer may after stating the reason in writing reject the application for a supply of water or sanction the supply applied for wholly or in part with modifications.

(2) Subject to such orders at the State Government may from time to time issue, the Executive Engineer may refuse sanction a supply of water for irrigation to any land under any of the forms prescribed in sub-rule (3) of rule 6 of such irrigation would, in his opinion lead to excessive or wasteful use of water, or cause, or contribute to cause, damage or injury to such land or any other land, or cause loss or injury to the cultivator of any other land, or he likely to produce condition dangerous to public health.

(3) The Executive Engineer may refuse to sanction a supply of water for the cultivation of any crop to any land within a distance of three meters from the boundary of any road, cart-track, open drain or well, if such supply would, in his opinion interfere with the use of, or cause damage to such road, cart-track, drain or well.

(4) The order passed under sub-rule (1), (2) or (3) shall be recorded on the application; the duplicate form of the application shall be endorsed with a copy of the order and delivered to the applicant.

(5) If the supply sanctioned is different from that applied for, the applicant may either withdraw his application, in which case the sanction given shall be cancelled or make a further application for a modification of the sanction. Such further application if sanctioned, shall not be deemed to be an application made after the prescribed date.

(6) If an applicant is in the arrears of water rates which became due before the date of the application, the application may be summarily rejected or sanction may be given provisionally subject to the condition that such arrears are paid before a specified date prior to the commencement of supply or applicant pays total water charges in advance of that irrigation season at the time of submission of an application.

(7) Sanction may be given provisionally subject to the condition that all amounts which have become due on account of water rates before the commencement of supply shall be paid before such commencement of supply and that if such amounts or advance total water rates of that irrigation season are not paid the sanction shall be liable to cancellation.

(8) If the Canal Officer has reason to doubt the authenticity of any signature of endorsement or the truth or accuracy of any of the information furnished in an application, he may postpone the passing of orders until he has made such inquiries as he deems necessary in order to ascertain the facts. In such case, he shall record reasons in writing for postponing the passing of order.

**10. Sanction for the supply of water.** - (1) Sanction for the supply of water to any land may be given if

(i) the acreage of such lands is 10 Ares (10 Gunthas) or more.

(ii) such land, though its acreage is less than 10 Ares (10 Gunthas) comprises the entire holding of the applicant.

(2) No separate sanction shall be given for the supply of water to irrigate different crops in the same land unless the total area of such land is or exceeds 20 Ares (20 Gunthas) and the total area for each crop therein is not less than 20 Ares (20 Gunthas).

(3) Water for irrigation shall not be supplied to any land unless sanction has been given therefore under sub-rule (1), or (2).

**11. Allotment of available supply.** - If from any cause, any water supply is insufficient to meet all demands for water from such supply questions regarding the allotment of the available supply and the quantity and regulating thereof shall, subject to the general or special orders of the State Government, be determined by the Executive Engineer.

### **Part III**

#### **Cultivation of crop and use of Water**

**12. Cultivation of crop and use of water.** - The following provisions in respect of cultivation of crop and use of water shall be observed.

- (1) A suitable system of water channels shall be so maintained that the water required for the irrigation of any plot can be supplied directly from a channel.
- (2) The number and location of the inlets necessary for the supply of water to any such system shall be subject to the general or special orders of the Executive Engineer.
- (3) The order in which water is supplied shall be subject to the general or special order of the Executive Engineer.
- (4) No crop shall be grown in the channels leading to the plots when such channels are less than 1.0 meter wide from the top inner edge if the bund and after earthing up there shall be no crop growing in or interfering with the flow of water in the channels.
- (5) No crop shall be planted within 1.0 meter of the edge of a main water- course. If a question arises as to what is a main water course, the Executive Engineer shall decide the matter and his decision shall be final and conclusive.
- (6) No crop shall be grown on the top of any bund.
- (7) (a) Any bund may, immediately after rain, be cut without permission. Such bund shall, however be properly repaired before the next watering is taken.  
 (b) Except as provided in clause (a), a bund may be cut only in case of emergency; and if the person on whose application the supply of water is sanctioned under this rule cuts the bund, he shall be liable for any wastage of water unless he shows to the satisfaction of the Executive Engineer that the accumulation of water, if any, was due to cause for which he was not responsible.
- (8) The person on whose application the supply of water is sanctioned under these rule or his servant shall be present during the whole time when water is being taken.

### **Part IV**

#### **Water Supply Rates**

**13. Water rates and payment thereof:** -

- (1) The rates and conditions for supply of water for different purposes shall be as specified in the schedule attached to these rules.
- (2) The dates in each year for payment of water rates shall, ordinarily be :-

For Kharif crop	31st December
For Rabi crop	15th April

For Hot Weather crop

31st July

**14. Method for fixing Water rates.** - The rates, determined by the State Government under section 30 of Act, for canal water supplied for purpose of irrigation shall, in the absence of a special agreement or contract, ordinarily be levied in the form of-

- (a) a rate per hector per watering of land irrigated, fixed with reference to the crop grown, the season of the year during which and the period for which, water is supplied and the method of application of water to the land,
- (b) a rate per unit of quantity of water supplied.
- (c) a rate per hector with reference to the type of crop grown with reference to specified season.

**15. Manner of levying water rates.** - In the case of any land, water rates shall be levied on the total area thereof as specified in the sanction given under sub-rule (1) or (2) of rule 10 and shall be payable whether water is taken or not, provided that water for such supply was available.

**16. Water rate leviable when mixed crops are grown.** - If mixed crops are grown in any part of a plot for any period, the water rate fixed for the highest rated crop so grown shall be charged for the whole plot for the whole period with respect to which such rate is leviable.

**17. Water rate leviable when crop sanctioned is not planted or fails and another crop is grown.** - When the sanctioned crop is not grown, or if grown fails, another crop may be sown in the same area; and, provided water is available, water shall be given to such second crop to the date up to which water would have been given to the crop sanctioned. No additional charge shall be levied if intimation shall have been given to the Canal Officer in writing within fifteen days of plantation the fresh crop and if the second crop is assessable at the same or a lower rate than the sanctioned crop. If no such notice shall have been given, the irrigation of the second crop may be treated as unauthorized.

**18. Water rate leviable when land intended to be irrigated by canal water is irrigated partly by well water.** - If a portion of any land for the irrigation of which a supply of canal water has been sanctioned is irrigated by well water for a part of the season owing to a deficiency in the supply of canal water, and the applicant notifies the fact in writing to the Executive Engineer within eight days from the date on which he began taking well water, enquiry shall be made by the Executive Engineer as to whether the use of well water was necessary and if it be shown to the satisfaction of the Executive Engineer that the use of well water was necessary the rate chargeable on the portion irrigated by 'well water may, at the discretion of the Executive Engineer, be reduced to an amount which shall not be less than half the rate otherwise payable.

**19. Water rate leviable when well water and canal water are conveyed in the same channel.** - If well water is conveyed to any land in any channel used for conveying canal water, water rate shall be chargeable on the whole of the land irrigated from such channel:

Provided that if well water be taken for a part of the season owing to a deficiency in the supply of canal water and the applicant notifies the fact in writing to the Executive Engineer within eight days from the date on which he began taking well water and if it be shown to the satisfaction of the Executive Engineer that such deficiency existed, the rate on the portion irrigated by well water may, at the discretion of the Executive Engineer, be reduced to an amount which shall be not less than half the rate otherwise payable.

**20. Irrigation from escape channel per collations and leakages.** - Irrigation from escape channels, drains and from percolation and leakage from such canal falling under section 34 of Act, shall be subject to the same provisions as irrigation from other parts of a canal.

**21. Water rates for non-irrigational purposes.** - Water supplied from a canal for any purpose other than irrigation shall be charged at the rate determined by the state government per unit of volume of water supplied:

Provided that where the amount of water supplied can not be measured the supply shall be charged for in such manner as the State Government may by order direct in each case.

#### **Occasional Rates.**

**22. Water rate leviable for supply of water obtained without permission or misused.** - If a supply of water is obtained by any person from a canal whether for irrigation or for any other purpose, without the previous permission of the Executive Engineer or is used in any other unauthorized manner for irrigation or otherwise, the Executive Engineer, may charge additional penal rate as may be determined by the state government and seasonal rate chargeable for the supply as if such supply had been sanctioned. Such rate shall be leviable in addition to any penalty imposed under the Act.

**23. Record to be maintained for water obtained without permission or misused.** - If a supply of water is obtained by any person from a canal whether for irrigation or for any other purpose, without the previous permission of the Executive Engineer or is used in any other unauthorized manner for irrigation or otherwise, the Canal Officer or any person duly authorized by the Canal officer, shall inquire on field and Ekararnama in Form A 4, shall be executed accompanied with panchnama recorded by the Canal Officer or any person duly authorized by the Canal officer.

**24. Water rates leviable on late applications.** - When an application for supply of water presented after the prescribed date is sanctioned, the water rate to be charged for supply of water for the first irrigation period for the growth of any crop, shall be one and half the normal rate chargeable for supply of water for that period of the growth of that crop:

Provided that the Executive Engineer may, if he is satisfied that an application could not be submitted on or before the prescribed date and after recording reasons in writing, order any lower rate not less than the normal rate to be charged in the case of any such applicant or any class of such applicants.

**25. Water rate leviable for water used for the irrigation of an area in excess of the sanctioned area.** - When sanction has been given to irrigate a specified area and the applicant irrigates an area in excess of such specified area, the Executive Engineer may charge in respect of such excess area a rate not exceeding double the rate chargeable for the supply as if the supply had been sanctioned for such excess area and may stop the supply of water:

Provided that if the Executive Engineer is satisfied that the excess area was irrigated through a bona-fide mistake, no charge in addition to the normal water rates shall be levied in respect of the excess area irrigated to the extent of five percent, of the area sanctioned for irrigation or 5 ares ( 5 gunthas ), whichever is less.

**26. Charges to be imposed when water supplied through a water-course is suffered to run to waste.** - When water supplied through a water- course is suffered to run to waste, the Executive Engineer may charge-

- (a) if the water has flowed on any land, a rate not exceeding double the rate chargeable for each hector on which water has flowed;
- (b) in any other case a rate not exceeding double the rate chargeable under rule 19, in the volume of water estimated by the Executive Engineer to have been wasted.

### **Exemption Cancellation and Remissions**

**27. Cancellation of sanction for supply of water of assessment in respect thereof.** - If after the supply of water is sanctioned it is not possible to supply water for irrigation the land even once, on account of obstruction from or prevention by the neighbouring land-holders, or for reason of serious error of judgement in planning of seasonal crop programme or unnoticed defect in construction of canals for which the applicant could in no way be held responsible, the connection for supply of water or assessment in respect thereby, if any shall be cancelled by the Superintending Engineer on basis of a panchnama recorded in that behalf by an officer not below the rank of a Sub-Divisional Officer.

**28. Remission of water rates.** - Remission of the whole or a part of the water rate payable by any person in respect of the supply of water for the purpose of irrigation to any land may be granted where such person has suffered loss-

- (a) from any stoppage diminution or increase of his water supply due to any of the causes stated in clause (d) of section 20 or any act or omission of a canal officer not provided for in the aforesaid clause; or
- (b) due to failure of crops due to any local or general calamity : Provided that output of the crops is not more than one quarter of normal.

**29. Claims for remission.** - (1) Every claim for remission of water rate shall be preferred in writing directly to the Executive Engineer within one month from the time date of incidence of the damage or failure, in respect of which the remission is claimed. Any claim preferred thereafter may be summarily rejected.

(2) If, without giving the Executive Engineer at least 8 days' notice in writing of his intention so to do, the claimant cuts the crops alleged to have been damaged or to have failed at any time within 20 days after preferring his claim for remission, his claim may be summarily rejected.

**30. Readings maintained of water gauges and meters by the Irrigation Department to be accepted as authoritative.** - In case of dispute regarding water supply or remission or exemption from water rate, the water gauge and meters maintained by the Irrigation department shall, if certified by the Executive Engineer to have been in good order during the period to which the dispute relates, be held to furnish authoritative data for all calculations of discharge.

### **Part V**

#### **Appeals**

**31. Appeals.** - (1) An appeal in accordance with the provision of sub-rule (2) shall lie against an order -

- (a) passed under rule 9, or
- (b) requiring an applicant who is an occupant or superior holder to give security under rule 8, or
- (c) rejecting a surety tendered under rule 8 as unapproved.

(2) If the original order was passed by the Canal Officer, the appeal shall lie to the Executive Engineer,

(3) decision of the Executive Engineer shall be final and binding to both.

**32. Manner of preferring appeals.** - All appeals preferred must be made by a written petition signed by the appellant. Such petition may be delivered at the office of the Appellate Authority by the appellant in person during office hours or forwarded through registered post.

**33.** All appeals made by a written petition shall be accompanied with fees of Rs. 20/- paid in form of cash, demand draft, pay order, non judicial stamp, court fee stamp, Indian postal order, judicial stamp-paper, revenue stamp or franking by stamping or electronic stamping.

## **Part VI**

### **Miscellaneous**

**34. Water rates chargeable under section 34.** - Without special sanction of the State Government water rates under section 34 of Act shall not be charged on land watered by a well or wells sunk at a distance of more than 200 meters from any canal situated in the state:-

Provided that such well is fed by natural percolation only and not by a surface channel or a constructed underground channel or pipe.

**35. Closing of canal.** - No canal shall be closed for the execution of any repairs, alterations or additions thereto, except in case of emergency without the previous sanction of the Superintending Engineer, or of the Executive Engineer duly empowered in this behalf by the Superintending Engineer. The Superintending Engineer, or the Executive Engineer duly empowered shall fix the period or periods for which the supply of water may be stopped on account of the execution of such repairs, etc. Every intended closure of a canal shall as far as may be practicable, be notified at least eight days in advance. In case of emergency the Canal officer of the highest rank on the spot may close a canal and fix the said period or periods and shall report the matter to the Superintending Engineer.

**36. Passing of persons, animals M vehicles in or across canals.** - (1) No person shall pass, or cause any animal or vehicle to pass in or cross the bank or channel of any canal at any place except where indicated by a notice erected under the order of the Executive Engineer in a conspicuous place.

(2) In fixing places at which the passing in or across the bank or channel of a permitted under sub-rule (1), the Executive Engineer, shall have careful regard to the reasonable convenience of the people residing or holding land in the vicinity who are required to cross the canal or water for their animals.

**37. Maintenance of water courses.** - Maintenance of a water-course shall include the construction of-

(a) such masonry, concrete or other work as in the opinion of the Executive Engineer is necessary to prevent waste of water or damage to the channel, or

(b) a pipe outlet in masonry, concrete or any other type of outlet arrangement approved by the Executive Engineer for connecting the water-course to the field channel.

**38. Maintenance of Record of Rights and Register of Mutation.** - Copies of the Record of Rights and Register of Mutations shall be maintained at each Sectional Office or other convenient centre.

## **Part VII**

### **Supply of Water Free of Charge for Agricultural Purposes From Canal on Which Government has not Incurred any Expenditure**

**39.** (1) Notwithstanding anything contained in these rules every application for the supply of water free of charge for agricultural purposes and not for commercial or industrial purposes including the cultivation of sugarcane by sugar companies from a canal vesting in the Government and on which Government has not incurred any expenditure, shall be made in duplicate to the Canal Officer concerned in Form A 3, and may be delivered personally or sent by post to the Canal Officer concerned.

(2) Printed copy of the prescribed Form of application shall be supplied to the applicant free of charge.

**40. Sanction for the use of water free of charge.** - Government may from time to time by order direct to grant sanction for the use of water free of charge for growing food and fodder crops including onions.

**41. Construction of channels for taking water.** - The applicant shall make a channel or channels for taking water to his lands at his own cost and responsibility or the State Government shall make field channel.

**42. Demarcation of Crops irrigated by the water supplied under this part.** - Crops irrigated by the water supplied under this Part shall be separated from all crops irrigated by water supplied otherwise under the Rules by at least 15 meters at all places.

**43. No interference with the natural drainage.** - The applicant shall not interfere with the natural drainage or artificial channels in utilizing the water sanctioned for his land.

**44. Separation of irrigation and lift channels.** - When irrigation channels from canal run parallel to lift channels, they shall have an uncultivated dry strip of not less than five meters between the outer toes of the inner banks of the channels.

**45. Crossing of canal and lift channel.** - When canal water is crossed by lift channels, the crossing shall be of pacca masonry or concrete and pipe crossing shall be to the entire satisfaction of the Canal officer.

**46. Location of pumping plant.** - When water is allowed to be used by means of a pumping plant, the pumping or "Take off" arrangement shall be beyond five meters from the edge of the canal land width boundary.

**47. Marking of sanctioned area on plan.** - The area for which the water has been sanctioned by the Canal Officer shall be marked on a plan which shall be signed by the applicant.

**48. Claims for compensation.** - No claim for compensation on account of damage to crop due to the failure or deficiency of water shall be entertained.

**49. Water rates leviable for breach of condition.** - For using water after the expiry of sanction limit/ No. of watering or without submitting application for use of water or for breach of any of the aforesaid conditions the applicant shall be charged full water rates leviable, and shall also be liable to the penalties imposed under the provisions of the Act, and the rules framed thereunder. In such a case, the permission granted to him shall also be cancelled if the period of its validity has not already expired.

**50. No other canal water shall be granted.** - No other canal water shall be granted to or utilized for the areas brought under cultivation under the sanctioned permitted area under this part.

**51. Water rates leviable on crops grown in excess of sanctioned area.** - Areas of crops grown in excess of the sanctioned area shall be liable to be charged at full water rates leviable for using canal

water and in addition the applicant shall be liable to penalties imposed for unauthorized irrigation under the Gujarat Irrigation and Drainage Act, 2013, and Rules framed thereunder.

**52. No water supply before sanction of application.** - No water shall be taken by the applicant before his application has been sanctioned.

**53. Repeal and Saving.** - The Gujarat Canal Rules, 1962 are hereby repealed.

### Form A-1

(See rule 5)

#### Application for water for irrigation in Kharif or Rabi or Hot-weather Season

No. of application:-

To,

The Executive Engineer/ Canal Officer

\_\_\_\_\_ Division,

I, \_\_\_\_\_, resident of \_\_\_\_\_, Taluka \_\_\_\_\_

, District \_\_\_\_\_, make this application for the water supply from the canal for the purpose of irrigation the under mentioned land hereinafter described subject to the provision of the Gujarat Irrigation and Drainage Act, 2013, and other law for the time being in force relating to irrigation and all the provision of the Gujarat Irrigation and Drainage rules, 2014, and subject to the conditions specified on the reverse of this application to which I agree:-

Name of village	Name of canal	Outlet No.	Survey /Block No.	Total Area of Survey/Block No.	Total Area of the holding in Survey No. or Block No.	Total Area Applied for.	Name of crop.	Period/ Season for which water is required	No. of watering	Remark
1	2	3	4	5	6	7	8	9	10	11
				Ha. Are	Ha. Are	Ha. Are				

Total amount to be paid:-

Sr. No.	Name of crop	Area to be irrigated in Ha. Are.	Water Rate chargeable per hector per watering	Total Amount in Rs.

2. I am the of the land for which water has been applied for above.

3. I have paid all arrears of water rates up to and including the arrears of water rates for the only -

4. I have paid advanced water rate Rs. for the land for which water has been applied for above.

5. The name and address of person to whom the manner in which the order on this application should be delivered are:--

Name:-

Address:-

Date :- / /20

Signature or left hand thumb  
impression of the applicant.

Signature or left thumb impression if the occupants or joint occupants or superior holder or joint superior holders in case in which the applicants is not the occupants or superior holder.

**Forwarded for sanction as follows :-**

(1) Area to be sanctioned \_\_\_\_\_

(2) Period of sanction :- From \_\_\_\_\_ to \_\_\_\_\_

(3) Water rate to charged :- Rs. \_\_\_\_\_ per Ha. per watering, and total amount is Rs. \_\_\_\_\_

Date :- / /20

Sub- Divisional officer,

\_\_\_\_\_ Sub-Division \_\_\_\_\_

Date :- / /20

Sanctioned,

Executive Engineer,

\_\_\_\_\_ Division, \_\_\_\_\_

**Note.** - (1) Details of Security bond to be invariably furnished by non-Owner applicant as per instruction 6. (As per Form C 1.)

(2) Name of sureties (1) \_\_\_\_\_

(2) \_\_\_\_\_

Survey No. \_\_\_\_\_ of \_\_\_\_\_ is given as security as per Form C 2.

**Approval of Application received as per**

**Form No. A-1**

Canal :-

Application No. :-

Name of Village:-

Survey No./Block No. :-

Name of Applicant:-

#Sanctioned Area

	Hectare	Are	Nos. of watering
Crop			
Kharif			
Rabi			
Two season			
Hot weather			

Perennial			
-----------	--	--	--

Sanctioned date and endorsement Canal officer

Date:- / /20

### Instruction

1. This form is to be used for irrigation for Kharif, Rabi and Hot Weather seasons prescribed in rule 5 of the Gujarat Irrigation and Drainage Rules, 2014.
2. The application is to be submitted in duplicate form to the Canal Officer or to any officer authorized by him to receive such applications. It may be sent by hand, presented personally or sent by post.
3. When order is passed the duplicate form will be returned to the applicant endorsed with the Canal Officer's final order.
4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joints occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorized on half any these to receive such sanction.
5. The applicant must state at No. 2 on the form nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state at No. 3 on the form the season up to and including which he has paid arrears of water. If lie owes any water rates he must state the season or year for which he does so.
6. Any application may required to furnish a Bond in Form C-1 executed by two suitable sureties or execute a mortgage bond in Form C-2 as security for the payment of all amount which may become due in respect of the water to be supplied under the sanction. And he may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.
7. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.
8. Executive Engineer will ordinarily sanction areas which are multiple of ares.

### Conditions

1. After the application has been sanctioned, full water rates shall be payable for the area and period sanctioned, whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Executive Engineer within one month from the date of sanction to the applicants that water is not required, provided such sanction for perennial crops was granted for a period of one year or more.
2. Each type of crop(namely, sugarcane, pan, ordinary perennial, two season and seasonal) shall be grown only the extent of the sanction given by the Canal officer but an equal area of any lower rated type may be substituted.
3. The area sanctioned shall not be exceeded.
4. The sanction is liable to be cancelled, or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any rule to the Gujarat Irrigation and Drainage Rules, 2014 or of the conditions of this form of application.

5. Water shall be given for the whole season, if available, or at the discretion of the Executive Engineer, for as many watering as may be possible.
6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.
7. Where no permanent water channel exist, the irrigator shall allow the construction of a temporary channel through his land, if necessary along a line fixed by the Executive Engineer or his representative, for the benefit of irrigators whose fields are situated below his land.
8. Water for any area of sugarcane sanctioned is subject to the condition that water is liable to be withheld from new sugarcane area after 31" May, if necessary. Each consecutive watering after 31' May shall require the sanction of the Executive Engineer. Such sanction shall be accorded if water is available for agricultural purposes but if it is insufficient at an any time of the season all further watering may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.
9. The water charges due from the applicant shall be directly deducted by the CO-operative Sugar Factory of which he is a member, from the amount that may be due to him for sale of sugarcane. The Co-operative Sugar Factory shall pay the amount so deducted to the concerned Executive Engineer for crediting the same in to the applicant's account and receipt for payment of the same shall have to be obtained by the applicants from the said Co-operative Sugar Factory. If under any circumstances, it is not possible to effect recovery of water charges in the manner above said, the concerned Canal Officer shall take direct action for recovery of water charges in accordance with rules in force.

Statement to be Attached With form A-1 by "Water User's Association"

Name of WUA :-

Name of Canal:-

Name of Village:-

Season or period:-

Details of area to be irrigated during \_\_\_\_\_ Season 20 \_\_\_\_\_

Sr.No.	Name of crop	Nos. of farmer	Total area to be irrigated Ha. Ares.	Water Rate per Ha. per watering in Rs.	Probable No. of watering	Total Amount ,in

Farmer/member wise details of Irrigation for \_\_\_\_\_ Season 20 \_\_\_\_\_

Sr. No.	Name of Farmer/Member	Survey/block No.	Total area of Survey/Block No.	Area to irrigated in Ha. Ares.	Name of crop	Probable No. of watering
1						
2						

3						
---	--	--	--	--	--	--

**Receipt to be given to Applicant for Application received as per Form No. A-1**

Canal :-

Application No.:-

Name of Village:-

Survey No./Block No.:-

Name of Applicant:-

Crop, Season and Area included in approval

Crop	Season and period	Area	Nos. of watering
Kharif		Hectare Are	
Rabi			
Two season			
Hot weather			
Perennial			

Date of Application :-

Date of Application received and endorsement

Signature of application receiver Canal officer

**Form A-2**

(see rule 5)

**Form of application for Additional watering**

No. of application:-

To,

The Executive Engineer/ Canal Officer

\_\_\_\_\_ Division,

I, \_\_\_\_\_ resident of \_\_\_\_\_, Taluka \_\_\_\_\_

District , make this application for the water supply from the canal for the purpose of irrigation the undermentioned land hereinafter described subject to the provision of the Gujarat Irrigation and Drainage Act, 2013, and other law for the time being in force relating to irrigation and all the provision of the Gujarat Irrigation and Drainage Rules,2014 and subject to the conditions specified on the reverse of this application to which I agree:-

Name of village	Name of canal	Outlet No.	Survey /Block No.	Total Area of Survey/Block No.	Total Area of the holding in Survey No. or Block No.	Total Area Applied for.	Name of crop.	Period/Season for which Additional watering is required	No. of Additional watering	Remark
1	2	3	4	5	6	7	8	9	10	11
				Ha. Are	Ha. Are	Ha. Are				

Total amount to be paid:-

Sr. No.	Name of crop	Area to be irrigated in Ha. Are.	Water Rate chargeable per hecter per watering for additional watering	Total Amount in Rs.

2. I am the \_\_\_\_\_ of the land for which water has been applied for above for no of additional watering.

3. I have submitted application and is sanctioned for the \_\_\_\_\_ season of 20 \_\_\_\_\_.  
I have submitted herewith a application for no. of additional watering.

4. The name and address of person to whom the manner in which the order on this application should be delivered are:-

Name :-

Address :-

Date :- / /20 \_\_\_\_.

Signature or left hand thumb  
impression of the applicant.

Signature or left thumb impression if the occupants or joint occupants or superior holder or joint superior holders in case in which the applicants is not the occupants or superior holder.

Forwarded for sanction as follows :-

(1) Area to be sanctioned \_\_\_\_\_

(2) Period of sanction :- From \_\_\_\_\_ to \_\_\_\_\_

(3) Water rate to charged:- Rs. \_\_\_\_\_ per Ha. per watering, and total amount is Rs. \_\_\_\_\_ for additional watering,

Date:- / /20 Sub- Divisional officer,

\_\_\_\_\_ Sub-Division

Sanctioned,

Date:- / /20 Executive Engineer,

Division,

**Note.** - (1) Details of Security bond to be invariably furnished by non-owner as per instruction 5.

(2) Name of sureties given as security as per Form C-1.

Name of sureties (1)

(2)

Survey No. \_\_\_\_\_ of \_\_\_\_\_ given as security as per Form C 2.

**Approval of Application received as per Form No. A-2**

Canal :-

Application No.:-

Name of Village:-

Survey No./Block No. :-

Name of Applicant:-

Crop, Season and Area as per demand

Crop	Season and period	Area	
		Hectare	Are
Kharif			
Rabi			
Two season			
Hot weather			
Perennial			

Sanctioned date and endorsement

Date:- / / 20.

Canal officer

**Instruction**

1. This form is to be used for irrigation for Kharif, Rabi and Hot Weather seasons prescribed in rule 5 of the Gujarat Irrigation and Drainage Rules, 2014.
2. The application is to be submitted in duplicate form to the Canal Officer or to any officer authorized by him to receive such applications. It may be sent by hand, presented personally or sent by post.
3. When order is passed the duplicate form will be returned to the applicant endorsed with the Canal Officer's final order.
4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorized on behalf of any of these to receive such sanction.
5. Any application may be required to furnish a Bond in Form C-1 executed by two suitable sureties or execute a mortgage bond in Form C-2 as security for the payment of all amount which may become due in respect of the water to be supplied under the sanction. And he may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

6. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

### Conditions

1. After the application has been sanctioned, full water rates shall be payable for the area and period sanctioned, whether the area is irrigated or not, provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Executive Engineer within one month from the date of sanction to the applicants that water is not required, provided such sanction for perennial crops was granted for a period of one year or more.
2. The area sanctioned shall not be exceeded.
3. The sanction is liable to be cancelled, or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any rule to the Gujarat Irrigation and Drainage Rules, 2014 or of the conditions of this form of application.
4. The water charges due from the applicant shall be directly deducted by the Co-operative Sugar Factory of which he is a member, from the amount that may be due to him for sale of sugarcane. The Co-operative Sugar Factory shall pay the amount so deducted to the concerned Executive Engineer for crediting the same in to the applicant's account and receipt for payment of the same shall have to be obtained by the applicants from the said CO-operative Sugar Factory. If under any circumstances, it is not possible to effect recovery of water charges in the manner above said, the concerned Canal Officer shall take direct action for recovery of water charges in accordance with rules in force.

### Receipt to be given to Applicant for Application received as per Form No. A-2

Canal :-

Application No. :-

Name of Village:-

Survey No./Block No.:-

Name of Applicant:-

Crop, Season and Area included in approval

Crop	Season and period	Area	Nos. of watering
Kharif		Hectare Are	
Rabi			
Two season			
Hot weather			
Perennial			

Date of Application :-

Date of Application received and endorsement

Signature of application receiver Canal officer

**Form A-3**

(see rule - 5)

**Application for supply of water free of charge for irrigation from Nallas, Rivers, Stream etc,  
vesting in the Narmada,**

**Water Resource, Water Supply and Kalpsar Department has not incurred any expenditure.**

No. of application:-

To,

The Executive Engineer/ Canal Officer

\_\_\_\_\_ Division,

I, \_\_\_\_\_, resident of \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, make this application for the water supply from the canal for the purpose of irrigation the under mentioned land hereinafter described subject to the provision of the Gujarat Irrigation and Drainage Act, 2013, and Government orders issued there under from time to time for the supply of water from -

\_\_\_\_\_ River

\_\_\_\_\_ Nalla

\_\_\_\_\_ Bhudki

\_\_\_\_\_ Drains

\_\_\_\_\_ Tank

and subject to the conditioned specified on the reverse of this application to which I agree. I attach a plan herewith showing the land proposed to be irrigated by me.

2. I am the \_\_\_\_\_ of the land for which water has been applied for above.

3. The name and address of person to whom the manner in which the order on this application should be delivered are:--

Name :-

Address :-

Date :- / /20.

Signature or left hand thumb

Impression of the applicant.

Signature of the Witness.

Signature or left thumb impression if the occupants or joint occupants or superior holder or joint superior holders in case in which the applicants is not the occupants or superior holder.

Forwarded for sanction as follows :-

a. Area to be sanctioned Ha Are

b. Name of sanctioned crop

c. Period of sanction :- From to

Date :- / /20.

Sub- Divisional officer,

\_\_\_\_\_ Sub-Division \_\_\_\_\_

Sanctioned,

Date:- / /20 \_\_\_\_\_

Executive Engineer,

\_\_\_\_\_ Division, \_\_\_\_\_

**Note.** - (1) Details of Security bond as per Form C-1 to be invariably furnished by non owner as per details below.

(2) Name of sureties (1)

(2) \_\_\_\_\_

Survey No. \_\_\_\_\_ of \_\_\_\_\_ given as security as per Form C 2.

### **Instruction**

1. This form is to be used for the permission to supply water from Rivers, Nallas, Sreams, Bhudkies, Drains Tanks vesting in the Narmada Water Resource Water Supply and Kalpsar Department has not incurred any expenditure.
2. This application shall be submitted in duplicate to the Canal Officer or any officer authorized by him to receive such application, It may be sent by hand, presented personally or sent by post.
3. The application shall be tendered three months ago in advance for the season in which the supply of water is required by the applicant.
4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joints occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorized on half any these to receive such sanction.
5. The applicant should submit a plan of the land in the survey No. or survey Nos. concerned along with the application.
6. The applicant must state at No. 2 on the form nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land.
7. On completion of the application and after due enquiry in to the application, The Executive Engineer having regard to the existing riparian rights of the cultivation on the source of water may either sanction it fully or partly or reject it. In case the application is sanctioned a pass for the use of water shall be issued to the applicant. Such pass shall be valid only for the period specified in it. In case the application is rejected, the duplicate copy of the application shall be returned to the applicant after stating reasons for rejection.
8. Sanction shall be refused for the supply of water for growing crops where there is a danger of canal water being taken surreptitiously.

### **Condition**

1. Sanction will be granted for the use of water free of charge for growing food and fodder crops including onions.
2. The applicants shall make a channel or channels for taking water to his lands at his own cost and responsibility.
3. Crops irrigated by the water supplied under Part VII of the Gujarat Irrigation and Drainage Rules,2014, shall be separated from all crops irrigated by water supplied otherwise under the Act by at least 15 meter at all places.
4. The applicant shall not interfere with the natural drainage or artificial channels in utilizing the water sanctioned for his lands.

5. When irrigation channels from canal run parallel to lift channels, they shall have an uncultivated dry strip of less than 15 meter between the outer toes of the inner banks of the channels.
6. When canal water is crossed by lift channels, the crossing shall be of pacca masonry or concrete and pipe crossing shall be to the entire satisfaction of the Canal Officer.
7. When water is allowed to be used by means of a pumping plant, the pumping Or "Take Off" arrangement shall be beyond the radius of 5.0 meter from the edge of the canal boundary or Distributary limit.
8. The area for which the water has been sanctioned by the Canal Officer shall be marked on a plan which shall be signed by the applicant.
9. No claim for compensation on account of damage to crop due to the failure or deficiency of water shall be entertained.
10. For using water after the expiry of sanction limit/ No. of watering or without submitting application for use of water or for breach of any of the aforesaid conditions the applicant shall be charged full water rates leviable, and shall also be liable to the penalties imposed under the provision of the Gujarat Irrigation and Drainage Act, 2013, and the Rules framed there under. In such a case, the permission granted to him shall also be cancelled if the period of its validity has not already expired.
11. No other canal water shall be granted to or utilized for the area brought under cultivation under the sanctioned permitted area under this part.
12. Areas of crops grown in excess of the sanctioned area shall be liable to be charged at full water rates leviable for using canal water and in addition the applicant shall be liable to penalties imposed for unauthorized irrigation under the Gujarat Irrigation and Drainage Act, 2013, and Rules frame thereunder.
13. No water shall be taken by the applicant before his application has been sanctioned.

#### **Form A-4**

(see rule - 23 )

#### **Ekararnama**

#### **Form of Agreement for payment of penal water rate for Unauthorized Irrigation**

I, Shri \_\_\_\_\_ resident of Village \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, have my land in Survey No. /Block No. of the said village do agree that I have taken water for irrigation in the said land eventhough my application there for is not sanctioned on account of arrears of water rate or here state the reason. I further agree that I shall pay the penal water rates as may be assessed by the Canal Officer for such unauthorized irrigation water taken by me for the said land and the crop.

Signature of Land Owner

In my presence

Signature of the Canal officer or any person or persons authorized by the Canal Officer.

#### **Form B-1**

(see rule - 5)

#### **Ordinary application for water for irrigation from Government tube-wells.**

No. of application:-

To,

The Executive Engineer,

\_\_\_\_\_ Division,

I, \_\_\_\_\_ resident of \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, hereby apply for the supply of water from the tube-well for the purpose of irrigating the land hereinafter described, subject to the provision of the Gujarat Irrigation and Drainage Act, 2013, and other law for the time being in force relating to irrigation and all the provision of the Gujarat Irrigation and Drainage rules, 2014, and subject to the conditions specified on the reverse of this application to which I agree:-

Name of village	Distributing Channel No./Out let No. Tube Well		Survey No./Block No.	Total area of survey No./B
1	2	3	4	5
Total area of the holding In survey No. or Plot No.	Total area applied for	Name of crop		Period for which water is required
6	7	8		9

2. I am the of the land for which water has been applied for above.

3. I have paid all arrears of water rates up to and including the season of 20 -20 . I am in arrears of water rates for season only.

4. The name and address of person to whom the manner in which the order on this application should be delivered are:-

Name :-

Address :-

5. My name has been /has not been registered as regular irrigator under registration.

6. I have taken water under pass No. \_\_\_\_\_ in the/Kharif/Rabi/Hot Weather season in the above mentioned.

survey No.

Date :- / /20\_.

Signature or left hand thumb impression of the applicant.

Signature of Witness.

Signature or left thumb impression if the occupants or joint occupants or superior holder or joint superior holders in case in which the applicants is not the occupants or superior holder.

Forwarded for sanction as follows :-

(1) Area to be sanctioned \_\_\_\_\_

(2) Period of sanction: - From \_\_\_\_\_ to \_\_\_\_\_

(3) Water rate to charged: -Rs. \_\_\_\_\_ per Ha. per watering, and total amount is Rs. \_\_\_\_\_

Date:- / /20#Sub- Divisional officer,

\_\_\_\_\_ Sub-Division \_\_\_\_\_

Date :- / /20\_.

Sanctioned  
Executive Engineer,

\_\_\_\_\_ Division, \_\_\_\_\_

**Note.** - (1) Details of Security bond in form C-1 to be invariably furnished by non-Owner applicant as per instruction 7.

(2) Name of sureties(1) \_\_\_\_\_

(2) \_\_\_\_\_

Survey No. \_\_\_\_\_ of \_\_\_\_\_ given as security as per Form C 2.

### Approval of Application received as per Form No. B-1

Canal :-

Application No.:-

Name of Village:-

Survey No./Block No.:-

Name of Applicant:-

Crop	Sanctioned Area	
	Hectare	Are
Kharif		
Rabi		
Two season		
Hot weather		
Perennial		

Sanctioned date and endorsement.

Date:- / /

Canal officer

### Instruction

1. This form is to be used for irrigation for Kharif, Rabi and Hot Weather seasons prescribed in rule 5 of the Gujarat Irrigation and Drainage Rules, 2014.
2. The application is to be submitted in duplicate form to the Canal Officer or to any officer authorized by him to receive such applications. It may be sent by hand, presented personally or sent by post.
3. When order is passed the duplicate form will be returned to the applicant endorsed with the Canal Officer's final order.
4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint superior holders, (3) a person having the right to carry on irrigated cultivation of the land for the period of the sanction or (4) a person duly authorized on behalf of any of these to receive such sanction.

5. The applicant must state at No. 2 on the form nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state at No. 3 on the form the season up to and including which he has paid arrears of water. If he owes any water rates he must state the season or year for which he does so.
6. Any application may required to furnish a Bond in Form C-1 executed by two suitable sureties or execute a mortgage bond in form C-2 as security for the payment of all amount which may become due in respect of the water to be supplied under the sanction. And he may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.
7. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.
8. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of application.
9. Executive Engineer will ordinarily sanction areas which are multiple of ares.

### **Conditions**

1. After the application has been sanctioned, full water rates shall be payable for the area and period sanctioned, whether the area is irrigated or not, provided water was available during the period.
2. Each type of crop (namely, sugarcane, paddy, ordinary perennial, two season and seasonal) shall be grown only the extent of the sanction given by the Canal Officer but an equal area of any lower rated type may be substituted.
3. The area sanctioned shall not be exceeded.
4. The sanction is liable to be cancelled, or the supply to any crop irrigated under the sanction is liable to be withheld or stopped entirely without notice for breach of any rule to the Gujarat Irrigation and Drainage Rules, 2014 or of the conditions of this form of application.
5. Water shall be given for the whole season, if available, or at the discretion of the Executive Engineer, for as many waterings as may be possible.
6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the season for which application is made shall be given at the earliest date possible.
7. Where no permanent water channel exist, the irrigator shall allow the construction of a temporary channel through his land, if necessary along a line fixed by the Executive Engineer or his representative, for the benefit of irrigators whose fields are situated below his land.
8. The standing charges and variable charges fixed by the State Government from time to time shall be leviable, from each irrigator.
9. The standing charges and minimum variable charges shall have to be paid if the application is sanctioned even though no water is taken, so long as water was available.
10. The water charges due from the applicant shall be directly deducted by the Co-operative Sugar Factory of which he is a member, from the amount that may be due to him for sale of sugarcane. The Co-operative Sugar Factory shall pay the amount so deducted to the concerned Executive Engineer for crediting the same in to the applicant's account and receipt for payment of the same shall have to be obtained by the applicants from the said Co-operative Sugar Factory. If under

any circumstances, it is not possible to effect recovery of water charges in the manner above said, the concerned Canal Officer shall take direct action for recovery of water charges in accordance with rules in force

### Form C-1

(see rule - 8)

#### Form of Security Bond

Whereas I \_\_\_\_\_ resident of \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, has applied for a supply of water to irrigate the land herein below described, namely :-

Village	Taluka	Survey No.	Plot no./Block No./	Area of field to be irrigated	Name of crop or block	Period of Irrigation
				Ha. Are.		

and whereas he has been required to furnish security for the payment of water rates and other charges:

We \_\_\_\_\_, resident of \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, Taluka District be hereby declare ourselves sureties for the above mentioned that he shall duly pay at the prescribed time or times every rate, charge, penalty or other sum whatsoever that shall become due from him in respect of the supply of water granted to him in pursuance of his said application; and in case of his making default therein we, each of us, for himself, his heirs, executors and administrators agree to pay to the Government of Gujarat such sum not Exceeding in the aggregate rupees as shall be demanded of us either of us or of any heir executor, or administrator of either of us on account of any such rate, charge, penalty or other sum aforesaid; and we do further agree that the amount of any such rate, charge, penalty or other sum aforesaid may, if necessary , be recovered from either of us or from any heir executor or administrator of either of us, as if the same were an arrear of land revenue due from us, of either of us, to Government.

Dated and signed this \_\_\_\_\_ day of \_\_\_\_\_ 20 in the presence of (1) Name \_\_\_\_\_ and (2) Name \_\_\_\_\_

(Signature of witness )(Signature of surety.)

(1) \_\_\_\_\_

(2) \_\_\_\_\_

### Form C-2

(see rule - 8)

#### Form of Mortgage

Whereas I \_\_\_\_\_ resident of \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_ have applied for a supply of water from the \_\_\_\_\_ canal to irrigate land herein below described namely:-

Village	Taluka	Survey No.	Plot no./Block No.	Area of field to be irrigated	Name of crop or block	Period of Irrigation

				Ha. Are.		
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and whereas he has been required to furnish security for the payment of water rates and other charges in respect of the water supply.

I do hereby mortgage to the Government of Gujarat the land herein below described to which I am absolutely entitled free of any encumbrance and of which I am the rightful owner.

District	Taluka	Village	Survey no./Block No./	Plot No.	Area of holding in the Survey No.	Remark
					Ha Are	

and I also I hereby agree for myself, my heirs, executors and administrator that in the event of may failure, to pay any part of the said water rate and other charges at the appointed time and place the Government of Gujarat shall be at liberty to cause the said land to be sold and sale proceed to be applied in payment of the whole amount may be outstanding from me at the time of sale in respect of the said supply of water.

And I further agree that it shall be lawful for the Government of Gujarat to cause the said land to be sold without the intervention of the Court under section 69 of the Transfer of Property Act, 1882, in case the said water tare and other charges or any part thereof have not been paid by me within 3 months from the date on which a written notice is served on me after the water rate and other charges have become due.

Dated and signed this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ (Signature)

In presence of (1) Name \_\_\_\_\_ and

(2) Name \_\_\_\_\_

(Signature of witness) (1) \_\_\_\_\_ and (2)

\_\_\_\_\_

### Form C- 3

(See rule - 8)

Form of mortgage for member of Co-operative Society under section 49 of the Gujarat Co-operative Societies Act, 1961.

Whereas I, \_\_\_\_\_, resident of Village \_\_\_\_\_, Taluka \_\_\_\_\_, District \_\_\_\_\_, have applied for a supply of water from the \_\_\_\_\_ canal to irrigate the land herein below described, namely :-

Village	Taluka	Survey No./Block No.	Area of field to be irrigated	Name of crop	Period of Irrigation
			Ha. Are.		

and whereas I have been required to furnish security for the payment of water rates and other charges in respect of the water supply.

Now, therefore; I do hereby mortgage to the Governor of Gujarat the land here in below described (hereinafter called the said land) to which I am absolutely entitled and of which I am the rightful owner:-

District	Taluka	Village	Survey No./ Block No.	Area of holding in the survey No.	Remark

I do hereby declare that I am a member of Society which is a society within the meaning of section 49 of the Gujarat Co-operative Society Act, 1961( Gujarat X of 1962) and I have taken a loan of Rs. \_\_\_\_\_ form the said society and by a declaration made by me under clause (a)/ (b) of that section I have created a charge on the said land for the payment of the said amount of loan and for all future advance which the said Society may make to me determined by the Society together with interest on such \_\_\_\_\_ as such member subject to the maximum amount of Rs. \_\_\_\_\_ as determined by the Society together with interest on such amount of the loan and advance I hereby agree for myself my heirs, executors and administrator that in event of my failure, to pay any part of the said water rate and other charges at the appointed time and place the Government of Gujarat shall be at liberty to cause the said land to be sold and the sale process to be applied in payment of the whole amount that may be outstanding from me at the time of sale in respect of the said supply of water.

And I further agree that it shall be lawful for the Governor of Gujarat to cause the said land to be sold without the intervention of the Court under section 69 of the Transfer of Property Act,1882, in case the said water rate and other charges or any part there of have not been paid by me within three months from the date on which a written notice is served on me after the water rate and other charges have become due.

Dated and signed this \_\_\_\_\_ day ..... of 20.

(Signature)

In the presence of

(1) (name)

(2) (name)

Signature of witness

(1) (2)

### Schedule

(see rule 13)

Rates for water supply for various purposes from the State's irrigation reservoirs, canals, notified rivers, culverts and check dams:-

(A) Rates for water supplied for Agricultural purposes (Flow Irrigation and Lift Irrigation) :-

**(1) For Kharif, Ravi and two-season crops**

Rs. 265.45 per watering per hector

**(2) For perennial / all-weather crops :**

Rs. 497.71 per watering per hecter.

**(3) Rates for lift irrigation :**

(3.1) In cases where water is lifted by the farmer at his own cost :-

For lift irrigation, in cases where lifting is at own cost by the farmers the charges shall be applicable at the rate of 1/3 (one-third) of rates prevailing for Flow Irrigation.

(3.2) When water is provided by lifting by the Government:-

In cases where water is supplied for irrigation from all the lift irrigation schemes (including Narmada-based) of the State where water is supplied from canal or ponds by pipeline or otherwise by lifting at the cost of Government, rates for supply of water shall be Rs. 544.17 per watering per hecter. (Since these rates include 20% Local Fund Cess, no Local Fund Cess shall be calculated separately).

(3.3) When the water collected in reservoirs through natural flow and the water flows through pipelines by lifting is mixed, detailed calculation of charges to be collected for supply of water is difficult. In such cases, the rates applicable shall be Rs. 265.45 per watering per hecter for Kharif, Ravi, Summer and Two-season crops and in case of perennial crops, the rates applicable shall be Rs. 497.71 per watering per hecter.

(3.4) In cases where farmers fetch water through lifting from reservoirs or river in down stream of check dams, no charges will be levied, however, prior approval of the competent officer shall be obtained.

**(4) Rates for drip irrigation and sprinkler irrigation :**

Drip and sprinkler irrigations are the methods which require constant water supply hence in this case, number of hose drains (paan) cannot be determined in traditional manner. Therefore, in cases of drip or sprinkler irrigations, the rates applicable for drip irrigation shall be 35% of the rates applicable for flow irrigation and at the rate of 65% of flow irrigation in case of sprinkler irrigation after calculating number of watering (paan) required for respective crop in respective season and thereby considering total amount derived by calculating the rates as such.

**(5) Rates for water supplied from check dams :**

Check dams are being constructed under various schemes in the State at the cost of exchequer, partnership with farmers/group of people and industrial houses and voluntary organization/Trusts.

As the small check dams on culverts/streams are being constructed by the farmers/group of people under Sardar Patel Sahabhagi Jal Sanchay Yojana are being constructed for water harvesting, if water is drawn only for agricultural purposes from such small check dams constructed on culverts/streams by the farmers/group of people by maintaining the objective of such schemes, no rates will be assessed for such water drawn.

However, if water is drawn from the check dams constructed on rivers under any scheme with assistances or partnership by the Government/industrial houses/ non-governmental organizations/ Trusts, the rates shall be assessed/recovered at the prescribed rates for respective purpose (agriculture, non-agricultural or portable water).

**(6) Rates for filling village ponds/releasing water from river for irrigation purposes :**

(a) Whenever the State augment water supply on public demand to fill village ponds and farmers draw water there from by lifting at their own cost for irrigation purposes, the rates of charge leviable shall be at the rate of 1/3<sup>rd</sup> (one-third) of rates for lift irrigation as prescribed at Rs. 544.17 per watering per hector for area actually irrigated. Gradual increase as may be effective in case of rates of lift irrigation shall be applicable in this case also. Similarly, in case water is drawn for other purposes with prior permission from the Government, the rates prescribed for such purposes shall be applicable.

(b) In cases where permission is granted for release of water to the river, the charges shall be assessed/recovered from the users at the rates prescribed for respective purpose for which water is drawn.

**Conditions for water supplied for agricultural purpose :**

The rates for water supply as prescribed above for agricultural purposes shall be subject to the following conditions:-

- (1) These rates will be gradually escalated at the rate of 7.5% per irrigation year.
- (2) Local Fund Cess as determined from time to time under the Gujarat Panchayats Act, 1993 shall be leviable. At present, this rate shall be levied at the rate of 20 paise per rupee (at the rate of 20%). However, in case where rate for lift irrigation is fixed at Rs. 544.17, no separate local fund cess shall be charged as the local fund cess is included in the said rate.
- (3) Simple Interest on outstanding dues shall be recovered at the rate of 12% per annum.
- (4) Additional 25% assessment will be there in cases of unauthorized irrigation.
- (5) Concerned provisions of the Gujarat Irrigation and Drainage Act, 2013 and the Gujarat Irrigation and Drainage Rules, 2014 shall be applicable.
- (6) The horticulturists whose irrigation charges are outstanding does not make payment of full amount of irrigation charges while making application for irrigation during respective season, such applications for irrigation for said season are not being sanctioned at ordinary rates. However, new applications are accepted only if he make payment of entire outstanding amount in addition to the prevalent charges for flow irrigation.

Under these circumstances, such defaulter irrigators are prompted to draw water unauthorized without getting sanctioned their application for irrigation. With a view to avoid such situation, in case the defaulter irrigators make advance payment for concerned season's irrigation, such application for irrigation shall be allowed at the ordinary rates. Application form in different colour shall be prescribed for application for irrigation water by such irrigators whose dues for irrigation are outstanding.

(B) Rates for supply of water from reservoirs, canals, tube wells, notified rivers and culverts for non-agricultural purpose or purposes other than irrigation :-

**(1) Rates for row water (un-treated water) for drinking purpose:**

(For the year 2013-14)

The rates for water supply shall be Rs. 1.95 per 1,000 liters.

This rate shall be applicable to all the local self government bodies and all other units in addition to Gujarat Water Supply and Sewerage Board.

The rates for drinking water shall be increased gradually at the rate of 10% every financial year.

**(2) Rates of water supplied for industrial purpose :**

(For the year 2013-14)

(Private industries, Central and State Government Public Undertakings, Gujarat Industrial Development Corporation, Gujarat State Electricity Corporation and all non-agricultural water users)

The rates for water supply shall be Rs. 16.11 per 1,000 liters. Rates for water supplied for industrial purposes shall be gradually increased by 10% every financial year.

**Conditions for Water Supplied For Non-Agricultural Purposes :-**

- (1) The Superintending Engineer/Executive Engineer shall not issue permission for drawl of water for non-agricultural purposes. Such permissions shall be obtained from the Government only.
- (2) Earlier, fixed charges and usage charges were separate for the water supplied non-agricultural purposes which have now been clubbed and the rates as stipulated here in above shall be effective. Thus, separate fixed charges will not be applicable henceforth.
- (3) The rates shall have to be applied from the point from where the licensee (user) starts drawing water.
- (4) The licensee institute/unit/industry will have to get sanctioned in writing the annual volume of water required, from the concerned Superintending Engineer before of April every year.

In case of failure to do so, reserved water supply of concerned institute/unit/industry shall be considered on the basis of the volume so sanctioned to them during previous year and charges shall be levied thereon.

The annual quantum of water required to be sanctioned for a respective year is less than the volume sanctioned originally by the Government to concerned institute/unit/industry, concerned Superintending Engineer may sanction the same. However, if the quantum required to be sanctioned for a particular year is more than the originally sanctioned quantum, concerned Superintending Engineer shall have to forward proposal to the Government before of April of concerned year and obtain sanction at an early date.

- (5) Several financial complications take place due to obtaining permission for water supply unnecessarily or much prior than actual requirement or getting reservation for water. Therefore, the industries/unit/institution which find it necessary to obtain permission before the time limit of 12 months for drawing water, such industries/unit/institution shall have to pay in advance as security deposit the amount equivalent to water charges for a period of 3 months. Such deposit shall be forfeited if they do not start drawing water within 12 months from the date of permission

and the permission granted shall be deemed to have been cancelled automatically. However, if they start drawing water within time limit of 12 months, the amount of deposit paid shall be adjusted in the next bills without interest.

(6) In case of unauthorized drawal of water i.e.-

- (a) Without obtaining permission,
- (b) Without signing agreement, or
- (c) Without installing water meter,

the penalty shall be assessed to an extent of additional 25% instead of one-and-a-half time of the existing rates and 12% simple interest thereon shall be charged henceforth whereas no service charge will be collected. Otherwise, it will be personal responsibility of the Superintending Engineer/Executive Engineer.

However, the concerned Superintending Engineer/Executive Engineer shall not allow anybody to draw unauthorized water so as to see that in any case water is not drawn unauthorized or such activity is not encouraged.

Further, no additional penalty shall be assessed in case of drawl of water upto 25% more or less than the reserved quantum of water. In cases where there is no prior permission is obtained for decrease in the reserved quantum and actual drawl is less than 75%, penalty shall be assessed at the rate of 25% on the quantum of water which is used less than 75%.

However, if drawl of water is 25% in excess of the reserved quantum, additional penalty at the rate of 25% shall be levied on the volume drawn in excess of originally reserved quantum.

- (7) While preparing the bills, measurements and assessments of the volume of water released or lifted from the reservoir shall be carried out and not that of water received by the user agency or industry.
- (8) It shall be sole responsibility of the concerned Executive Engineer to ensure that measurements of quantum of water is carried out with accuracy, it is properly verified and assessed and the bills are prepared in time and issued to the users and regular recovery thereof. Constant monitoring for recovery shall be at the level of Superintending Engineer.
- (9) The amount of water supply for a period of one month at the rates prescribed for respective user shall be collected in advance before 10th of every month.
- (10) Simple interest at the rate of 12% shall be charged in case amount of water supplied is not paid within 2 months from the billing date. No service charge will be collected.
- (11) In case outstanding amount of water bill is not paid within six months from the date of assessment, water supply will be discontinued in such cases. This procedure will be equally applicable in case of public undertakings of the Central and State Government.
- (12) These rates are for the quantum of water being drawn by respective institution at their own cost from the reservoirs/pond/river/culvert/ canal/check dams etc.

In case of a user who intend to draw water through canal, concerned S.E. shall carry out additional assessment in addition to the rates so prescribed, with respect to expenditure as may be required to be made for canals/structures etc. and obtain permission from the

Government in this regard and the work shall be commenced only after advance recovery of such expenditure.

If purified water is to be supplied at the site of user by lifting and flowing through pipelines or canal, charges for the same shall be calculated after taking into consideration the actual expenditure required to be made, if any, for the same in addition to the charges as prescribed here in above.

- (13) Local self-government organizations - Village Panchayats, Nagar Panchayats, Municipalities, Municipal Corporations, Gujarat Industrial Development Corporation, Gujarat Water supply and Sewerage Board, Gujarat State Electricity Corporation or other individual users shall not divert from their sanction volume of water to any industry or for drinking water purposes from the volume sanctioned for industrial purpose, without obtaining permission from the Government. Even if it is done so after permission from the Government, the concerned Superintending Engineer shall obtain information in this regard and forward same to the Government and after recovering at the rates accordingly, deposit with the Government such amount recovered.
- (14) Assessment in case of Gujarat State Electricity Corporation shall be to an extent of actual consumption of water. Meaning thereby, if a part of quantum of water is surrendered out of the allocated quantum of water which can be utilized for irrigation purposes, the assessment in such case will be for the actual quantum of water consumed after deducting the quantum of water returned.
- (15) In individual cases where the rates fixed are less than the rates prescribed under these Rules, revised rates shall be applicable in all such cases. In individual cases where different rates are prescribed and validity of such rates are not still over, concerned Superintending Engineer shall have to furnish proposals separately.
- (16) While signing agreements, Bank Guarantee from Nationalized Banks can be accepted as Security Deposit in all the cases. Such Bank Guarantees should have been obtained only from the Nationalized Banks based in Gujarat. Bank Guarantees of other banks shall not be acceptable.
- (17) Amount of Rs. 501/- (Rupees Five Hundred one only) shall be charged towards license fee while signing agreement with users procuring water for non-agricultural usage.
- (18) Relevant provisions of the Gujarat Irrigation and Drainage Act, 2013 and the Gujarat Irrigation and Drainage, Canal Rules, 2014 shall also be applicable.
- (19) The rates for quantum of supply of water for a specific quantum shall be mentioned in respective clause of provision in the Agreement by institution/industry/unit which gets reserve in writing the quantum of water with the concerned Superintending Engineer before 1st of April every year. In case the user reserve nil volume for a particular year, rates shall be mentioned accordingly in relevant clause in the agreement and not as per the original quantum sanctioned.
- (20) In agreement also, the amount equivalent to three months' water charges shall be mentioned as a security deposit considering the normal rates for supply of water for respective year, i.e. to say the amount shall be mentioned in the agreement by calculating as "equivalent to three months' water chares". Even if consumption is less than the quantum as reserved as on 1st of April of the year, the user shall be made to deposit in advance the charges as per quantum as reserved by the user on 1st of April of that year. In case if user wish during the year to have

increase in the quantum than the quantum reserved, prior permission shall be obtained from the Government as a special case and the charges and security deposit amount for whole of the year shall be got deposited as per rule corresponding with the increased quantum.

- (21) Local fund cess under the Gujarat Panchayats Act, 1993 shall not be collected on the charges of water supplied for non-agricultural purposes.
- (22) In case of industrial units, charges on supply of water by the Water Resources Department for their workers and other residents shall be assessed on the basis of 70 liters per person per day according to their population at the rates so fixed for drinking water supply whereas for remaining supply, the assessment of charges shall be on industrial rates as mentioned herein above.

Whenever such licensee institution seek permission for drinking water out of their sanctioned quota for industrial purpose, the concerned Superintending Engineer must verify number of persons/statistics of users of drinking water and forward a proposal along with certificate in this regard to the government for approval for drinking water usage and obtain permission from the Government. Such population shall not include floating population.

For such permission, the industry must install separate scientific meters with permission from the Department for measuring volume for both the purposes. The water supplied for drinking water purpose shall be filtered one hence the volume supplied shall be measured by installing meters at the colonies/village/towns as may be supplied water beyond such filter plants. Wherever arrangement for installation of meters is not possible, rates for entire volume shall be charged as per schedule of charges for industrial purpose.

Separate permissions for quantum of water for industrial use and drinking water purpose shall be obtained from the level of Government.

Although it will require permission from the Government in case it is for the first time. After sanction from the Government level, no separate permission from the Government will be necessary at the time of annual reservation of water where same quantum of water is proposed to be reserved for both the use or in case there is decrease in the originally sanctioned quantum of water. However, if there is increase in quantum, permission from the Government shall be essential. After the quantum is sanctioned, no fresh agreement shall be required if there is already an agreement signed with such industry. However, the letter of sanction shall be considered to be part of such agreement.

(C) Rates for Water Released for Fisheries :-

- (1) For filling the ponds for fisheries industry, rate for supply of water through flow from canals of flow irrigation schemes shall be Rs. 6.60 per 10,000 liters This rate is for filling the ponds during the ongoing irrigation.
- (2) Gradual price escalation shall be considered at the rate of 7.5% every financial year.
- (3) Measurements of volume of water shall be taken at the respective canal only. There shall be no exclusive water supply for filling ponds for fisheries industries purposes.
- (4) Concerned institution/unit shall procure water only after getting necessary permission from the Government and after signing agreement with the concerned Executive Engineer Procurement of water without following such process shall be deemed to be unauthorized act and the assessment/recovery shall be at the penal rates with interest.

- (5) If amount of water bill is not paid within six months, water supply will be discontinued. Amount of bill is not paid within two months from the date of bill, simple interest at the rate of 12% shall be charged.
- (6) The amount equivalent to charges for one month's supply of water at the prescribed rates shall be recovered in advance from the users before 10th of every month.
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## Bare Acts Live

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