

# The Sakri Canals Irrigation Rules, 1952

BIHAR

India

## The Sakri Canals Irrigation Rules, 1952

### Rule THE-SAKRI-CANALS-IRRIGATION-RULES-1952 of 1952

- Published on 18 April 1952
- Commenced on 18 April 1952
- [This is the version of this document from 18 April 1952.]
- [Note: The original publication document is not available and this content could not be verified.]

The Sakri Canals Irrigation Rules, 1952 Published vide Bihar Gazette, Extraordinary dated April 23, 1952, Notification No. B/A6-1012/51-1-5777, dated 18th April, 1952 These Rules will come into operation, with effect from the 1st May, 1952.

#### 1.

These Rules may be called the Sakri Canals Irrigation Rules.

#### 2.

In these Rule :-(a)"Form" means a Form in the Appendix to these Rules;(b)"Section" means a Section of the Bengal Irrigation Act, 1876;(c)"Collector of the District" means the Civil Officer concerned in charge of one of the districts of Gaya, Patna or Monghyr;(d)"Superintending Canal Officer" means the Superintending Engineer, having control of any Division on the Sakri Canal;(e)"Divisional Canal Officer" means the Executive Engineer in charge of the Sakri Canals;(f)"Sub-divisional Canal Officer" means the Engineer Officer in charge of any subdivision of the Sakri Canals;(g)"Sectional Canal Officer" means the Engineer Officer in charge of any section of the Sakri Canals;(h)"Canal Deputy Collector" means the Deputy Collector in charge of the Irrigation Revenue Division of the Sakri Canals;(i)"Canal Revenue Assistant" means the Irrigation Revenue Officer concerned in charge of one or more Revenue circles under the Canal Deputy Collector;(j)"Canal Ziladar" means the officer appointed to make assessments or collection in Sakri Canals including the Revenue Division;(k)"Chief Engineer" means the Officer who controls, the work of the Superintending Canal Officer.Applications

#### 3.

(1)Every application for the supply of water under Section 74 shall be submitted to the Sectional or Sub-divisional Canal Officer.(2)An application for the supply of water of any of the following classes

shall be in the Form mentioned against such class :-

Class of application	Form No.
(a) Kharifseason lease ... ..	II
(b) RabiSingle watering ... ..	III

#### 4.

An application for a Kharif season lease -(a)May be made only in respect of a compact block of land bounded by field bandhs not less than nine inches high;(b)Shall be signed by occupiers of not less than 60 per cent, of the irrigable rice area in such block; and(c)Shall be submitted not later than 10th June, or on such later date as may be sanctioned by the Divisional Canal Officer.Leases

#### 5.

A permit for the lease of outlet supply of any of the following classes shall be in the form mentioned against such class :-

Class of lease Permit	Form No.
(a) Kharifseason lease ... ..	IX
(b) RabiSingle watering ... ..	X

#### 6.

The accepted application signed by at last 60 per cent of the occupiers concerned together with the permit signed by the authorised Canal Officer shall constitute the lease document and every lease shall be subject to the following conditions, namely :- (a)The lessee shall not use the water supplied to or taken by him, under such lease, except for the purpose of irrigating the land mentioned in the lease document. (b)The lessee shall be entitled to receive water for Kharif irrigation from a water level in the Government channel or Ahar not lower than that of which the size of the outlet has been fixed. (c)The lessee shall not be entitled to flow irrigation unless existing appliances admit of such irrigation. (d)The lessee shall not construct, or be entitled to require the construction of, any earthen stop-darn or other work intended to raise temporarily the level of water in the Government channel. (e)The lessee shall not be entitled to receive water unless the village-channel through which it is conveyed is, in the opinion of the Sub-divisional Canal Officer, in such a state of repair as to prevent the waste of water during supply. (f)One or more Lambardars shall be appointed in the manner specified in Rule 20 to represent the lessees and to perform the duties specified in Rule 22. (g)Each lessee shall be liable to assessment for water rate on receipt by the Lambardar of the lease permit: Provided that if the Lambardar receives a permit for a Kharif season lease later than fifteen days after receipt of the application by the Canal Officer to whom it is submitted, the Lambardar shall be entitled to treat the permit as cancelled unless water has actually been supplied before issue of the permit under the written order of the Sub-divisional Canal Officer as authorised by Rule 27. (h)The outlet and portion of the village-channel in Government land shall be kept in a proper state of repair by the Irrigation Department.

**7.**

A permit for a Kharif season lease shall not be granted -(a)unless the block to be irrigated has well-marked boundaries distinguishing it clearly from the adjoining unleased lands and is so situated that such lands or adjoining blocks are in the opinion of the Sub-divisional Canal Officer not readily irrigable by water passed through the block;(b)unless the village-channel through which the water is to be supplied is of such length as is likely in the opinion of Canal Officer authorised to issue the permit to prevent any difficulty or excessive use of canal water in irrigation:Provided that if the Canal Officer refuses a permit on this ground, he shall state in his order of refusal the manner in which it is apprehended that waste will occur.

**8.**

The Canal Officer may in granting a permit exclude from the lease any high land or isolated land included within the boundaries of the lease block which is not irrigable by direct flow and other land which is so low as practically never to require canal water during the Kharif season.

**9.**

A permit for a single watering during the Kharif season shall not be granted unless water is available after fully meeting the requirement of areas including in Kharif season leases.

**10.**

(1)The Superintending Canal Officer or the Chief Engineer; Irrigation, may, at request of the Canal Deputy Collector, direct the Divisional Canal Officer to cease to issue permits for the irrigation of lands situated in villages in which there have been repeated difficulties in realising more than 60 per cent of the water rates.(2)A direction issued under this Rule shall be in force until the arrears are paid or for such period not exceeding three years as may be specified therein.Lambardars

**11.**

(1)The Sub-divisional Canal Officer may, in consultation with the applicants for any lease and with the Ziladar concerned, appoint one or more persons to be Lambardars to represent all the applicants jointly or may appoint a person to be a Lambardar to represent any section of such applicants.(2)If the Sub-divisional Canal Officer is unable to agree with the applicants as to the person or persons to be appointed as Lambardar, the appointment shall be made by the Divisional Canal Officer.(3)No person shall be appointed to be Lambardar unless he has a beneficial interest in the land to be irrigated or some part thereof and is sufficiently literate.

## 12.

The Divisional Canal Officer may, for reasons to be recorded in writing, remove any Lambardar whom he considers unsuitable and may direct that another person shall be appointed as Lambardar by the Sub-divisional Canal Officer in accordance with the provisions of Rule 11.

## 13.

(1)The Lambardar shall -(a)obtain signatures of applicants for the supply of water and certify the correctness of such signatures;(b)attend and give assistance in measuring land irrigated or proposed to be irrigated;(c)give timely information to the Canal Officer of the irrigation requirements of the lease block and report promptly when the irrigation of the leased area under each outlet is completed;(d)supervise the distribution of the water supplied through an outlet amongst the persons entitled thereto and report any misuse of such water;(e)attend if required to do so when complaints are investigated by a Canal Officer and give any information required in connection with the investigation of such complaints;(f)receive from the Canal Officer and distribute demand slips (parchas) to the persons named therein and submit an early report regarding the distribution of such purchas accompanied by acknowledgements of their receipts by the ratepayers;(g)return to the Canal Officer for distribution by official agency all parchas not distributed within fourteen days of receipt by him;(h)report before the 20th October all cases in which crops have been injured by deficiency or irregularity of supply in the Kharif season;(i)assist the Canal Deputy Collector by pointing out the residences of the persons assessed and identifying them and by generally helping in the collection of water-rates.(2)The Lambardar shall be entitled to verify at site the gauge reading recorded in the gague book by a gauge reader, and may report any discrepancy to the Sub-divisional Canal Officer.

## 14.

(1)The authorised Canal Officer shall pay to the Lambardar as remuneration for the performance of the duties mentioned in Rule 13 a proportion of the total water-rate assessed on the occupiers represented by him and calculated as follows :-@ Rs. 2 per Rs. 100 of assessment for all leases.Fractions of a rupee in the total of the assessment and pies in the amount of remuneration shall be omitted.(2)The remuneration payable to the Lambardar shall be deemed-to be payable in the proportion of one-third for water-rate assessment work, one-third for water-rate collection work and one-third for water distribution work, and shall be paid by the Canal Officer not later than the 31st October of the next Kharif season.(3)Such remuneration shall not be paid to the Lambardar unless he has satisfactorily performed the duties specified in Rule 13 and the Divisional Canal Officer or the Canal Deputy Collector may, for reasons to be recorded in writing, withhold payment of any portion of the proportion of the remuneration due to the Lambardar if he has not satisfactorily performed the duties, for which such proportion is deemed to be payable under this Rule.Village-Channels

**15.**

The Divisional Canal Officer shall maintain register of all village-channels as required by Section 47. A newly-constructed private channel shall be registered on the written request of the owner.

**16.**

The sum fixed as rent under Section 68 to be payable by persons using the village-channels shall be not less than 8 annas per acre on the land of each such person assessed with water-rate. Any expenditure specially incurred by Canal Officer in collecting village-channel rent on behalf of the owner of the village-channel under Section 70 shall be met by the owner. Supply of Water

**17.**

The Superintending Canal Officer or in the case of an Independent Division, the Chief Engineer, shall, not later than the 15th October in any year, cause to be posted in each Sectional and Sub-divisional Office notice regarding the following matters :-(a)The limits within which water will be available during the next Kharif season for season leases.(b)The distributaries and Ahars from which water will be supplied only during the Rabi season.(c)The localities in which he has prohibited the issue of permits entirely or during the Kharif season only.

**18.**

No person shall be entitled to the supply of water and water shall not be supplied until -(a)a permit has been granted by the authorised Canal Officer to such person and issued to the Lambardar concerned:Provided that in special cases of exceptional emergency the Sub-divisional Canal Officer may by an order in writing authorise the supply of water to any person before a permit is issued to such person;(b)until the village-channel through which water will be supplied to such person has been put in a proper state of repair in accordance with the directions given by the Sub-divisional Canal Officer after he has himself inspected the channel.

**19.**

(1)If after the supply of water has commenced, the Sub-divisional Canal Officer after personal inspection of a village-channel is satisfied that it is not in a proper state of repair and that in consequence a wastage of water is occurring, he may close the outlet and stop the supply of water for a period not exceeding seven days and shall inform the Lambardar and the Divisional Canal Officer immediately.(2)If the repairs required to the village-channel are not carried out within seven days, the Sub-divisional Canal Officer may, with the previous sanction of the Divisional Canal Officer, stop the supply of water for further period until the repairs are effected. Notice of the stoppage of the supply of water under this clause shall be sent immediately by the Divisional Canal Officer to the Collector of the district.

## 20.

In the case of any pressing emergency any Canal Officer may stop the supply of water to any canal or distributary. If any Canal Officer below the rank of Divisional Canal Officer orders such stoppage, he shall forthwith report his action to the Divisional Canal Officer, and, if the stoppage exceeds five continuous days, to the Superintending Canal Officer or in the case of an Independent Division, to the Chief Engineer.

## 21.

The Divisional Canal Officer, may after notice to the Lambardars concerned, by an order in writing direct that any outlet or group of outlets shall be closed in accordance with a programme of rotation.

## 22.

(1) In the Kharif and Rabi seasons the Irrigation Department shall be responsible for making available for supply through the outlet the irrigation requirements of the leased area at the rate of flow as estimated at the accepted "duty" for such area but shall not be responsible for any silt clearance of the village-channel needed in lengths outside Government land to induce such rate of flow through the outlet. (2) The Lambardars shall inform the Sectional Canal Officer when the area under lease has been fully irrigated during each watering.

## 23.

(1) The Sub-divisional Canal Officer may supply water -(a) for manufacturing of bricks, at the rate of Rs. 50 per 1,00,000 bricks; (b) for constructing mud walls, at the rate of four annas per 100 c. ft. of walling. (2) If water is taken for any of the purposes specified in clauses (a) and (b) without the previous sanction of the Sub-divisional Canal Officer the person so taking water shall be liable to pay a charge of one rupee per thousand bricks or eight annas per 100 c. ft. of walling, as the case may be. [Water-Rates] [These rates came into operation with effect from 8th July, 1959.]

## 24.

(1) The following rates shall be payable for the supply of water for the purpose of flow irrigation. -

Class of lease	Water supplied	Rate per acre	To be paid on or before
From	To		
Kharif season	25th June	25th October	Rs. 105
Rabi season	25th October	26th March	31st January
			31st May

(2) Water-rates for lands requiring lift irrigation, if included in a season lease, shall be the same as laid in sub-rule (1). (3) For the purposes of calculating the rates mentioned in this Rule any area less

than 1/16th acre shall be charged as 1/16th acre and fraction of an anna shall be omitted from all calculations.

**25.**

If only a portion of a field is irrigated, the water-rates shall be chargeable on the whole field unless such portion shall have been clearly demarcated previous to the admission of water by a ridge not less than six inches high, and if a portion of a field has been irrigated by a canal water and the rest or other portion by other means, the whole field shall be assessed to water-rates unless clearly distinguishable boundary exists between the two portions.

**26.**

In the case of Kharif season leases water-rates will be charged on the areas in the lease block as found by actual measurement whether water is taken or not.

**27.**

In areas covered by a Kharif season lease, a special water-rate of eight annas per acre on areas left fallow or in which the crop is a complete failure may be sanctioned by the Division Canal Officer: Provided that an application for payment of water-rate at this special rate is presented to the Sub-divisional Canal Officer, during the currency of the lease and at least 20 days before the crop is cut.

**28.**

In areas covered by a season lease water if available will be supplied for rice seedings on application at single watering rates which may subsequently be remitted at the discretion of the Divisional Canal Officer if the area concerned is subsequently included in a Kharif season lease.

**29.**

In the case of Kharif season leases water if available may be supplied free of charges until 15th November if required by the lessee for "paira" crop only.

**30.**

Irrigation from escape channels or from drainage channels receiving canal water, if effected with the permission of the Sub-divisional Canal Officer shall be liable to assessment at half the Kharif season lease rate.

### 31.

(1) If canal water is used in an unauthorised manner, the persons chargeable under Section 79 may be assessed by the Divisional Canal Officer at the following special penal rates per acre -First watering at Rs. 7-8-0 per acre. Second and subsequent watering at Rs. 10 per acre: Provided that during the Kharif season such a rate shall be assessed only if water so used has been taken directly from a channel, Ahar, or a leased block receiving canal water. (2) If any tank or Ahar has been supplied with water obtained in an unauthorised manner, a rate of rupees five per hundred cubic yards shall be payable for such water. (3) Charges for waste of water referred to in Section 80 shall be at the same rate as laid down in sub-rule (1).

### 32.

(1) If the Sub-divisional Canal Officer is satisfied that canal water has been used in an unauthorised manner or wasted so as in either case to become liable to be charged for at the penal rates specified in Rule 31, he shall as soon as possible hold or cause to be held a local investigation and shall obtain and record the evidences of the Lambardar and the villagers and other persons concerned, he shall, if possible, give previous notice in writing to the persons affected by the enquiry of the date on which the enquiry is likely to be held. (2) If after such enquiry the Sub-divisional Canal Officer considers that a penal rate should be assessed in accordance with Rule 31, he shall forward the whole record of the enquiry with his opinion thereon to the Divisional Canal Officer for orders. (3) The Divisional Canal Officer may, after recording in writing his reasons for so doing, order that the rate shall be assessed in accordance with Rule 31 and shall determine the actual rates to be charged and shall return the record to the Subdivisional Canal Officer for compilation of the assessment with the assistance of the Assessment Ziladar. (4) Each person assessed shall then be served personally or by registered post with a demand statement showing the amount charged against him. (5) Any person so assessed may, within thirty days of the date on which he received the demand statement or within such further period as he may be allowed by the Divisional Canal Officer, file an objection to the assessment. (6) The Canal Deputy Collector shall after the expiry of the period for filing objections and after decision has been given on any such objection proceed to recover the sums assessed the payment of which shall then be immediately due.

### 33.

Penal rates under Rule 31 shall not be assessed if the unauthorised use of, waste of water has occurred through the act or neglect of a Canal Officer or any person employed on a canal.

### 34.

The occupier of any land which has been irrigated with water obtained in an unauthorised manner may apply for a lease in respect of such land and a lease may be granted for which the water-rate shall be payable in addition to the penal rate assessed under Rule 31. Demands And Collections



**35.**

The statements of the amounts chargeable for water-rates shall be prepared under the supervision of, and shall be signed by, the Divisional Canal Officer, and shall be in such form as the State Government may direct.

**36.**

(1)The demand statement for water-rates due under a Kharif season lease shall be prepared as soon as possible after the permit is issued, and shall show the water-rates due by each person whose land is included in the lease document whether such land has been actually irrigated up to that time or not. Demand statements (Parchas), showing the amount due from each lessee shall be sent to the Lambardar for distribution to such lessee, and shall be deemed to be a notice of a demand of the amount due from such lessee.(2)No notice of demand other than the Parchas referred to in clause (1) shall be issued during the currency of the lease.

**37.**

The Lambardar shall return to the Canal Ziladar all Parchas which he has not distributed within fourteen days after he receives them, and the Canal Ziladar shall publish at his office a list of such Parchas with a notice that any rate-payer may there receive his Parchas.

**38.**

Where water is supplied during the Rabi season -(1)The area irrigated in any village shall be measured in the presence of the Lambardar by an Amin, appointed for the purpose. The field book (khasra) shall be signed by the Amin and by the Lambardar and also by at least two respectable cultivators who may be present at the measurement;(2)when the measurement is completed, the khasra shall be forwarded to the Sub-divisional Canal Officer for check. The abstract demand statement (khatiani) shall be prepared by the Sub-divisional Canal Officer;(3)copies of abstracts of the demand statement (Parchas) affecting each occupier, signed and sealed by the Canal Ziladar shall as soon as they are prepared be forward by name to the Lambardar for distribution to the persons charged, and the Lambardar shall grant a receipt for the Parchas handed to him in such form as the Divisional Canal Officer may direct;(4)if the Lambardar is absent or declines to grant a receipt for the Parchas, the Sub-divisional Canal Officer shall cause to be served by registered post or otherwise on each person a Parcha showing the amount due from him.

**39.**

The Divisional Canal Officer shall forward the demand statements (Khatiani) to the Canal Deputy Collector as soon as they are all prepared and in any case not later than fifteen days before the latest day fixed for the payment of the water-rates.

**40.**

(1)if any land held on the Bhaoli tenure is supplied with water, the entire water-rates assessed under Section 78 shall be payable by the occupiers of such land, and the demand statement shall be made out by the Divisional Canal Officer or the Canal Deputy Collector in the name of occupiers:Provided that on receipt of an application in Form No. XIII from the owner of such lands, the Divisional Canal Officer or the Canal Deputy Collector may direct that the water-rates shall be recovered from the occupiers and from the owner, of such land in the same proportion as the produce is divisible among them, and the Divisional Canal Officer or the Canal Deputy Collector shall on receipt of such application alter the demand statement prepared under this clause accordingly.(2)On lands under Government management or under the Court of Wards half the water-rates shall be paid by the landlords.

**41.**

If any land held on Bhaoli tenure is liable to assessment under Section 79, the owners and cultivators of such land shall be assessed in the proportion in which the produce is divisible among them.

**42.**

(1)Any person may present an objection to any demand for water-rates made on him.(2)Every such objection shall -(a)be delivered personally or through the Lambardar or sent by registered post to the Sub-divisional Canal Officer, or to the Divisional Canal Officer;(b)be accompanied by a payment of four annas;(c)be presented or sent by post so as to reach the officer specified in clause (a) within thirty days of the date on which the Parcha was received by the Lambardar:Provided that the Divisional Canal Officer may extend this period if he is satisfied that there are reasonable grounds for doing so;(d)be in the Form prescribed by the State Government which shall be supplied free at all canal offices, and shall state clearly the name or the names of the persons objecting, the village and canal on which the fields are situated, the crop and the year for which the charge is made and the demand from each occupier to which objection is taken.(3)Objections addressed to the Collector of the district shall be forwarded by him to the Divisional Officer.

**43.**

On receipt of an objection the authorised Canal Officer shall, after such enquiries as he thinks fit, pass orders thereon and shall deliver or send by post a copy of such order to the person making the objection.

**44.**

(1)An appeal shall lie from any order passed by a Canal Officer under Rule 43 to the Collector of the district.(2)Every such appeal shall be accompanied by a copy of the order appealed against.(3)The

Collector of the district shall, after such enquiries as he thinks fit, pass orders on such appeal and may, by an order in writing direct that the collection of the water-rates shall be suspended until such appeal is decided.

**45.**

(1)When an appeal has been filed against an order of the Sub-divisional Canal Officer, Canal Revenue Assistant or Canal Ziladar, the proceedings shall be sent through the Divisional Canal Officer or Canal Deputy Collector, who shall forward them to the Collector with his opinion without delaying it for the purpose of making further enquiries.(2)The Collector may on his own motion or on the suggestion of the Divisional Canal Officer or Canal Deputy Collector make such further enquiries as he thinks fit.

**46.**

Collection of all water-rates shall be made by the Canal Deputy Collector in accordance with the statements of demands furnished to him by the Divisional Canal Officer except in the case of lands held on the Bhaoli tenure regarding which the provisions contained in Rule 40 shall apply.  
Remissions and Alterations of Demand

**47.**

(1)Claims for remission of water-rates under Section 76(b) shall be presented to the Sub-divisional Canal Officer in the form prescribed in Rule 42 (2) (d) either personally or through the Lambardar or by registered post at least twenty days before the crop is cut and no such claim shall be admitted unless it is supported by proof of loss caused by failure of supply of water from the Government channel.(2)If such a loss is proved,the Divisional Canal Officer shall if he is satisfied that the loss in any area -(a)exceeds two-thirds of the value of the normal irrigated crop, remit the whole of the water-rate on such area;(b)exceeds one-third and is less than two-thirds of such value, remit one-half of the water-rate.(3)Save as provided in clause (2) no remission of water-rates under Section 76 (b) shall be granted.

**48.**

(1)For the purpose of the discharge, calculations made in order to verify claims for remission of water-rate on account of failure of supply of water, the record of water gaugings on distributaries or on other Government channels shall be deemed to be conclusive.(2)As far as possible such gaugings shall be made at all control points in Government channels and Ahars.

**49.**

The Divisional Canal Officer may, if he thinks fit, grant remission up to 10 per cent of the water-rate assessed on any area covered by a Kharif season lease, if he is satisfied that the crop has failed and is

not more than one quarter of the average yield, notwithstanding that such failure is due to causes other than a deficiency in the supply of water from the Government channels and Ahars.

**50.**

A remission statement signed by the Superintending Canal Officer, Divisional Canal Officer or Canal Deputy Collector shall be sufficient authority for a refund by the Canal Deputy Collector.

**51.**

The Canal Deputy Collector may make any alteration in a demand statement received from the Divisional Officer: Provided that the total sum shown to be due is not altered or that such alteration is necessary to correct only a clerical or arithmetical error.

**52.**

If any sum due on account of water-rates cannot be collected owing to the debt, bankruptcy, or absconding of the defaulter, the amount due may be written off as irrecoverable by the Canal Deputy Collector with the previous sanction of the Superintending Canal Officer. A detailed list of all sums so written off shall be sent to the State Government.

**53.**

Remission of water-rates on account of widespread injury to crops caused by inundation, blight, storms or any such extraordinary cause shall be granted only under the special orders of the State Government.

**54.**

All application for compensation under Section 76(c) shall be made not less than twenty days before the crop is cut. Miscellaneous

**55.**

(1) No person shall after he has been required to desist therefrom pass or cause any animal or vehicle to pass on or across any of the works, banks or channel of a canal or Ahar drainage work except over such bridges, fords and ferries and their approaches as are provided for the purpose, unless he has been granted a written permit in this behalf by the Sub-divisional Canal Officer. (2) No person shall take or drive any vehicle or animal on any service road alongside or on the banks of any canal or Ahar : Provided that only during the hours of day light private motor cars, cycles, light pony traps and ponies may be taken on such road from the 1st of November to the 15th of June in any year.

**56.**

No official or member of any such ministerial or menial establishment employed on any canal shall, unless specially exempted by the State Government from this Rule, have any interest in the distribution of water from any of the channels of the canal or purchase or bid for any Government property sold thereon either in his own name or in the name of another person or jointly or in shares with other person nor shall any such official or member of any such ministerial or menial establishment buy or take on lease any land within any area supplied or which can be supplied with water from the canal except with the previous sanction in writing of the Superintending Canal Officer or of the Chief Engineer in the case of an Independent Division.

**57.**

Except as provided in these Rules and in the Bengal Irrigation Act, 1876, no appeal shall lie from any order passed by a Canal Officer: Provided that the Sub-divisional Canal Officer shall modify any order passed by him in accordance with a subsequent order of the Divisional Canal Officer or Superintending Canal Officer, and the Divisional Canal Officer or Canal Deputy Collector shall modify any orders passed by him in accordance with a subsequent order of the Superintending Canal Officer.

**58.**

Any order passed by the Canal Deputy Collector or the Canal Revenue Assistant for which no appeal is provided by the Act or otherwise by these Rules shall be appealable to the Collector if a petition of appeal is preferred against such order within thirty days of the passing of such order.

**59.**

The Collector of the district may, by special order passed in each case refer applications made to him under Rule 44 to any Deputy Collector for disposal, and in such a case an appeal against an order passed by the Deputy Collector may be preferred to the Collector of the district either by the applicant, the Divisional Canal Officer or the Canal Deputy Collector.

**60.**

The Chief Engineer shall exercise a general control over the proceedings of all officers in charge of Irrigation and Revenue works of the Sakri Canals. The Appendix Form II [See Rule 3 (2)] Application for a Kharif season lease Mauza ....., Parganas ....., Distributary ..... (Ahar No. ....)

**1. We, whose names are attached, apply under Section 74 of Act III (B. C.) of 1876 and the Rules under it by which we agree to be bound for water to be supplied from the abovementioned canal/distributary/Ahar from the 10th June to 31st October for the irrigation of the Kharif crops in the block formed by our holding as specified below.**

**2. The approximate area to be irrigated by each applicant is stated in the schedule following and each of us agrees to pay the whole of the water-rates on the area in his or her occupation as found by actual measurement at the rate of Rs. 5 per acre on or before the 31st January.**

This sum will be payable independently of our requiring water or not.

**3. We agree as far as possible to prevent water supplied being wasted or used in an unauthorised manner.**

The following are the boundaries of the block :-NorthSouthEastWest

## Schedule

Name of cultivator	Area to be irrigated	Signature of cultivator	Signature of witness to cultivator's signature	Remarks
--------------------	----------------------	-------------------------	--	---------

N.B. - Any smaller area than 1/16th acre will be charge as 1/16th acre. In calculating the assessment fractions of an anna will be omitted. I hereby certify that the signatures above are genuine, that with the exception noted in the above schedule, they comprise the whole of the occupiers of the land included in the block, the boundaries of which are mentioned above, and that areas given are approximately correct.....Signature of LambardarForm III[See Rule 3 (2)]Application for single watering in Rabi seasonMauza ....., Parganas ....., Distributary ....., (Ahar No. ....)

**1. We, whose names are attached, apply under Section 74 of Act III (B.C.) of 1876 and the Rules issued under it by which we agree to be bound for water to be supplied from the abovenamed canal/distributary/Ahar from the 1st November to end of 31st January for the irrigation of the area mentioned below.**

**2. The approximate area to be irrigated by each applicant is stated in the schedule following but each of us agrees to pay on or before the 31st March water-rates at Rs. 1.8.0 per acre, on the actual area in our occupation as found by measurement, with the proviso that only the area actually irrigated will be assessed.**

**3. We agree, as far as possible, to prevent water supplied being wasted or used in an unauthorised manner.**

## Schedule 2

Name of cultivator	Description of crops	Approximate area to be irrigated	Signature of cultivator	Remarks
--------------------	----------------------	----------------------------------	-------------------------	---------

N.B. - Any smaller area than 1/16th acre will be charged as 1/16th acre. In calculating the assessment fractions of an anna will be omitted. I hereby certify that the signatures above are genuine, and that the areas mentioned are approximately correct.....Signature of Lambardar Form IX[See Rule (5)]Permit for a Kharif season lease

Permit number	...	...
Number of application and date	...	...
Name of village	...	...
Name of pargana	...	...
Area to be irrigated	...	...
Name of distributary or canal	...	... Mile ....., Chains... ..
Name or number of Ahar	...	...
Bank	...	...
Position of outlet	...	...
Period for irrigating	...	... 10th June to 31st October
		Rs. a. p.
Water-rates due	...	...
Date of payment	...	... 31st January.
Name of Lambardar	...	...

Number of village-channel in Register

This permit is issued under Section 75 of Act III (B. C) of 1876 for the irrigation of the area mentioned above. It is subject to the provisions of all Rules passed under the Act. It is expressly agreed that water is supplied for the sole purpose of irrigating the land mentioned in the application. Water-rates will be charged on the areas in the occupation of each applicant within the block as ascertained by actual measurement, and will be charged whether water is or is not

required.....Sub-divisional Canal Officer. Form X[See Rule (5)] Permit for

single watering in Rabi season

Number of application and date ... ..

Name of village ... ..

Name of pargana ... ..

Area to be irrigated more or less ... ..

Name of distributary or canal ... ..

Name or number of Ahar ... ..

Position of outlet ... ..

Period of irrigating ... ..

Water-rates due ... ..

Date of payment ... .. 31st March.

Name of Lambardar ... ..

The permit is issued under Section 75 of Act III (B. C.) of 1876 for the irrigation of the area mentioned above. It is subject to the provisions of all Rules passed under the act. It is expressly agreed that water is supplied for the sole purpose of irrigating the land mentioned in the application. The area actually irrigated will be measured and charged, and applicants undertake, as far as is in their power, to prevent water being wasted or applied to the irrigation of land not included in the application.....Sub-divisional Canal Officer. Form

XIII[See Rule 40] Application from a "bhaoli" landowner To, The Whereas certain cultivators of mauza ....., pargana ..... of which I am proprietor, have, under Section 74 of Act III (B. C.) of 1876, applied to be supplied with water for the irrigation of lands in the above village of an area of ..... acres more or less, the water-rates on which will amount to Rs. ...., approximately, and whereas the above lands are held on a Bhaoli tenure, and I desire to pay a portion of the water-rates, I, therefore, under Section 74 of Act III (B. C.) of 1876 join in the application for water, and authorised you to collect from me\* of the water-rate assessed. Signature

.....Residence .....Witness .....\*

Proportion payable to be entered here.