

FARMERS ORGANIZATIONS

CONDUCT OF BUSINESS REGULATIONS 1999

In the exercise of the powers vested in it under Section 14 and 17 of the Punjab Irrigation and Drainage Authority Act, 1997, the authority has resolved to make and promulgate the following Regulations:

General

1. Title, Extent and commencement

1. These Regulations may be called Farmers Organizations (Conduct of Business Regulations), 1999.
2. These shall come into force at once.
3. These shall apply to all areas where Farmers Organizations have been established.

2. Name, Area and Registered Office.

- (1) Each Farmers Organization shall have its local distinct name as determined by the Chief Executive of the Area Water Board or the Superintending Engineer of the Area.
- (2) The Farmers Organization shall cover the gross area of the Distributory concerned.
- (3) The registered office of the Farmers Organization shall be situated at a convenient place within its area.

3. Rights of the Farmers

A Farmer operating within the limits of a Farmers Organization shall have the right to

:

- (1) equitable share of water as per distribution criteria;
- (2) contest elections as per Rules/Regulations etc;
- (3) elect the representative of the Water Course;
- (4) have access to all the records of the Farmers Organization;
- (5) have access to all the services provided by the Farmers Organization if he is entitled to such services;

- (6) make representations and complaints which shall be promptly attended to by the Management Committee.

4. **Obligations of Farmers etc.**

A Farmer shall;

- (1) pay all water rates, charges and other dues as determined under the law;
- (2) provide his contribution for the maintenance or improvement of the water channels or drains;
- (3) participate in the activities of the Farmers Organization;
- (4) obey and observe all the provisions of the Act, Rules and Regulations;
- (5) inform the Managing Committee about the damage to the water channel, violations of water schedule, incorrect assessment, water thefts, etc;
- (6) allow inspection of his land, crops and irrigation system;
- (7) maintain his water channel so as to ensure the proper supply of water to other water users; and
- (8) obey and observe the lawful decisions of the Farmers Organization.

5. **Duties and Responsibilities of the Farmers Organizations:**

A Farmer Organization shall:

- (1) faithfully observe and implement the provisions of the Act, Rules, Regulations and its Bye-Laws;
- (2) perform the functions assigned to it in good faith, and diligently, efficiently and to promote the public interest;
- (3) ensure that all Farmers get due share of water and make timely payments of their dues.

6. **Maintenance of Register**

The Management Committee shall maintain the following registers:

- (1) Daily Cash Transaction Account Register.
- (2) Receipt Register.
- (3) Members Register.

- (4) Irrigation Schedule Register.
- (5) Water Demand Register.
- (6) Minutes Register.
- (7) Monthly Cash Transactions Register.
- (8) Permanent Term Deposit Register.
- (9) Assets Register
- (10) Bank Accounts Register
- (11) Complaint Register

General Body

7. Functions & Powers of the General Body:

Subject to the Act, Rules and Regulations, the General body in its meeting shall have the power to:

- (1) elect the Office Bearers of the Management Committee;
- (2) pass vote of no confidence against an Office Bearers of the Management Committee;
- (3) approve the policy and periodic plans of operation, maintenance or improvement of the irrigation system;
- (4) approve the overall demand of all charges other than water rates;
- (5) approve the annual budget of the Farmers Organization;
- (6) consider the Audit Report of the Farmers Organization;
- (7) make recommendations to AWB/Authority for the improvement of the irrigation system and working of the Farmers Organizations, AWB and Authority.
- (8) approve the agreements relating to acquisition and disposal of the property.
- (9) approve the schedule of fines and penalties proposed by the Management Committee.
- (10) approve the water distribution schedule;
- (11) appoint Nehri Panchayat according to the Rules;

- (12) appoint Standing Committees to supervise or deal with specified matter relating to the affairs of the Farmers Organization;
- (13) appoint Special Committees for consideration of any matter relating to the Farmers Organization; and
- (14) determine the terms and conditions of persons to be employed by the Farmers Organization; and

8. **Meetings of the General Body**

- (1) General Meetings;
 - (a) The General Body of the Farmers Organization shall meet at least twice a year, once during each major crop season, at the registered office of the Farmers Organization or any other place within the area of Farmers Organization.
 - (b) A notice of 15 days shall be given specifying the date, time and place of meeting.
- (2) Special Meetings:
 - (a) One third of the members of a Farmers Organization may make a request in writing to the Chairman to call a Special Meeting of the General Body to consider the matter or matters specified in the requisition.
 - (b) On receiving the requisition under clause (a) above, the President shall convene a Special Meeting of the General Body within seven days of the receipt of the requisition. A notice specifying the purpose for calling such meeting shall be given to all the members of the General Body.

9. **Quorum etc.:**

- 1. The quorum for the General Meeting and Special Meeting shall be 50% of the total membership.
- 2. Except is otherwise provided in Rules and Regulations, all decisions shall be by simple majority of those present.

10. **Order of Business of Meetings:**

The orders of business at the Ordinary Meetings of the General Body shall be as follows:

- (i) Recitation from Holy Quran.
- (ii) Attendance of all members present
- (iii) Reading out the minutes of the preceding meeting and their ratification/correction.
- (iv) Report of the committees.
- (v) Unfinished business, if any, from the previous meeting.
- (vi) New business as per agenda and passing resolution(s).
- (vii) Election of the Committee(s) etc. if any.

MANAGEMENT COMMITTEE & SPECIAL COMMITTEES

11. **Constitution of the Management Committee**

- (1) The Management Committee of a Farmers Organization shall be headed by the President and shall comprise Office Bearers not exceeding nine as may be determined by the General Body.
- (2) The Management Committee shall, generally, consist of the following Office Bearers.
 - a) President
 - b) Vice-President
 - c) Secretary
 - d) Treasurer
 - e) Executive Members (5) including 3 from the tail area of the distributory.
- (3) The Office Bearers at (2) above shall be elected by secret ballot by the members of the General Body of the Farmers Organization held under the supervision of the Authority/ Election Officers.

12. **Termination, Removal and Resignation etc.**

- (1) Any Office Bearer of the Management Committee shall cease to hold office on the termination of his membership of the Farmers Organization.
- (2) An Office Bearer of the Management Committee may be removed by a vote of no confidence passed by majority of the total members of the General Body in a Special Meeting held for this purpose for which a seven days notice stating the reason for the removal must be given to the said Office Bearer and the members of the Farmers Organization.
- (3) An Office Bearer of the Management Committee may relinquish his office by tendering his resignation at any time in writing which is duly signed by him.
- (4) In case of any vacancy in the Management Committee, it shall be filled by the Management Committee by co-option for the unexpired period. The Committee shall report the case in the next meeting of the General Body for approval. The General Body may approve the co-option or elect another member for the vacant position.

13. **Meetings of Management Committee:**

- (1) The Management Committee shall meet at least once in every calendar month and there shall not be an interval of more than 40 days between two meetings. The meeting shall be convened by the President of the Farmers Organization.
- (2) When 50% of the total members of the Management Committee make a requisition for holding the meeting of the Management Committee, the President shall convene such meeting within seven days of such requisition.

- (3) When the majority of members at a General Body Meeting resolve to convene a meeting of the Management Committee, the President shall convene such a meeting within seven days of such notice.
- (4) The order of Business for the meetings of the Management Committee shall be the same, which is provided for the meetings of the General Body under Regulation (10) above.

14. **Functions of the Management Committee:**

- (1) Subject to the Act, Rules, Regulations, and the control and supervision of the General Body, the Management Committee of a Farmers Organization shall perform all functions and exercise all the powers of the Farmers Organization which are entrusted to the said Farmers Organization except such functions and powers which are exercisable by the General Body.
- (2) Without prejudice to the generality of the provisions of (1) above, the Management Committee of a Farmers Organization shall perform the following functions, that is
 - (a) operate, manage, maintain and improve the irrigation infrastructure of the Farmers Organization.
 - (b) manage the activities of a Farmers Organization in the delivery of water;
 - (c) assess and collect water rates.
 - (d) assess and collect other charges;
 - (e) develop policy and periodic plans of operations, maintenance and improvement and present them to the General Body;
 - (f) supervise the maintenance and improvement activities of the water channel;
 - (g) maintain such financial and other records of the Farmers Organization as may be prescribed by the Authority.
 - (h) prepare the budget of the Farmers Organization;
 - (i) enter into agreements with the approval of the General Body;
 - (j) appoint experts, advisors, servants and agents.

15. **Standing Committees:**

- (1) The General Body of the Farmers Organization may constitute one or more of the following Standing Committees:
 - (a) Operations (including water schedule) Committee;
 - (b) Maintenance Committee;
 - (c) Finance Committee;
- (2) The Management Committee or the General Body may refer any case to the concerned Standing Committee.
- (3) A Standing Committee shall assist the Management Committee in the performance of its duties relating to the work of the Standing Committee.

Duties and Powers of the Office Bearers:

16. **President**

The President shall:

- (a) exercise general supervision over the affairs of the Farmers Organization;
- (b) ensure the proper implementation of the decisions of the Management Committee and the General Body;
- (c) preside over the meetings of the Management Committee and General Body.
- (d) represent the Farmers Organization in its dealings with Area Water Board, Authority and other public or private entities;
- (e) convene the Meetings of the General body and the Management Committee; and
- (f) exercise such other powers and perform such other functions as the Management Committee may from time to time assign to him with his consent.

17. **Vice-President.**

The Vice-President shall:

- (a) assist the President in the performance of his duties.
- (b) shall perform the functions and exercise the powers of the President in his absence or in case of his inability to perform his functions etc
- (c) perform such other functions the Management Committee may from time to time assign to him with his consent.

18 **Secretary:**

The Secretary shall:

- (a) serve as the custodian of all the records of the Farmers Organization;
- (b) keep minutes of the meetings of the General Body and that of the Management Committee;
- (c) send notices for the meetings of the General Body and that of the Management Committee.
- (d) keep an up to date list of the members of the Farmers Organization along with their addresses;
- (e) receive the complaints of the members;
- (f) receive all correspondence of the Farmers Organization;
- (g) send all communications to the concerned persons or entities;
- (h) issue necessary certificates and copies of the record;

19. **Treasurer**

The Treasurer shall:

- (a) operate the Farmers Organization Fund under the directions of the President and supervision of the Management Committee;
- (b) sign the cheques jointly with the President;
- (c) maintain all financial records, cash books, inventories and other necessary and relevant records;
- (d) make payments on behalf of the Farmers Organization;
- (e) present the Annual Audit Report to the General Body;

- (f) represent the Farmers Organization in all financial transactions under the directions of the President.
- (g) furnish all information necessary for the preparation of Annual Budget.

20. **Executive Members**

- (a) The Executive Members shall assist the President, Vice-President Secretary and Treasurer in the performance of their duties as directed by the General Body.
- (b) The Chairmen of the Standing Committees shall be appointed from amongst the Executive Members.