

# **A.P. Farmers Organisation Rules, 1997**

ANDHRA PRADESH

India

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## **Rule A-P-FARMERS-ORGANISATION-RULES-1997 of 1997**

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A.P. Farmers Organisation Rules, 1997Published vide Notification No. G.O.Ms.No.541, Irrigation & Command Area Development (CAD.IV) Department, dated 27.12.2018Last Updated 12th June, 2018In exercise of the powers conferred by Section 43, read with Sections 2, 3, 4, 6, 8, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25 and 28 of the Andhra Pradesh Farmers Management of Irrigation Systems Act, 1997 (Act 11 of 1997), the Governor of Andhra Pradesh hereby makes the following Rules:-

### **1. Short Title.**

- These rules may be called the Andhra Pradesh Farmers Organisation Rules, 1997 (with updated Amendments, 2018).

### **2. Definition.**

- In these rules, unless the context otherwise requires:-(i)"Act" means the Andhra Pradesh Farmers Management of Irrigation Systems Act, 1997.(ii)"Farmers Organisation" means water users association at the primary level, Distributory Committee at the secondary level and project committee at the project level.(iii)[ "Commissioner" means an officer appointed by the Government as Commissioner, Command Area Development Authority.] [Added by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).]

**3. Every Farmers Organisation shall be a body corporate having a distinct name, an office, a common seal and shall by the said name sue and be sued.**

**4. The objects of the Farmers Organisation shall be as follows:**

(i)with due regard to the rights of members shall function in [a] [Inserted by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).] democratic

manner through consensus respecting the rights and duties of all members;(ii)to make their organization a viable, vibrant, and functioning entity;(iii)[ To assist the Water Resources Department in effective Water management with the objective of equitable distribution of water in the entire command with special focus on supplying water to farmers at the tail end areas; [Substituted by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).](iv)To assist the Water Resources Department for the upkeep of the Irrigation Systems and protecting them against any damages and to assist the Government in collection of Water Tax and dues, make prudent investment of their resources;(v)To motivate all the stake holders for achieving the objectives of Participatory Irrigation Management;](vi)to work in close coordination with Government departments and its agencies;(vii)to strive for sustainable water resources management and development;(viii)to ensure in dissemination of information;(ix)to build up a reliable database;(x)in areas of high water requirement like cropped areas, effective soil and water conservation techniques should be adopted with the guidance of departmental agencies;(xi)sustainable and effective land use system should be followed;(xii)implementation of agro-forest ecosystem wherever water erosion is a serious threat;(xiii)adoption of integrated watershed management system and integrated balanced nutrient management system;(xiv)to ensure that hydraulic structures are preserved and protected, without any modification unless otherwise approved by an authority vested with such powers;(xv)to work towards maintaining and sustaining an ecological balance and prevent degradation of the environment particularly soils and quality of water;(xvi)to strive towards becoming sustainable institution through a process of capacity building, skill up gradation and recovery of costs, wherever necessary; and xvii) to optimize productivity and production consistent with the availability of water supplies.Rights of Farmers Organisation

## **5. The rights of the Farmers Organisation shall be as follows:**

(i)to obtain information in time about water availability, opening / closing of main canal, periods of supply and quantity of supply, closure of canals etc.:(ii)[ To assist the Water Resources Department for distribution among the water users on agreed terms of equity and social justice;] [Substituted by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).](iii)to receive water according to an approved time schedule;(iv)to allocate water to non-members;(v)to levy separate fees for maintenance of the system;(vi)to levy any other fee or service charges, to meet management costs and any other expenses;(vii)to utilize the canal bunds as long as such use is not obstructive, or destructive to hydraulic structures - by planting timber, fuel, or fruit trees or grass for augmenting the income of the Farmers Organisation;(viii)to obtain the latest information about new crop varieties, and their pattern, package of practices, weed control, etc., for agriculture extension service, and purchase inputs such as seeds, fertilizers and pesticides; for use of its members;(ix)to have full freedom to grow any crop other than those expressly prohibited by a law and adjust crop areas within the total water allocated without causing injury to neighboring lands;(x)to participate in planning, and designing of micro-system;(xi)To suggest improvements / modifications in the layout of Field Channels/Field Drains to supply water to all the farmers in the command; and(xii)to plan and promote use of the ground water.Responsibility of The Farmers Organisation

## **6. The responsibility of Farmers Organisation shall be as follows:**

(i)to prepare the schedules of water deliveries and communicate to the concerned;(ii)to organize preparation of crop plan to match water deliveries with crop requirements;(iii)to supply water to all members in the command area as per the approved terms;(iv)to carry out timely maintenance and repairs to the distributory system including drains and other properties;(v)to organize repairs of the system by the farmers free of cost or on payment;(vi)to avoid and prevent misuse and wastage of water;(vii)to use water economically and judiciously and furnish data, to the Water Resources Department on water use, irrigated area, irrigation efficiency, and crop yields;(viii)to inspect water utilisation by the farmers in the command; assess irrigated crop areas and collect data on crop yields;(ix)to impose and recover penalties or fines for misuse and wastage of water and tampering or damaging with the irrigation network controls, sluices, outlets etc., as per the provision of the Act;(x)to educate farmers on preparing fields and adopting modern methods of field irrigation, such as borders, furrows, graded bunding for all round efficiency;(xi)to educate farmers on new crop varieties, packages of practices, pesticides, weedicides, etc.;(xii)to procure and hire implements and gadgets for agricultural operation where feasible and needed.;(xiii)to improve the system for efficient and economical use of available / allocated water, for efficient production of crops; and(xiv)to minimize conveyance and operational losses.

Rights of Member Users

## **7. The rights of the member users shall be as follows:**

(i)to suggest improvements/ modifications in water deliveries;(ii)to get information relating to water availabilities, allocations, opening /closing of canals and outlets, period of supply, frequency, etc.;(iii)to receive water as per specified quota for use;(iv)to have the freedom of growing any crop, other than those prohibited by law, adjusting the areas within the water allocated and without causing adverse effect to the crops of other farmers;(v)to sell or transfer the water share to any other water user within the operational area of water users association;(vi)to participate in the General body meeting and receive annual reports; and;(vii)to receive equitable benefits from the activities of the organization;

Responsibility of Member Users

## **8. The responsibilities of the member users shall be as follows:**

(i)to maintain the micro-level system particularly the turn outs, field channels, structures, and field drains;(ii)to be aware of the rules of operation of water supply framed by the Farmers Organisation for each season;(iii)to adhere to the water delivery schedules;(iv)not to tamper with the system by breaching, cross bunding, damaging the structure in the minor or field channel;(v)to close the turnout fully after the allotted turn or time is over;(vi)to conserve water and make judicious use of the irrigation supply;(vii)to divert water if not required during the turn or time allotted, so as not to damage other farmers field;(viii)to follow proper irrigation methods like borders, furrows, check basins etc.;(ix)to get the lands leveled /shaped for efficient utilization of land and water and to prevent deep percolations leading to water logging and salinity in the downstream areas;(x)to-pay the irrigation fees, water tax and service charges regularly and in time;(xi)to avoid misuse/wastage of water, taking water out of turn, taking more time than allotted;(xii)to avoid trampling of Field Channels/ Field Drains, by crossing at unauthorised points by men and cattle;(xiii)to maintain Field

Channels/Field Drains in the reaches specified by the Water User Association, or contribute to labour /cost for maintenance, whenever required;(xiv)to permit inspection of :(a)irrigated area;(b)measurement of irrigated area;(c)observation of water levels in dug wells/ bores/ tube wells;(d)crop - cutting experiments for assessing productivity / production; and(xv)to respect easementary rights and other customary practices in vogue in the system.

## **9. General Body.**

- (i) The General body of a Farmers Organisation shall comprise of all members as specified, under subsection 4 of Section 3 of the Act, in respect of a water users association; sub-section (3) of Section 5 of the Act in respect of a Distributory Committee, sub-section 3 [and 4 of Section 7] [Added as per G.O.Ms.No.53, datedt 11-4-2008.] in respect of a Project Committee.(ii)The General Body shall be assisted by the Competent Authorities as notified under Section 21 of the Act. The Competent Authority (Engineering) shall have the right to attend the meeting and record his views, but shall have no right to vote.

## **10. The General Body Meetings.**

- (i) The General Body shall meet at least twice in a year, once before the Kharif and once before the Rabi season. The meetings shall be presided over by the Chairman, President and in his absence [Vice-Chairman (or) vice-President] [Added as per G.O.Ms.No.53, datedt 11-4-2008.] as the case may be.(ii)The General Body may also be called at any time by the President or Managing Committee members through a majority resolution or by Members of the Organisation through a requisition signed by not less than 1/3rd of the Members with voting rights.(iii)A General Body meeting shall be held on receipt of a direction to do so from the Government or from the Commissioner, or by the next higher tier of the Farmers Organisation in respect of matters relating to urgent public importance and for any specific purpose.

## **11. Notice for General Body.**

- (i) On receipt of a notice either under sub-rule (2) or (3) of rule 10 the Managing Committee of the Farmers Organisation shall convene a General Body Meeting within 20 days by giving 7 days prior notice of the date, time and place of the meeting and also the agenda.(ii)Notice for the General Body meeting shall be sent at least 7 days in advance of the date of the meeting along with the Agenda. Notice may be sent by hand/ post / publication /beat of tom-tom and display on the notice board of the Organization.

## **12. Quorum for the General Body.**

- (i) At all the meetings of the General Body, the quorum shall be 1/3rd of the members and all resolutions shall be carried by a majority of the members present and voting;(ii)If there is no quorum for the meeting, the meeting shall be adjourned and be convened again at a date and time not later than two days of the first/original meeting;(iii)For the adjourned General Body Meeting,

no quorum is required and resolutions would be carried by a majority of the members present and voting; and iv) At a requisitioned General Body Meeting, the items specified in the agenda alone will be discussed. No other subjects will be discussed without the express permission of the Chairman/President or the majority decision of the members present in the meeting.

### **13. Minutes of the Meeting.**

- (i) Every proceeding of the General Body shall be recorded in the minutes book maintained for the purpose and authenticated by the Chairman / President or the person who has presided over the meeting, as the case may be. A copy of the minutes shall be sent to the authority at the next higher tier and to the concerned Executive Engineer in respect of Water Users Association in Minor Irrigation Systems. Powers and Functions of General Body of Farmers Organisation

### **14. The General Body shall have the following powers and functions, namely.**

- (i) to identify their Representatives by convening meetings as per the directions of the Government (or) Commissioner; (ia) [to identify their Representatives by convening meetings as per the directions of the Government (or) Commissioner.] [Inserted by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).] (ii) to approve the Operational Plan for each crop season and review its implementation in the area of operation; (iii) to allocate water amongst various main canals distributaries / minors / outlets, according to the operational plan approved; (iv) to decide on the manner of regulation and distribution of water; (v) to prepare annual and long-term financial and works plans and prioritize works for maintenance / repairs / upkeep, rehabilitation of the irrigation system as per the directions of the Government (or) Commissioner; (vi) to approve annual financial budget and review performance of the previous year budget; (vii) to appoint auditors for the annual audit and / or concurrent audit and to fix fees for the same; (viii) to set up sub-committees of Members for various activities and functions of the Organisation; (ix) to create or / setup such fund as may be required for different activities / works; (x) to levy a fees as defined under Section 20 of the Act; (xi) to decide on permissible administrative expenses within the ceilings prescribed, from time to time by the Government (or) Commissioner; and (xii) to carry out the recall proceedings as per Section 10 of the Act. Note. - The Sub-Rule No:9 is omitted earlier as per G.O.Ms.No.53, Dt:11-4-2008 and Sub-Rule 11 is now omitted (in view of omission of section 22 (iii) of Act and also due to newly adding of one more sub-Rule as sl.No.1. Hence, the Sl.Nos are corrected accordingly. Composition and Functions of Managing Committee

### **15. The composition and functions of the Managing Committee shall be as follows:**

(i) [The Managing Committee in respect of Farmers Organisations shall comprise of (i) the President, Vice-President and the members of Territorial Constituencies in respect of Water Users Association as specified in sub-section (1) of Section 4 of the Act; (ii) the President and Vice-President and Members in respect of Distributory Committee as specified in sub-section (1) of

Section (6) of the Act; and (iii) the Chairman and Vice-Chairman and members in respect of Project Committee as specified in sub-section (1) of Section 8 of the Act.]; [Added as per G.O.53, dated 11-4-2008.](ii)The Meetings of the Managing Committee shall be held at least once in every month at the office of the Organization. The meeting may however, be held more frequently if it so required. A meeting requisitioned, shall be held within 7 days of the receipt of requisition for such a meeting by the Chairman/President;(iii)Notice for the meeting shall be sent by hand/post/ delivery or published on the Notice Board;(iv)The Chairman / President shall preside over the meetings of the Managing Committee.In his absence, the Vice-Chairman (or) Vice-President shall preside over the meeting as the case may be;(v)Every proceedings of the Managing Committee shall be recorded in the minutes book maintained for the purpose, by the person chairing the meeting. A copy of the minutes shall be sent to the authority of the next higher tier and to the concerned Executive Engineer in respect of Water Users Associations in Minor Irrigation Systems;(vi)The quorum for the meeting shall be 1/3rd of the members. All resolutions shall be carried by a majority of the members present and voting; and(vii)If there is no quorum for the meeting, the meeting shall be adjourned to a date and time not later than three days and be convened again. For an adjourned meeting no quorum is required.Co-Option of Members

### **15A. [ Co-option of members in to Managing Committee of Farmers Organisation shall be as follows. [Added as per G.O.53, dated 11-4-2008.]**

- (i) Managing Committee of Water Users Association: Gram Panchayat shall nominate two Gram Panchayat members i.e., one male member and one Female member in to the Managing Committee of Minor Irrigation Water Users Association. In case there are more than the one Gram Panchayat in Water Users Association the nomination shall be from the Gram Panchayat whose ayacut is more in the Water Users Association area of operation. For Major and Medium Irrigation Water Users Associations there is no cooption of members from Gram Panchayat.(ii)Managing committee of Distributory Committee: All the Mandal Presidents in the area of operation of Distributory Committee shall be nominated to the Managing Committee of the Distributory Committee. The nomination shall be made by the District Collector.(iii)Managing Committee of Medium Irrigation Project Committee: All the Mandal Presidents, Members of Legislative Assembly, [Members of Legislative Counsel], and Members of Parliament in the area of Operation of Medium Project shall be nominated to the Managing Committee of the Project committee. The nomination shall be made by the District Collector.(iv)Managing Committee of Major Irrigation Project Committee: all the Members of Legislative assembly, [Members of Legislative Counsel] [Inserted as per G.O.272, dated 23-10-2009.], Members of Parliament and ZillaParishad Chairpersons in the area of operation of Major Project shall be nominated to the Mangaing Committee of the Project committee. The nomination shall be made by the Government.Note. - 1. The members co-opted to the Managing Committee of Farmers Organisations shall not have any voting right.

**2. While nominating the Rajya sabha members, and Members of Legislative Counsel, the criteria of name of the individual in the voters list of General elections is to be considered for co-option.]**

## Powers and Functions of The Managing Committee

### **16. The powers and the functions of the Managing Committee shall be as follows.**

- (i) to prepare and implement Operational Plan for each season in its area of operation;(ii)to prepare and implement Kharif and Rabi plans for various crops to be grown;(iii)to prepare budget and allocate resources for various activities;(iv)to prepare and implement annual and long term plans for repairs , maintenance, rehabilitation for development of the irrigation and drainage systems and to accord administrative sanction as per the orders given by the Government from time to time and taking up works as per availability of resources on priority;(v)to prepare or cause to be prepared annual accounts of incomes and expenditures, and assets and liabilities;(vi)to ensure equitable distribution of water among various water users;(vii)to evolve and implement systems of regulation control, monitoring and reporting of water use and land use;(viii)to recommend appointment of auditors for annual audit or concurrent audit to General Body;(ix)to organize execution of works as per Orders issued by the Government (or) Commissioner from time to time;[\*\*\*] [Omitted '(x) to recommend formation of sub-Committees to the General Body for undertaking various activities;' by Notification No. G.O. Ms. No.17, Water Resources (CADA) Department, dated 8.2.2019 (w.e.f. 27.12.2018).](xi)to settle disputes amongst the members;(xii)to nominate one of its members to operate the funds of the organization when the post of President (or) Vice-President falls vacant.(xiii)to provide developmental services to the Members related to irrigation and agriculture;(xiv)to take up training programme for members;(xv)to prepare annual list of all Water Users and Members with voting rights;(xvi)to assist the Revenue, Water Resources and Agriculture Departments in the preparation and Maintenance of basic records;(xvii)to maintain and operate a Reserve fund as per directions of the Government (or) Commissioner;(xviii)to scrutinize the audit reports and rectify defects and report to the General Body;(xix)to carry out and implement all decisions of the General Body; and(xx)to establish a management information system and submit periodical report as may be prescribed by Government.Duties of Chairman / President

### **17. The duties of the Chairman/ President of a Farmers Organisation shall be as follows.**

- (i) to preside over the General Body Meetings and Managing Committee Meetings and conduct the meetings in a peaceful and democratic manner;(ii)to sign and authenticate the minutes of the meetings and also other records of the Farmers Organisation as may be required;(iii)to have only a casting vote in the event of equality of votes on any matter being decided upon by the General Body or the Managing Committee, as the case may be;(iv)to be the custodian of all records, properties of the Farmers Organisation;(v)render full and complete accounts of all transactions of the Farmers Organisation;(vi)to sign all contracts and documents on behalf of the Farmers Organisation;(vii)to have powers to operate the accounts of Farmers Organisation jointly with Vice-Chairman / Vice-President;(viii)to represent the case of the Farmers Organisation in any dispute before Distributory Committee or Project Committee or Apex committee or the Government, as the case may be;(ix)to be an authorized representative of the Farmers Organisation at all other forums,

meetings called by any authority;(x)to be accountable for all transactions;(xi)to conduct the affairs of the Farmers Organisation in a democratic, free, fair and transparent manner; andNote. - In view of omission of Sub-Rule 10, the sl.nos of next sub-rules are changed and arranged in sequence order xii) to submit annual reports to the General Body on the activities of the Farmers Organisation.Duties of Vice-Chairman and Vice-President

### **17A. The duties of Vice Chairman/ Vice President of a Farmers Organisation shall be as follows.**

- (i) to discharge all the functions of the Chairman / President of the Farmers Organisations, in the absence of Chairman / President;(ii)to sign and authenticate the minutes of meeting where Vice Chairman / Vice President presides over the meeting as in Sub-Rule (1);(iii)to be the joint account holder along with the Chairman / President provided that, in case of difference of opinion in the matter of signing the cheques, the matter shall be placed before the Managing Committee, whose decision shall be final;(iv)to be the convener of water management sub-committee;(v)To carry out all the functions of the water management sub-committee and such other decisions of General Body and Managing Committee on water regulation and schedule of water release.Resignations

### **17B.**

(i)Any member of the Managing Committee or the President or the Vice-President of a Water Users Association in Major, Medium or Minor Irrigation system may resign his/ her office by tendering resignation in writing to the Superintending Engineer concerned directly in person or through registered post with acknowledgment due.(ii)The President and Vice President of Distributory Committee of a Major Irrigation system may resign his office by tendering resignation in writing to the Chief Engineer concerned directly in person or through registered post with acknowledgement due.(iii)Any Chairman / Vice Chairman of a Project Committee of Major/ Medium Irrigation system may resign his/ her office by tendering resignation in writing to the Commissioner directly in person or through Registered post with acknowledgement due.(iv)The Authority accepting the resignation shall cause to enquire through the concerned Competent Authority of the Farmers Organisation whether the person resigning has(a)any dues to the Farmers Organisation;(b)indulged in any financial irregularities;(c)abused his power during his incumbency; and(d)misappropriated the assets of Farmers Organisation.(v)Any resignation shall be accepted within 30 calendar days including the day of receipt of letter of resignation and day of acceptance of resignation and such order of acceptance of resignation shall be served to the person resigned in writing and acknowledgement obtained for taking necessary action.Filling Up of Vacancies

### **17C.**

A vacancy arising due to disqualification, death, or resignation, or recall or by any reason in any tier of the Farmers Organisation shall be filled in the manner detailed below:



## 1. Vacancies in Water Users Association:

(i)President(a)In the event of a vacancy of President in a Water Users Association, the Vice-President of that Water Users Association shall discharge the functions of the President from the date of occurrence of such vacancy, till the vacancy is filled in by election.(b)In Major Irrigation Projects, the Vice-President so discharging the functions of President is eligible to represent his Water Users Association in the Distributory Committee. However, he is not eligible to contest for the post of the President or the Vice-President of the Distributory Committee.(c)In a Medium Irrigation Project, the Vice- President so discharging the functions of President is eligible to represent his Water Users Association in the Project Committee of that Medium Irrigation Project. However he is not eligible to contest for the post of a Chairman or Vice-Chairman in the Project Committee.(d)The Vice-President discharging the functions of the President shall maintain the Bank account jointly with another Managing Committee member nominated by the Managing Committee for the purpose, till the vacancy of the President is filled in by election.(ii)Vice-President.(a)To fill in a vacancy of post of Vice-President in a Water Users Association, the President shall convene a special meeting of the managing committee which shall nominate the Vice-President from among the members of the Managing Committee, in the presence of Competent Authority (Engineering) with in fifteen days from the date of occurrence of such vacancy. Vice-President shall be nominated from upper reach if the President is from lower reach and vice versa.(b)The Vice-President so elected in the casual vacancy, shall continue in the office till the vacancy of Vice-President is filled in by elections.(iii)Territorial Constituency member(a)To fill a vacancy of a Territorial constituency member, the President shall convene a special meeting of the managing committee which shall nominate a water user who is a voter in that territorial constituency, to act as member of managing committee, within 15 days from the date of occurrence of such vacancy. However, such person is not eligible for election for the post of President or Vice President in Water Users Association during the period of such transitional arrangements.(b)The nominated member continues to hold the post only till a member of the territorial constituency is selected in the manner prescribed, in the causal vacancy.(iv)Convening Special Meeting. - The President shall convene a Special Meeting of the Managing Committee within 15 days from the date of occurrence of vacancy of Vice-President or member of territorial constituency for filling up of any causal vacancy.

## 2. Vacancies in a Distributory Committee

(i)President(a)In the event of vacancy of a president in a Distributory Committee, the Vice-President of the Distributory Committee shall discharge the functions of the President from the date of occurrence of such vacancy till the vacancy is filled in by election.(b)The Vice-President discharging the functions of President is eligible to represent his Distributory Committee in the Project Committee. However he is not eligible to contest for the post of Chairman or Vice-Chairman of the Project Committee.(c)The Vice-President who is also discharging the functions of the President shall maintain the Bank Account jointly with another Managing Committee member nominated by the Managing Committee for the purpose till the vacancy of the President is filled in by election.(ii)Vice President(a)To fill the vacancy of the post of Vice-President in a Distributory Committee, the President shall convene the meeting of the managing committee which shall

nominate the Vice-President from among the members of the managing committee in the presence of the Competent Authority (Engineering) within the fifteen days from the date of occurrence of such vacancy.(b)The Vice-President so elected shall continue in the office till the vacancy of Vice - President is filled in by elections.(iii)Convening Special Meeting. - Convening of Special meeting within 15 days from the date of occurrence of vacancy of Vice-President, shall be the personal responsibility of the President.

### **3. Vacancies in a Project Committee.**

(i)Chairman(a)In the event of vacancy of a Chairman in a Project committee, the Vice-Chairman of that Project Committee shall discharge the functions of the Chairman from the date of occurrence of such vacancy till the vacancy is filled in by election.(b)The Vice-Chairman discharging the functions of the Chairman shall maintain the Bank Account jointly with another Managing Committee member nominated by the Managing Committee for the purpose till the vacancy of the Chairman is filled in by election.(ii)Vice Chairman(a)To fill the vacancy of the post of Vice-Chairman in a Project committee, the Chairman shall convene a special meeting of the managing committee which shall nominate the Vice-Chairman from among the members of the managing committee in the presence of the Competent Authority (Engineering) within fifteen days from the date of occurrence of such vacancy.(b)The Vice-Chairman so elected shall continue in the office till the vacancy of Vice - Chairman filled in by election.(iii)Convening Special Meeting. - Convening of Special meeting within 15 days from the date of occurrence of vacancy of Vice-Chairman, shall be the personal responsibility of the Chairman.Settlement of Disputes

### **17D. Any dispute or difference touching the constitution, management, powers or functions of a Farmers Organisation arising shall be determined as follows.**

(1)Disputes in Major Irrigation System(a)Any dispute or difference arising between Water users in a Water Users Association shall be determined by the managing committee of Water Users Association concerned.(b)Any dispute or difference arising between water users and the managing committee of a water User Association or between two or more Water Users Associations shall be determined by the managing committee or Distributory Committee.(c)Any dispute or difference arising between two or more Distributory Committees shall be determined by the Managing Committee of Project Committee.(d)Any dispute or differences arising between two or more Project Committees shall be determined by the Apex Committee, whose decision shall be final.The Executive Engineer, Superintending Engineer and Chief Engineer will be the authorities for settlement of disputes in place of Distributory Committee, Project Committee and Apex Committee respectively when these bodies are not functioning.(2)Dispute in Medium Irrigation Projects(a)Any dispute or difference arising between Water users in a Water Users Association shall be determined by the managing committee of the Water Users Associations. Any dispute or difference arising between water users and the Managing Committee of Water Users Association or between two or more Water Users Associations shall be determined by the project committee.(b)Any dispute or differences arising between two or more Project Committees shall be determined by the Apex

Committee, whose decision shall be final. The Executive Engineer and Superintending Engineer will be the authorities for settlement of disputes in place of Project Committee and Apex Committee respectively when these bodies are not functioning.(3)Disputes in Minor Irrigation System:(a)Any such disputes or difference arising between in a Water Users Association shall be determined by the managing committee of that Water Users Associations concerned.(b)Any such disputes or difference arising between Water Users and the managing committee of Water Users Association or between two or more Water Users Associations shall be determined by the Executive Engineer concerned.Time limit for settlement of disputes. - Every dispute or difference under the rule shall be settled within thirty days from the date of reference of the dispute or difference.Appeals

**17E. A Party to a dispute or difference aggrieved by any decision made or order passed under Rule 17 D, may prefer appeal in the manner detailed below.**

(1)Appeals in Major Irrigation Projects(a)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Water Users Association may appeal to the managing committee of the Distributory Committee, whose decision thereon shall be final.(b)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Distributory Committee may appeal to a Project committee whose decision thereon shall be final.(c)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Project Committee may appeal to the Apex Committee whose decision thereon shall be final.In case Distributory Committee or Project Committee or Apex Committee is not functioning, the appellate authority will be the Superintending Engineer, Chief Engineer and the Government respectively, and whose decision there on shall be final.(2). Appeals in Medium Irrigation System(a)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Water Users Association may appeal to the managing committee of the Project Committee, whose decision thereon shall be final.(b)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Project Committee may appeal to the Apex Committee, whose decision thereon shall be final.In case of Project Committee or Apex Committee is not functioning the appellate authority will be the Superintending Engineer and Chief Engineer respectively whose decision thereon shall be final

**3. Appeals in Minor Irrigation System**

(a)Any party to a dispute or difference aggrieved by the decision made or order passed by the managing committee of a Water Users Association may appeal to the Executive Engineer Concerned, whose decision thereon shall be final.(b)Any party to a dispute or difference aggrieved by the decision made or order passed by the Executive Engineer may appeal to the Superintending Engineer concerned, whose decision thereon shall be final.

**4. Time limit for Preferring an appeal. - Any appeal under the Rule shall be preferred within thirty days of communication of the decision or the order to the person aggrieved.**

**5. Time limit for settlement of appeals. - Every appeal under the rule shall be settled within thirty days from the date of filing of the appeal.**

Inspection of Records

**17F. Inspection of records of a Farmers Organisation shall be as follows.**

- 1. Water Users Association:(a)The Competent Authority shall be the inspecting authority for any Water Users Association in his jurisdiction.(b)The inspecting authority shall have access to all records, to be maintained by the Water Users Association and shall affix his signature and date on the records and registers with his remarks, upon inspection.(c)Any misappropriation of funds or misuse of power noticed shall be brought to the notice of the Superintending Engineer concerned who shall take further action in accordance with the provisions of the Act and the Rules.

**2. Distributory Committee.**

(a)The Competent Authority shall be the inspecting authority for any Distributory Committee in his jurisdiction.(b)The inspecting authority shall have the access to all records to be maintained by Distributory Committee and shall affix his signature and date on the records and register with his remarks, upon inspection.(c)Any misappropriation of funds, or misuse of power noticed, shall be brought to the notice of the Chief Engineer who shall take further action in accordance with the provisions of the Act and the Rules.

**3. Project Committee.**

(a)The competent authority shall be the inspecting authority for any Project committee in his jurisdiction.(b)The inspecting authority shall have the access to all records to be maintained by Project Committee and shall affix his signature and date on the records and register with his remarks, upon inspection.(c)Any misappropriation of funds, or misuse of power noticed, shall be brought to the notice of the Commissioner who shall take further action in accordance with the provisions of the Act and the Rules.

**17G. The following are the authorities to remove the erring office bearers of the Farmers Organisations.**

- (i) Removal of office bearers:(a)The Superintending Engineer concerned shall be the authority to issue directions for proper functioning of the Water Users Association and remove any member of territorial constituency or President or Vice President of any Water Users Association in his

jurisdiction under Section 41A of the Act.(b)The Chief Engineer concerned shall be the authority to issue directions for proper functioning of the Distributory Committee and remove any president or Vice President of Distributory Committee in his jurisdiction under Section 41A of the Act.(c)The Commissioner shall be the authority to issue directions for proper functioning of Project Committee and remove any Chairman or Vice-Chairman of Project committee in his jurisdiction under Section 41A of the Act.Note. - The authority mentioned above shall give a reasonable opportunity to the aggrieved party to represent their cases before they are removed from their posts.

## **2. Authority for Appeal.**

(a)Any party aggrieved by any decision made or order passed by the Superintending Engineer under the rule may appeal to the District Collector concerned, whose decision thereon shall be final.(b)Any party aggrieved by any decision made or order passed by the Chief Engineer under the rule may appeal to the Commissioner whose decision thereon shall be final.(c)Any party aggrieved by any decision made or order passed by the Commissioner under the rule may appeal to the Government, whose decision thereon shall be final.Transitional Arrangements

## **17H. Transitional arrangements for the Farmers Organisation are as follows.**

- 1. Officer: After completion of the term of elected bodies of the Farmers Organisation, and where no incharge arrangements are made all the records of the concerned Farmers Organisation shall be handed over to the following officers as per the specific instructions from the Government who will exercise powers and to perform the function of the Farmers Organisations.(a)Deputy Executive Engineer concerned shall be the authority to take over the charge of the Water Users Association with all records and exercise the powers and perform the functions of the Farmers Organisations till such time such Water Users Association is constituted or reconstituted.(b)The Executive Engineer concerned shall be the authority to take over the charge of the Distributory Committee with all records and exercise the powers and perform the functions of the Farmers Organisations till such time, such Distributory Committee is constituted or reconstituted.(c)The Superintending Engineer concerned shall be the authority to take over the charge of the Project committee with all records and exercise the powers and perform the function of the Farmers Organisations till such time the Project Committee is constituted or reconstituted.Note. - The Superintending Engineer/ Executive Engineer / Deputy Executive Engineer who has taken over the Farmers Organisation shall be assisted by the subordinate staff under his Administrative / Technical Control.

**2. The Government may, by Notification, appoint an officer or officers or the outgoing President or Chairman of the Farmers Organisations whose performance is adjudged as good as prescribed or a managing committee consisting of President, Vice- President and four (4) members as appointed by the General Body of Farmers Organisations by consensus to exercise the powers and perform the functions of a Farmers Organisation and the Managing Committee thereof till such time such Farmers Organisation is**

**duly constituted or reconstituted and such Managing Committee assumes office under the provision of this Act.**

**3. The outgoing President or Chairman of the Farmers Organisation and other members having no arrears of water tax payable to Government, who took lot of initiative in water regulation and provided good leadership in discharging their functions may be considered for appointment under the above Rule.**

Note. - 17(H) (1) omitted and 17(H) 2 may be read as 17 (H) 1

**17. (H) 2 as per Amendment made to section 34 of act**

**17.**

(H)3 is newly added Maintenance of Feeder Channels

**17I. The Water Users Associations shall maintain the feeder channels on the upstream of tank bed as follows.**

-(a)Desilting of feeder channels in sectioning.(b)Removal of weed growth, trees and the like in the channel bed.(c)Breach closing.(d)Removal of encroachments with the help of local Revenue authorities,.(e)Removal of mounds and maintaining bed slopes of feeder channels.(f)All other measures required to insure adequate inflow in to the tank through the feeder channels.Constitution and Functions of Sub-Committee

**18.**

The constitution and functions of the Sub-Committees shall be as follows:

**1. The General Body of a Farmers Organisation may constitute specific Sub-Committees under Section 11 of the Act, to carry out specific functions as assigned by the General Body;**

**2. The composition of the Sub-Committee shall be as follows:**

(i)The Convener of a Sub-Committee shall be a member of the Managing Committee other than the Chairman/ President;(ii)In the case of a Project committee and their members of the subcommittee, not exceeding four will be selected from Presidents of Water Users Associations in that project;(iii)In the case of Distributory Committee and their members of the subcommittee, not exceeding four shall be selected from the Territorial Constituencies of the water Users Associations

either in the general body of the Distributory Committee or from its territorial constituencies within its jurisdiction. However, not more than one Territorial Constituency (TC), member of Water Users Association can be co-opted in that Sub-Committee;(iv)In the case of Water Users Association the other members not exceeding four shall be drawn from out of members with voting rights, out of four one may be woman preferably; and(v)No member shall represent more than one subcommittee.

### **3. The following Committees may be constituted by a Farmers Organisation:**

(i)Finance and Resources sub-committee;(ii)Works sub-committee;(iii)Water Management sub-committee;(iv)Monitoring-Evaluation and Training sub-committee;Note. - After Rule 17, the Rules 17 A to 17 I are inserted as per G.O.Ms.No.53, dt:11-4-2008.

### **4. Functions of the sub-committee**

(i)Finance and Resource sub-committee(a)to mobilize and collect resources;(b)to ensure collection of dues from Members as levied under Section 20 of the Act;(c)to recommend the Managing Committee on the use and deployment of resources; and(d)to maintain records relating to financial matters.(ii)Works sub-committee:(a)to recommend estimates of works for administrative approval;(b)to supervise works and ensure quality control; and(c)to approve payments for works.(iii)Water Management sub-committee:(a)to carry out the decisions of the Managing Committee and of the General Body on water regulation, schedule of water release;(b)to organise patrolling of the canal, channels and regulate the use of water;(c)to check the irrigation and drainage system regularly;(d)to record the water deliveries;(e)to report to the Managing Committee any violations in the use of water; and(f)to maintain records of land owners and water users.(g)the Vice-Chairman / Vice-President shall be the Convener of this Sub-Committee under Rule 17(A).(iv)Monitoring-Evaluation and Training sub-committee:(a)to identify training needs and organize training to the Water Users;(b)to educate in optimum use of water;(c)to monitor specific items like area irrigated, productivity, disputes settlement and resources building;

**5. The Sub-Committees shall meet as frequently as necessary. The members of the Managing Committee in charge of the sub-committees will preside over the meetings and maintain the record of discussions and decisions.**

**6. The Sub-Committees shall function under the general super intendence, control and direct ion of the Managing Committee of the organization.**

Procedure for Taking up Works

**19. The procedure for taking up the works shall be as follows.**

- The works in a Farmers Organisation shall be categorized as follows:-

## **1. Normal Operation and Maintenance Works**

a. Desilting;b. Weed removal;c. Embankment repairs;d. Revetment;e. Repairs to shutters;f. Repairs to masonry and lining;g. Cleaning & Oiling of screw gearing shutters;h. Painting of hoists and gates etc.;i. Emergent breach closing works;j. Maintenance of inspection paths;k. Formation of cross bunds; andl. Lifting of water by oil Engines / Generators.

## **2. Deferred Maintenance Works (Rehabilitation Works)**

a. Reconstruction of sluices;b. Reconstruction / repairs to Drops & Regulators;c. Reconstruction of measuring devices;d. Rehabilitation of the system; and

## **3. Original Works.**

a. Modernization of the system; andb. A Farmers Organisation shall take up the normal Operation & Maintenance and deferred maintenance works i.e., regular works costing up to Rs. 5.00 lakhs or as per the limit prescribed by the Government from time to time and the works shall be executed by the Farmers Organisations under the supervision of the Water Resources Department at the rates not exceeding the estimated rates. The works costing above Rs. 5.00 lakhs or the limit prescribed by the Government are to be entrusted by the Department duly calling tenders. The Government may also prescribe procedures from time to time for the works taken up under various programmes including External Aided projects. Original works shall be taken up by the Department duly calling tenders or as prescribed by the Government from time to time under various programs. The procedure for the works taken up by the Farmers Organisations is as follows:

## **4. System Diagnosis for maintenance works.**

(i) Prior to the commencement of every crop season (Kharif & Rabi) the Managing Committee and Competent Authority (Engg) of every Farmers Organisation shall undertake to assess the condition of the system (system diagnosis) through a participatory walk-through exercise. (ii) The Farmers Organisation shall inspect each and every hydraulic structure and record its status. (iii) They have to identify all the critical reaches which need immediate repair as listed out in above. The Competent Authority (Engg) shall assist the Farmers Organisation in preparation of detailed list of works to be undertaken.

**5. Prioritizing works. - The Managing committee of the Farmers Organisation shall discuss the list so prepared and fix up priority of works to be taken up immediately.**

**6. Preparation of Estimates. - The competent authority (Engg.) and Works Sub-Committee shall prepare estimates for the works so prioritized according to the hydraulic particulars as maintained by the Water Resources**



**Department at the prevailing schedule of rates within a fortnight.**

**6.**

(i)The proposals for taking up various works under various categories required scrutiny of CAD committee for approval of the annual Action Plan for O & M and deferred maintenance in each of the project that would include tax re-plough, category B and other Capital and Revenue grant.

**7. Administrative Approval. - (i) Managing Committee of the Farmers Organisation shall accord Administrative Approval for the works taken up with water tax plough back amounts and own resources. The Works Sub-Committee shall recommend estimates of works for administrative approval. The Administrative Approval is subject to availability of funds. Each administrative approval shall be recorded in the register of Administrative Approvals.**

(ii)For the works taken up with the funds including government grants other than water tax plough back amounts and own resources, the administrative approval shall be as per the departmental rules in vogue.

**8. Technical sanction. - (i) The power for giving technical sanction by the Competent Authority (Engg.) shall be based on the approval of the Executive Engineer/ Superintending Engineer / Chief Engineer as per the existing Government limits.**

(ii)The Competent Authority, shall record all the technical sanction in the register of technical sanction; and(iii)The technical sanction shall not exceed the Administrative Approval.Explanation 1. - In respect of a Distributory Committee and the Project Committee, the Competent Authority concerned may cause the technical sanction to be given by an appropriate officer under his control.

**9. Manner of Taking up works. - (a) Works as approved by the Managing Committee of the Farmers Organisation shall be taken up for execution by the Farmers Organisation itself;**

(b)Under no circumstances can a Chairman/ President or Managing Committee Member of the Farmers Organisation execute a work directly in his individual capacity;(c)The cost of works executed shall not exceed the estimated costs;(d)The Competent Authority shall record the pre-measurements and final measurements for quantifying the work done for making payments by the Farmers Organisation. These measurements shall be check measured by higher authorities as per rules and procedure of Water Resources Department;(e)The procedure adopted by the Competent Authority in preparation of estimates, bills etc., shall be subject to verification by higher

officials as normally applicable to department;(f)In exigencies, when any of the Farmers Organisation is not existing or function by any reason the normal Operation & Maintenance, Deferred Maintenance works i.e., regular works costing up to Rs 5.00 lakhs or the limit as prescribed by the Government from time to time in the jurisdiction of such Farmers Organisation shall also be taken up by the department duly following the rules and procedures in vogue;

**10. Maintenance and Adherence to the Designed Hydraulic Particulars. - The competent authority shall be responsible for the maintenance and adherence to the approved hydraulic particulars. He shall ensure strictly that the designed hydraulic particulars of an irrigation system are not altered with. He shall guide the Farmers Organisation in supervising works.**

**11. Limitation on Works. - No Farmers Organisation shall have the power to interfere with the designed hydraulic particulars of an Irrigation system. Any violation will invite the penal provisions under Section 23 and also prosecution under Section 24 of the Act; and the rules made there under.**

**12. Publication of List of Works to be taken up. - (a) The lists of works to be taken up should be given wide publicity by means of display in the office of the Farmers Organisation and other public places and institutions within the area;**

(b)Along with the lists other particulars of works, estimates, values, and mode of execution should be given wide publicity, and(c)If any member wishes to have access to any of the records relating to works to be taken up, he may do so on payment of the fee as fixed by the Farmers Organisation.

**13. Freedom to add other Funds or Extra Contributions. - The members are free to contribute resources either in cash or by way of material or labour.**

**14. Proof of works done. - The Competent Authority shall maintain L.F. Book and M. Book for recording the work done by the Farmers Organisation. The L.F Book and M. Book shall bear the number assigned by the Division duly attested by the Executive Engineer and these books shall be under the personal custody of Competent Authority.**

**15. Payment for the Works done. - All payments for works done above Rs. 10,000/- shall be paid by cheque. The Farmers Organisation shall maintain a record of all payments made in the cash book date-wise.**

## **16. Quality control. - (i) Quality control checks shall be as per departmental norms.**

(ii) In case of special programmes or External Aided projects, the quality control checks shall be as prescribed from time to time. Note. - Rule 19 ("Procedure for taking up works") is substituted as per the G.O.Ms.No.46, dt:23-2-2007 In sub-Rule 19 (1), k & l are added as per G.O.Ms.No.82, dt: 3-8-2016 The sub-rule 6(i) is added as per G.O.Ms.no.21, dt:5-3-2010 Social Audit of Farmers Organisation

## **20. At the end of each crop season the Farmers Organisation shall conduct social audit as detailed below.**

(i) Social audit shall be for both water utilization against the water budgeting and expenditure incurred for maintenance of the system with reference to funds available to each of the Farmers Organisation. (ii) The social audit shall cover; (a) Equity in water distribution; (b) Increase in production; (c) Increase in productivity; (d) Crop diversification; (e) Multiple cropping; (f) Water use efficiency; (g) Utilization of resources for execution of works (h) Improvement in the cultivated area of the Farmers Organisation compared to previous season; and (i) Quality of works undertaken. (iii) The social audit so conducted shall be made known to all the beneficiaries under the Farmers Organisation by way of displaying a list containing the benefits accrued with reference to funds spent on the notice board of the office of each of the Farmers Organisation. (iv) Whenever a work is taken up the estimated cost of the work, item of work proposed to be executed, details of the executors of the work etc., are to be exhibited on a board at the place of the work; so that every beneficiary under the Farmers Organisation is aware of the details of the work being executed and expenditures to be incurred. (v) The competent authority notified shall render all assistance in the conduct of the social audit. The Revenue and Agriculture Officials shall also render the requisite assistance. (vi) The social audit so conducted shall be recorded and copy thereof be sent to the Distributory Committee in the case of water users Association, to the project committee in the case of Distributory Committee; to the Commissioner in the case of Project Committee. (vii) The auditor shall incorporate the social audit report in his annual audit report together with his specific observations on rectification of defects, if any, noticed in the social audit. Operational Plan and Water Budgeting

## **21. Water Budget for Farmers Organisation.**

- The Managing Committee of the respective Farmers Organisation shall, along with the assistance of the competent authority, prepare a water budget for the area of operation under its control as detailed below: (i) One month before the onset of the Kharif season, the Project Committee shall, subject to such directions as may be given by government from time to time, work out the anticipated inflows and existing availability in the reservoir and work out the water allocation to all the Distributory Committees; the Distributory Committees intern shall allocate the water made available to water users association in its jurisdiction: Provided that in the case of medium irrigation projects, the Project Committee shall allocate to the Water Users Associations. (ii) A Farmers

Organisation in distributing water to its member constituents shall have regard to allocations meant for drinking waters, or for any specified purpose as may be decided by Government from time to time.(iii)For the Rabi season, the Project Committee will determine the area to be thrown open for irrigation based upon the actual availability of water at the beginning of Rabi Season. The water so available shall be allocated equitably among the Distributory Committees and water users associations. In the case of medium or minor irrigation system, equitable distribution shall be achieved by adopting circular rotation over a period.(iv)Each of the Farmers Organisation, shall draw up an operational plan which shall specify the quantity of water to be drawn on a fortnightly basis.(v)The draws of water shall be monitored each day at specified gauge points as decided by the Farmers Organisation.(vi)Review of the draws and distribution shall be done by each of the Farmers Organisation at the end of each fortnight and corrective measures taken.(vii)At the end of each season the respective Farmers Organisation shall prepare a report of water received and utilized along with the area irrigated, quantity of water supplied and extent of crops.(viii)The Farmers Organisation shall analyse the short comings and deviations in water budget and report to the next higher tier.(ix)In respect of a minor irrigation system the water users association shall decide the operational plan, date of release of water which are to be thrown open for irrigation depending upon the storage/inflows into the system.Water Regulation

## **22. After a water budget is prepared, the Farmers Organisation shall draw up a plan of water regulation as follows:**

(a)the dates of release and closure shall be informed to all members well in advance;(b)equitable distribution of water amongst all users shall be the main principle in water regulation;(c)a Farmers Organisation shall draw water and monitor flows based on the operational plan prepared;(d)a Warabandi Schedule (Turn-Schedule) shall be prepared for each outlet in a Farmers Organisation;(e)the Farmers Organisation shall, carryout Azmoish of the ayacut with the assistance of the Competent Authority along with the Agriculture and Revenue personnel; and(f)a Farmers Organisation may, for the purpose of monitoring, install such devices as may be required within its jurisdiction.

## **23. Accounts Finance.**

- 1. The Farmers Organisation shall open an account in a Nationalized Bank or Government Cooperative bank in its name and shall be operated jointly by the President/Chairman and 1Vice President / Vice Chairman. The Farmers Organisation shall maintain the cash book and accounts of expenditure with appropriate vouchers and receipts.

**2. Every expenditure should be supported by a receipt, or voucher which shall be duly passed for payment by the president or any member of the Managing Committee authorized by him.**

**3. All expenditure has to be approved by the finance sub-committee, at least once a month.**

Account Registers to be maintained.

**4. Every Farmers Organisation shall maintain accounts register. Each of the following record shall bear the name, address and the seal of the Farmers Organisation and shall be machine numbered; namely:-**

(a)Cash book;(b)Bill registers;(c)Contingent registers;(d)Anamath register (Day book);(e)Receipt books; and(f)Cheque registers.Note. - 1 substituted as per G.O.Ms.no.53

**5. [The amounts realized from fisheries, grass, usufruct, and sale of trees etc., may be credited to the Water Users Association Bank account.] [added as per G.O. Ms. no. 53]**

Records to be Maintained

**24. Each of the Farmers Organisation shall maintain the following records, other than the records specifically mentioned in the Act and the rules.**

(a)The following Maps shall be maintained by each water users association; namely: -(i)map showing the boundaries and jurisdiction of the Association, Water conveyance system, within the boundaries of the association;(ii)map showing the localized/notified ayacut with S.Nos., (Form-AA) and(iii)map showing the areas under irrigation not falling within notified ayacut.(b)The following registers shall be maintained; namely:-(1)Property Register:(i)Inventory Register (Form -I)(ii)Register of vacant lands and buildings (Form -II)(iii)Register of income on miscellaneous property (Form-III)(iv)Register of Machinery (Form-IV)(2)Membership Register: Both with voting rights and without voting rights with details of ayacut Localized / Non-localized and area cultivated (Form-V)(3)Water flow Register: Canal guage Register (Form-VI)(4)Sanctions Register: Register of Administrative and Technical sanctions and payments (Form -VII)(5)Cash Register: Cash Book (Form-VIII)(6)Special fee and tax collection Register: (Form-IX)(7)Minutes Register: (Form X and X.A)(i)General Body(ii)Managing Committee(iii)Separate Register for Committees.Note. - The sub-rule (b) of 24 is substituted as per G.O.Ms.No.21, dt:30-1-1999

**25. Levy & Collection of Fees.**

- 1. The Farmers Organisation can levy a fee as prescribed under Section 20 of the Act,

**2. A fee can be levied only on the resolution of the General Body.**

(i)the purpose of levying a fee shall:(a)to provide facilities or ;(b)to provide specific services;(c)to meet many urgent needs of the Farmers Organisation;(d)to build up assets of the Farmers Organisation; and(e)to improve the system.(ii)The competent authority shall prepare the estimates in case any works are to be taken up under this rule.The Managing Committee shall then decide on the levy of a fee proportionate to the landholding or to the number of members and send a demand notice.

**3. All fees collected shall be duly accounted for through proper receipts.**

**4. A fee collected for a specific purpose shall be used only for that purpose.**

(a)where a member has defaulted in payment of such levy levied by a Farmers Organisation, the Managing Committee shall prepare a list of defaulters along with amounts due, which shall be furnished to the Tahsildar of the area in whose jurisdiction the area of operation of a Farmers Organisation lies for recovery under Section 30 of the Act.

**5. The Government may prescribe the rates of fees from time to time for any of the purposes.**

Financial Audit

**26. At the end of each financial year, and not later than three months after the commencement of the new financial year, each of the Farmers Organisation shall cause its accounts to be audited as follows:**

(i)the Managing Committee shall, appoint an Auditor who has adequate experience in normal auditing work;(ii)the Auditor so appointed shall be a person of repute in the area of operation of the Farmers Organisation who has reasonable knowledge in accounts or any recognised auditor;(iii)the appointment of the Auditor shall be approved by the Managing Committee of the Farmers Organisation;(iv)the Auditor so appointed shall take all steps necessary to scrutinise the accounts of receipts and expenditure, within thirty days of his appointment and furnish the audit report along with the statement of accounts and balance sheet to the President of the concerned Farmers Organisation, duly attesting the same;(v)the audit report shall be submitted to the general body in its meeting for its approval;(vi)the Managing Committee of a Farmers Organisation shall furnish the implementation report to the General Body on all matters as pointed out in the audit report and the Managing Committee shall implement the decisions of the General Body in this regard; and(vii)if the overall transactions exceed Rs.20.00 lakhs per annum, the Farmers Organisation shall engage the services of a Chartered Accountant.

## **27. Offences and Penalties.**

- 1. The Competent Authority shall have a right to take action on any of the offence specified under Section 23 of the Act and offences shall be booked in Preliminary Offence Report in Form XI by the Competent Authority.

**2. The Competent Authority shall give a notice of the offence to the individual.**

**3. The individual who has committed the offence shall be given reasonable opportunity, to explain his point of view.**

**4. If the offence is proved beyond doubt, the officer not below the rank of Dy. Executive Engineer having jurisdiction over the area in Form XII may fix an amount as fine, as specified under Section 25 of the Act and get it recovered.**

**5. The fine amount should be adequate enough to rectify the tampering or damage in the system and injury caused to others.**

**6. The money recovered as per sub-rule (4) above shall be duly acknowledged and accounted for.**

**7. In all cases, where the damage due to the offence is estimated to be more than Rs.10,000/-, the individual (or) group of individuals who indulged in causing damages, alterations (or) obstructions in any irrigation system is/are liable for prosecution under Section 24 of the Act. In such cases, an officer not below the rank of Executive Engineer having jurisdiction over the area is authorized to issue prosecution orders against the individual/individuals.**

Note. - In view of omission of sub-Rule 4 & 9, the sl. nos of the next sub-rule are changed and arranged in sequence order Functions of Competent Authority

## **28.**

In the functioning of the Managing Committee of the Farmers Organisation, the Competent Authority, appointed under sub-section (1) of Section 21 of the Act, shall:-

**1. attend the meetings convened by the Managing Committee, and participate in the discussions. However, he shall not have any voting right. He is the custodian of all the vital records and Registers of the Government and also in charge of all the Structures and irrigation systems in his jurisdiction;**

**2. assist in the preparation of maintenance plan;**

**3. prepare estimates for works identified for execution; the estimate shall be prepared as per the norms and the rules prescribed by the Water Resources Department from time to time and also obtain approval for action Plan from CAD Committee.**

**3.**

a The Competent Authority is primarily responsible for proper upkeep of the Irrigation structures & orderly Water Regulation.

**4. to accord or obtain technical sanction from the officer competent to the maintenance works, as per the powers delegated. The technical sanction shall be limited to the administrative sanctions for the work;**

**5. ensure that no alteration or change is made in the irrigation system, with reference to the approved hydraulic particulars;**

**6. bring to the notice of higher authorities of Water Resources Department any tampering or changes made in the system, by any Farmers Organisation in contravention of the hydraulic particulars. He shall ensure that action is taken in accordance with the Sections 23, 24 and 25 of the Act as the case may be for the damages caused and also take immediate action for its restoration;**

**7. provide technical details of the system and guidance to the member of the Managing Committee;**

**8. record measurements for the work done and pass the bills for payments by Farmers Organisation based on the approval of the works sub-committee.**



**9. to conduct recall proceedings of a Chairman or Vice-Chairman or President or Vice-President or member of managing committee of Farmers Organisation.**

Note. - in view of omission of the sub-rule 8 to 13, the sl. Nos of the next sub-rules are changed and arranged in a sequence order. And also the sub-rule 28(9) is brought from the GO 53, dtd 11-4-2008 Competent Authority (Engineering)

**28A. The following officers shall be Competent Authority (Engineering) for different tiers of Farmers Organisation.**

- 1. Water Users Association level. - Officer of the rank of Assistant Executive Engineer (AEE) or Assistant Engineer (AE) shall be the Competent Authority (Engineering) for Water Users Associations as notified by the Government.

**2. Distributory Committee level. - Officer of the rank of Deputy Executive Engineer (DEE) shall be the Competent Authority (Engineering) for Distributory Committee (DC) of Major Irrigation Project as notified by the Government.**

**3. Project Committee level. - Officer of the rank of Executive Engineer (EE) shall be the Competent Authority (Engineering) for Project Committee (PC) of Medium Irrigation Project as notified by the Government.**

Officer of the rank of Superintending Engineer (SE) shall be the Competent Authority (Engineering) for Project Committee (PC) of Major Irrigation Project as notified by the Government. Competent Authority (Agriculture)

**28B. The following officers shall be competent Authority (Agriculture) for different tiers of Farmers Organisations.**

- 1. Water Users Association level: (Water Users Associations) Mandal Agricultural Officer (MAOs) shall be competent authority (Agriculture ) to Water User Association (WUA).

**2. Distributory Committee level:**

Assistant Director of Agriculture (Regular) shall be competent authority to the Distributory Committees of major Irrigation Project.

### **3. Project Committee level:**

(a) Joint Director of Agriculture (JDA) of the District Concerned shall be competent authority to Project committee of Major Irrigation Project. (b) Deputy Director of Agriculture (DDA) of the concerned district shall be competent authority to Project committee of Medium Irrigation Project. The Functions of competent authority (Agriculture ) are as follows:-

- 1. Attend General Body meetings convened by the managing committee (M.C) or members through requisition, at least twice in a year, one before Kharif and another before Rabi season.**
- 2. Assist the Managing Committee in the preparation of Action Plan for Agriculture production and also contingent plans in case of contingency.**
- 3. Provide literature on irrigated agriculture published by the department or any other reputed organizations.**
- 4. Arrange trainings on irrigated agriculture in consultation with Deputy Director of Agriculture (DDA) Farmers Training Centre (FTC), District Irrigation Agronomist (DIAs), Acharya N.G. Ranga Agricultural University (ANGRAU), Non Government Organization (NGO) or any other organization.**
- 5. Organise on farm Demonstrations (OFDs) in the holdings of Water Users Association members with or without Government aid (selection should be made in the General Body Meetings).**
- 6. Conduct interaction meetings at 2 or 3 critical stages of the crop.**
- 7. Celebrate field day in the presence of farmers, Water Resources Department & Revenue Department officials and record the yields.**
- 8. Record the yields of crop cutting (CC) Experiments conducted by the Directorate of Economics Statistics, if the experiments happen to fall in the area of Water Users Association.**
- 9. If there are no crop cutting experiments in the WUA area, conduct special crop cutting experiments for each crop and season with the help of Assistant Statistical Officer from the office of the Tahsildar.**

**10. Guide the farmers in the maintenance of the following Records and Registers.**

• On Farm Demonstration (OFD Register)• Soil Map and Soil Testing results• Statistical register including yield data of preceding 5 years i.e., Crop wise normal areas, yield , Yield potentiality of crops etc.,• Agricultural literature.

**11. Collect success stories of the farmers who got good yields and display at prominent places of the village and introduce the farmers in the General Body meetings.**

**12. Provide technical inputs regularly to all the members of Farmers Organisation for increasing productivity of irrigated crops.**

**13. Ensure to grow Irrigated Dry (I.D) crops in the tail end areas of canals in the place of paddy for increasing crop intensity.**

**14. Educate Farmers Organisations on reduction of cost of cultivation of irrigation of irrigated and I.D, crops for getting economical returns by adopting Integrated Nutrient Management (INM) & Integrated Pest Management (IPM) etc.,**

General

**29.**

**1. The Farmers Organisation shall assist the Government/ Commissioner /Government authorities in implementing the various provisions of the Act and Rules; and it shall abide by the directions/orders given by the Government/Commissioner.**

**2. The Farmers Organisation shall assist the District Collector and Election Authorities in the conduct of elections.**

**3. Every year, in the month of April, an updated list of landholders shall be prepared in Form "B" who used irrigation water. Also other water users such as industrial units, bathing ghats, fishermen societies and such other categories will be maintained in Form 'C'.**

**4. Claims and objections shall be received by the Managing Committee and decisions taken before the end of April. Decisions of the Managing Committee will be subject to appeal to General Body and orders of the General Body will be final.**

**5. Those members who do not abide by the decisions of the Managing Committee/ General Body who do not pay the water cess/ taxes or who do not make contributions towards the activities of the association shall be subjected to the following course of action; namely**

(a)the General Body of Association may take a decision not to supply water or provide benefits to such person;(b)the General Body may order for recovery of damages and cause them to reimburse the loss caused to the assets or income of the Farmers Organisation;(c)the General Body may take a decision to prosecute such persons in a court of law.(1)Property RegisterGovernment of Andhra PradeshIrrigation and Command Area Development DepartmentWatervUses'

Association\_\_\_\_\_Mandal\_\_\_\_\_District.F

- IIInventory Register FormDetails Of System And Command Structures

Sl. No	Details of canal at off take Minor	Details of canal / F.C	Details of structure
Bed	Other details Dimensions/	Structure Name /	Details / Dimensions /
Width	Lined / unlined	Nature	Hydraulic structures

The above details of (A) Canal and (B) Structures from off take to end of canal and the details of structures on canals taken off from the main source are to be posted in separate pages as shown in the proforma.

Form - IIRegister of Vacant Lands and Buildings

Sl.No	Location	Sy. No. of Land extent /Details of Buildings	Description of Building R.C.C/ Tails etc,	Extent of land	Classification	Remarks
Mandal	Village	Sy. No of land Extent	Wet	I.D./Dry		
1	2	3	4	5	6	7 8 9 10

Form IIIRegister of Income on Miscellaneous Property

Sl. No	Year	Income of fishing	Income on Trees	Income on Grass				
Area of Tank/ Kunta	Auction Amount Received	Amount Due	Area of Tank/ Kunta	Auction Amount Received	Amount Due	Details	Auction Amount Received	Amount Due

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Income on Lease / Rent of Land/ Structures		Income from Machinery/ Mechanical Equipment		Others Income									
Details	Auction Amount	Amount Received	Due	Details	Auction Amount	Amount Received	Due	Details	Auction Amount	Amount Received	Due		
15	16	17	18	19	20	21	22	23	24	25	26		

## Form - IV Register of Machinery

Sl. No	Details of Machine Make/ Model /Engine No. etc	Date Purchase procurement	Received From	Value of Machine	Remarks	
Book value	Present Assessed Value					
1	2	3	4	5	6	7

## Form V Register of Membership Details of Members With Voting Rights(Form-A)

Sl.No	Details of voter	Mandal	Village	Sy.No	Extent of Land	Area cultivated				
Name	Fathers' Name	WET	I.D	WET	I.D					
1	2	3	4	5	6	7	8	9	10	

## Details of Members Without Voiting Rights(Form-B)

Sl.No	Details of voter	Mandal	Village	Sy.No	Extent of Land	Area cultivated				
Name	Fathers' Name	WET	I.D	WET	I.D					
1	2	3	4	5	6	7	8	9	10	

## Wua-Details of Other Members(Form-C)

Sl. No	Organisation / Name	Water Use	Members Name	Address
1	2	3	4	5

## Form-VI Water Flow Register Canal Gauge Register

Bed width:

Supply depth at end: Guage: Discharge:

Date	Time	Gauge depth at start of Association Jurisdiction	Discharge in Cusecs	Gauge depth at end of Association Jurisdiction	Discharge in cusecs	Water Used
In cusecs	In M.C.ft					

Sl.No	Details of works	Administrative Sanction	Technical sanction by competent Authorities	Date of Commencement	Period/ Target Date of Completion	Financial Details	Completed Work	Detail Inspe work
M.C. Resolution No. & Date	Estimate Value	Date of Sanction	Date / Amount 1st Advance payment	Date / Amount Subsequent payment	Date	Final value of work/ Payment		
1	2	3	4	5	6	7	8	9

Cash Register : -

## Recepts

## Payments

Cash Book of \_\_\_\_\_ Water  
Users' Associations \_\_\_\_\_ Village \_\_\_\_\_ Mandal, \_\_\_\_\_ District for  
the Month of \_\_\_\_\_

 $\{$ [illegible]

1      2                  3                                  4                                  5                  6

1

[illegible]

Cash cheque

1      2                      3                                      4                      5                      6                      7

|}Form - IXSpecial Fee / Tax Collection Register

Sl.No	Details of Resolution	Collected From	Levy Amount	Amount Paid	Due	Cash Book reference	Remarks
-------	-----------------------	----------------	-------------	-------------	-----	---------------------	---------

Date    Sl.No

1            2                            3                            4                            5                            6    7                            8                            9

## Date Item No.

1 2

[illegible]

1. Name and address of the person(s) who committed offence :
2. Nature of offence :
3. Place where offence occurred :
4. Estimated value of the damage caused by offence :
5. Name and address of the witness :

1	Name and address of the person(s) who committed offence	:
2	Nature of offence	:
3	Place where offence occurred	:
4	Estimated value of the damage caused by offence	:
5	Whether notice served to the accused giving opportunity (i.e., within 7 days) to explain his point of view, if so the date and time.	:
6	Whether explanation of the accused received	:
7	Decision of the Competent Authority	:
8	Whether offence proved beyond doubt, if so the details	:
9	Fine imposed by the Deputy Executive Engineer / Recommended to the next higher for prosecution.	:

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Executive Engineer,.....Sub-Division.....Village.