

LAWS OF TRINIDAD AND TOBAGO

34 Chap. 54:41 *Waterworks and Water Conservation*

SUBSIDIARY LEGISLATION

WATER IMPROVEMENT AREA (CARONI IRRIGATION)  
REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

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UNOFFICIAL VERSION  
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WATER IMPROVEMENT AREA (CARONI IRRIGATION)  
REGULATIONS

*made under section 15*

G.7.12.44.  
[221/1946].

**Citation - 1.** These Regulations may be cited as the Water Improvement Area (Caroni Irrigation) Regulations.

**Application Schedule A 2.** These Regulations shall apply to the area described in Schedule A and declared to be a Water Improvement Area.

**Interpretation 3.** In these Regulations—

“the Area” means the Water Improvement Area referred to in regulation 2;

“competent authority” means the officer or authority designated for the purpose by the Minister;

“irrigation works” means the works constructed or maintained by the competent authority for abstracting, distributing or using water for irrigation purposes.

**Duties of Irrigation Officer 4.** (1) The Irrigation Officer shall give effect to the directions, general or special, given to him by the competent

authority in the exercise of his powers under the Act and shall also exercise the powers vested in him by these Regulations.

(2) The Irrigation Officer shall report to the competent authority upon the working of the Area at such times as the competent authority may fix, or whenever necessary or advisable, and shall furnish to the competent authority an annual balance sheet showing the amounts of Water Improvement Rates collected in respect of the Area and the expenditure on construction, management, supervision and maintenance of the works in the said Area. For the purpose of such balance sheet, the Chief Executive Officer of County Caroni shall forward to the Irrigation Officer a monthly return of the Water Improvement Rates collected by him.

(3) The competent authority may from time to time, by writing under his hand, with the approval of the Minister authorise, subject to such limitations as the Minister may think fit, any officer of the Ministry of Works to exercise any of the powers and to perform any of the duties conferred or imposed on the Irrigation Officer and may in like manner and with the like approval withdraw any such authority. Everything done in pursuance of authority granted under this paragraph shall have the same effect as if it were done by the Irrigation Officer.

**Removal of trees, refuse, etc. 5.** (1) The Irrigation Officer may by notice in writing under his hand require the owner or occupier of any land within the Area to—

(a) remove or lop any tree or remove or keep under control any vegetation, or destroy any rats or other vermin, which are on any such land and which are likely to damage any irrigation works;

(b) clear and remove from any watercourse used for the passage of irrigation water on or through any such land, any vegetation, refuse, soil or any other obstruction which obstructs or impedes or is likely to obstruct or impede the natural flow of water.

(2) Any such notice shall require the owner or occupier to take the necessary action within a reasonable time to be specified in such notice (not being less than fourteen days from the date of the service thereof) and if any of the requirements mentioned in subregulation (1)(a) is not complied with within the time specified and to the satisfaction of the Irrigation Officer, the owner or occupier, as the case may be, is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months, and, without prejudice to the foregoing, the Irrigation Officer or any person acting under his orders may enter upon any such land and carry out the necessary work at the expense of the owner or occupier, as the case may be, and such expenditure may be recovered as a simple contract debt in a suit instituted before any competent Court by the competent authority on behalf of the Government. If any of the requirements mentioned in subregulation (1)(b) is not complied with (within the time and in the manner aforesaid) the Irrigation Officer or any person acting under his orders may enter upon such land and carry out the necessary work.

(3) In cases where compliance with the requirements of a notice issued under this regulation necessitates or causes the destruction of valuable trees or plants, the competent authority shall pay to the owner of such trees or plants reasonable compensation for same. If the parties fail to agree as to the amount so payable, the compensation may be recovered by action against the competent authority before the appropriate Court as though the claim for compensation was a claim for damages against a private person and the provisions of section 26 of the Act shall apply in respect of any such claim.

**Power to withhold water 6.** The Irrigation Officer may refuse to allow water to be supplied or taken for the irrigation of lands in respect of which the water rate is in arrears, or for the irrigation of lands which are not properly provided with banks for the retention of water or for the irrigation of lands the owners of which have been convicted of an offence against the Act or these Regulations; and the water rate payable upon such land shall be payable notwithstanding such refusal.

**Fish traps prohibited 7.** Any person who shall, without authority, fish by means of a fish trap in any irrigation works is liable to a fine of fifteen hundred dollars or to imprisonment for six months.

**Waste of water 8.** Any person who wilfully causes waste of water conserved by any irrigation works is liable to a fine of fifteen hundred dollars or to imprisonment for six months.

**Further penalty for wasting water 9.** If the owner or occupier of any land irrigated by any irrigation works suffers or permits water obtained from such works or from any watercourse or channel connected therewith to run to waste on his land, or obtains water for such land from such works, watercourse or channel in a manner not authorised by the Irrigation Officer such owner or occupier is liable to a fine of fifteen hundred dollars or to imprisonment for six months.

**Compulsory provision of field ridges, etc. 10.** (1) The Irrigation Officer may by notice in writing under his hand require the owner or occupier of any land, within the Area to provide to his satisfaction, either individually or jointly with other owners or occupiers, proper field ridges and distribution and drainage channels for the supply, drainage, retention or exclusion of irrigation water.

(2) Such notice shall require the owner or occupier to take the necessary action within a stated time, which shall not be less than fifteen days from the date of the service of the notice.

(3) Any owner or occupier of land failing to comply with any of the requirements of a notice issued under this regulation is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months, and, without prejudice to the foregoing, the Irrigation Officer or any person acting under his orders may enter

upon any such land and carry out the necessary work at the expense of the owner or occupier, as the case may be, and such expenditure may be recovered as a simple contract debt in a suit instituted before any competent Court by the competent authority on behalf of the Government.

**Refusal to allow passage of irrigation water 11.** Any owner or occupier of land within the Area who refuses to allow the passage of irrigation water over his land, or who wilfully obstructs such passage, or knowingly does or allows to be done, on his land any act which impedes the normal distribution of irrigation water in the Area, is liable to a fine of fifteen hundred dollars or to imprisonment for three months.

**Construction of Unauthorized canals, etc. 12.** No person shall, without the authority in writing of the Irrigation Officer, construct any canal, drain, ditch or ford, or deepen or enlarge any existing canal, watercourse, drain, ditch or ford within the Area, and any person contravening this regulation is liable to a fine of fifteen hundred dollars or to imprisonment for six months whenever any such unauthorised construction or other work interferes with the proper functioning of any irrigation works.

**Allowing animals to stray 13.** Any person who allows any animals to stray on the banks or sides of any irrigation works is liable to a fine of seven hundred and fifty dollars or to imprisonment for three months.

**Power to arrest 14.** The Irrigation Officer or any officer or servant of the Ministry of Works duly authorised in writing by the Irrigation Officer may arrest any person found committing any offence against section 5, 6, 8 or 35 of the Act and regulation 7 of these Regulations. Any person so arrested shall be delivered as soon as possible into the custody of a constable.

**Service of notices 15.** The provisions of section 33 of the Act applies in respect of the service of notices issued under these Regulations.

#### **SCHEDULE A**

Regulation 2.

[221/1946].

All that area of land situated in the Wards of Cunupia and Chaguanas, both in the County of Caroni, and bounded by a line commencing at the north-western corner of the Woodford Lodge Estate on the left bank of the Madame Espagnol River and proceeding from thence along the southern and eastern boundaries of State lands adjoining the Woodford Lodge and Felicity Estates to the northern boundary of the access road trace at its commencement near the north-west corner of the Felicity Estate; thence in an easterly direction along the northern boundary of the said access road trace to its junction with another access road trace; thence due South along the eastern boundary of that access road trace to the south-western corner of a parcel containing 49a. 1r. 19p. of land now or formerly the property of George J. Kernahan; thence due East to the northwestern

corner of a parcel containing 9a. 3r. 39p. of land now or formerly the property of J. A. Campbell; thence due South to the north-western corner of a parcel containing 4a. 3r. 39p. of land now or formerly the property of James Henry; thence due East to the north-eastern corner of the same parcel; thence due South to the north-western corner of a parcel containing 9a. 3r. 24p. of land now or formerly the property of Nathaniel Cuff; thence due East to the northeastern corner of the same parcel; thence due South along the western boundary of a parcel containing 25 acres of land now or formerly the property of Joseph Rymer to the northern boundary of the Cacandee Road; thence north-eastwards along the northern boundary of the said road, to the eastern boundary of the last-mentioned parcel; thence north-easterly and easterly along the northern boundary of the Cacandee Road to the south-east corner of a parcel containing 19a. 3r. 27p. of land now or formerly the property of Boya; thence along the western and northern boundaries of a parcel containing 1r. 39p. of land now or formerly the property of the Woodford Lodge Estate; thence due North along the western boundary of the Tahadille Road to the south-eastern corner of a parcel containing 10 acres of land now or formerly the property of Seebaran; thence due East, crossing the Tahadille Road, along the northern boundary of a trace to the south-western corner of a parcel containing 10 acres of land now or formerly the property of Nasiban; thence due North to the north-western corner of a parcel containing 5 acres of land now or formerly the property of Ramkalawansingh; thence due East to the north-eastern corner of the same parcel; thence due North to the south-western corner of a parcel containing 10 acres of land now or formerly the property of Jugmohun Mahradge; thence due East to the south-eastern corner of the same parcel on the western boundary of the Caroni Savanna Road; thence northwards along the western boundary of the said road to the northern bank of the Cunupia River Canal; thence due East along the northern bank of the said canal to the south-eastern corner of a parcel containing 10a. 0r. 1p. of land now or formerly the property of Annund; thence due North to the south-western corner of a parcel containing 10 acres of land now or formerly the property of Mahomedbocus; thence due East to the southeastern corner of the same parcel; thence due North to the north-eastern corner of the same parcel; thence due West to the south-eastern corner of a parcel containing 15a. 3r. 36p. of land now or formerly the property of Neamuth; thence due North to the north-eastern corner of the said parcel; thence due East to the south-eastern corner of a parcel containing 5 acres of land now or formerly the property of Hurdun; thence due North to the north-eastern corner of the said parcel; thence due East to the south-western corner of a parcel containing 9a. 3r. 13p. of land now or formerly the property of Deehaloo; thence due North to the north-western corner of the said parcel; thence due North to a point on the northern boundary of the Bejucal Road, thence easterly along the northern boundary of the Bejucal Road to the south-eastern corner of a parcel of land now or formerly the property of Bhagwandeem and Mahadaya; thence due North along the western boundary of a road reserve to the south-eastern corner of a parcel containing 4a. 3r. 39p. of land now or formerly the property of Haipattoo and others; thence due East along the northern boundary of an access road trace to the south-western corner of a parcel containing 3 acres of land now or formerly the property of Mungaree and Ramoutar; thence due North to a point on the northern boundary of Warren Road; thence due East along the northern boundary of the Warren Road to the south-western corner of a parcel containing 16 acres

of land now or formerly the property of Rangoo; thence due North to the northwestern corner of the said parcel; thence due East to the south-eastern corner of a parcel containing 10 acres of land now or formerly the property of Rangoo; thence due North to the northern boundary of an access road trace; thence due East to the south-eastern corner of a parcel containing 3a. 0r. 36p. of land now or formerly the property of Gangersingh and Mungia; thence due North along the western boundary of an access road trace to a point due West of the southwestern corner of a parcel containing 9a. 3r. 35p. of land now or formerly the property of Baldeosing; thence due East to the south-eastern corner of the last mentioned parcel; thence due North to the north-eastern corner of the said parcel; thence due West along the southern boundary of an access road trace to the northern boundary of which road trace forms the southern boundary of the Caroni Sugar Estates, Ltd., to a point on the left bank of the Guayamare River; thence due West across the River to the right bank; thence in a south-westerly direction along the right bank of the Guayamare River and the Madame Espagnol River to a point due West of the north-western corner of the Woodford Lodge Estate; thence due East across the river to the point of commencement.

### **TUNAPUNA RICE AREA**

All that area of land situate in the Ward of Tacarigua in the County of St. George, more particularly described as bounded by a line commencing at the south-eastern corner of a parcel of land comprising 1a. 3r. 4p. now or formerly the property of Ramballi proceeding thence in a south-easterly direction along the northern boundary of Orange Grove Road, crossing Freeman's Road, a Road Reserve, Tunapuna River and Streatham Lodge Road to a point on the eastern boundary of the last named road; thence in a southerly direction along the eastern boundary of Streatham Lodge Road crossing Guayabal River, Trinidad Government Railway lands (Port-of-Spain-San Fernando Line), Tacarigua River and a Road Reserve to a point at its intersection with the southern boundary of the said Road Reserve, which point is situate at the north-western corner of a parcel of land now or formerly the property of Khurjune and Adjejan; thence in an easterly and south-easterly direction along the southern and western boundaries of the said Road Reserve which lies West of the Trinidad Government Railway lands crossing a Canal to a point at its intersection with the southern boundary of a Road Reserve which forms the southern boundary of a parcel of land comprising 0.766 of an acre now or formerly the property of Soomeria; thence in a westerly direction along the southern boundary of the said Road Reserve to a point on the western boundary of the Streatham Lodge Road; thence in a northerly direction along the western boundary of the said Road Reserve to a point at its intersection with the southern boundary of another Road Reserve, which bounds with a canal, the northern boundary of which forms the southern boundary of a parcel of land comprising 1.081 acres now or formerly the property of Subbadoo and Chengamal; thence in a westerly direction along the southern boundary of the said Road Reserve, crossing Freeman's Road, to a point on the western boundary of the said Freeman's Road; thence in a northerly direction along the western boundary of the said road, crossing two canals, to a point at the north-eastern corner of a parcel of land comprising 1.264 acres now or

formerly the property of Ramnuaj Maradge; thence in a westerly direction along the northern boundary of the said parcel of land, crossing Tacarigua River, to a point on its right bank, thence in a north-westerly direction along the right bank of the said river to a point at its intersection with the western boundary of a Road Reserve, thence along the western boundary of the said Road Reserve to the north-eastern corner of a parcel of land comprising 1.432 acres now or formerly the property of John Springer; thence in a north-easterly direction crossing the Road Reserve to a point at the intersection of the northern boundary of the said Road Reserve and the western boundary of a canal, which forms the eastern boundaries of the parcels of land comprising 1.035 acres, 0.605 acre, 0.500 acre and 0.647 acre now or formerly the properties of Algoo and Nepaulia, Kalliah and Teemul, Hitlall and Luckeah, and Dussai and Bhoodai respectively; thence in a north-easterly direction along the eastern boundaries of the above four parcels of land to the north-eastern corner of the last named parcel of land; thence in a westerly direction along the northern boundary of the said parcel of land to the north-western corner; thence in a northerly direction, crossing Tunapuna River to a point on the western boundary of a drain which point is situate  $273^{\circ} 47'$  and is 29.4 links distant from the north-western corner of a parcel of land comprising 2a. 3r. 34p. leased to the Imperial College of Tropical Agriculture; thence on a bearing of  $93^{\circ} 47'$ , crossing the drain for 853.4 links to the north-eastern corner of the said parcel of land, which corner is situate on the right bank of the Tunapuna River; thence in a north-easterly direction along the right bank of the said river to a point at its intersection with the western boundary of Freeman's Road; thence in a northerly direction, crossing a Road Reserve, the former Trinidad Government Railway lands (Port-of-Spain-San Fernando Line) and Orange Grove Road to the point of commencement.