

Northern India Canal and Drainage Rules, 1878

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1. [Short title.] [Substituted by Punjab Government Notification No. GSR 240/CA8/1873/S.75/76, dated 11.9.1966.]

- These rules may be called the Northern India Canal and Drainage Rules, 1878.

1A. [Definition.] [Added vide Legislative Supplement Part III dated 21.3.1975 Pages 285.]

- In these rules, unless the context otherwise requires, Act means the Northern India Canal and Drainage Act, 1873.On Construction and Maintenance of Works

1B. Orders for construction of works.

- Section 88. - The order which a Divisional Canal Officer may issue under section 18 shall be in writing and shall be served on the persons concerned or their representatives in the manner prescribed in rules 79-A to 79-I, inclusive. [I.B. Notification No. 3041 R. 204/45 dated 18.1.1946]

2. Proceedings of the Superintending Canal Officer on reference.

- Section 20. - (1) In a case falling under section 20 the Divisional Canal Officer shall announce his decision to the parties interested, and within 30 days from the date of such announcement any person aggrieved by such decision may file an objection thereto in writing before the Superintending Canal Officer.(2)The Superintending Canal Officer shall not make any orders in respect of the

Divisional Canal Officer's decision, until after the expiry of 30 days, from the date of its announcement, and may then, whether or not any objection shall have been filed, make an order confirming or modifying such decision, or may direct that further enquiry and report be made by the Divisional Canal Officer on specified points, before he makes a final order :Provided that no such order or direction shall be made in a case, where any objection has been filed, unless not less than 15 days notice has been given to the objector of the date, time and place at which his objection will be heard, and unless the Superintending Canal Officer has heard the objector in support of his objection in case he appears.

3. Proceedings of Deputy Commissioner.

- Section 24. - The notice which the Deputy Commissioner is bound to give to the Canal Officer under section 24 shall not be less than 14 days.

4. Opening of new water-course.

- Section 29. - Water shall not be admitted into any new water-course until all works necessary for the passage across such water existing previous to its construction and of the drainage intercepted by its course, and for affording proper communications across it, for the convenience of the neighbouring lands are completed to the satisfaction of the Divisional Canal Officer.

5. Application for water.

- All applications, for water or the construction or improvement of water-courses under Part III of the Act shall be in the form prescribed in Appendix No. 1.

Part III – A Rules made to carry out the provisions of sections 30-A, 30-B, 30-C,

30.

-D, 30-G and 57-A of the Act.

1. In these rules, -

"Act" means the Northern India Canal Drainage Act, 1873, as amended by Punjab Act No. 21 of 1958.[2. All schemes prepared under Section 30-A of the Act shall be published for inviting objections and suggestions by affixing a copy thereof in a conspicuous place in the village or villages concerned, displaying the sketch plan, the name of village or villages, the name of distributary and R.D. of outlet, the date on which the scheme will be explained verbally by the Divisional Canal Officer and any other necessary information which the Divisional Canal Officer may deem fit. The Lambardar concerned in all the affected villages shall, by beat of drum, announce the places where

the details of the scheme can be inspected. The acknowledgement of Lambardar and his statement of having announced and given publicity shall be recorded with the file of the scheme and shall be conclusive proof of such announcement and publicity.] [Substituted by Punjab Government Notification No. GSR 240/CA8/1873/Section75/76, dated 11.9.1966.]

3.

(1)[-] [Omitted by Punjab Government Notification No. GSR 240/CA8/1873/Section 75/76, dated 11.9.1966.](2)After the scheme is so published under sub-rule (1) each share-holder shall, at his own cost implement it in proportion to the culturable commanded area under the scheme held by him within a period of thirty days or such lesser period as the [Divisional Canal Officer] [Substituted by Punjab Government Notification No. GSR 240/CA8/1873/Section 75/76, dated 11.9.1966.] may deem reasonable.

4. When the Divisional Canal Officer either of his own motion or on receipt of an application from a share-holder proceeds under section 30-D of the Act to acquire any land required for implementation of the scheme he shall cause a sketch plan to be prepared showing the alignment of proposed water- course and giving identification numbers of the fields, acquisition of which in his opinion is necessary for water-course and publish the same in the manner prescribed in rule 2.

5.

(1)Before proceedings are taken to recover the cost under section 30-E or 30-F, from a share-holder, the Divisional Canal Officer after working out the proportionate costs recoverable from the share-holders shall send a notice of demand in writing to each share-holder specifying the amount recoverable from him under section 30-E or 30-F as the case may be.(2)Any person aggrieved by such a notice of demand may within twenty days of the receipt of the notice, present an application stating his objections in writing to the Divisional Canal Officer. The orders of the Divisional Canal Officer passed thereon after such enquiry, as he may deem necessary, shall be final.

Part IV – On the Supply of Water

6. Limit of length of water-course.

- [Section 30]. - Water shall not ordinarily be granted to lands where the length of the water-course from its head to its points of contact with the field exceeds two miles. In sandy areas where the fields cannot be served upto two miles through water-courses, applications should not be refused merely on the ground that the land lies beyond 2 miles from the head of the water-course to its points of contact with the field.

7. Apprehended wastage.

- [Section 80]. - A supply of water shall not be granted where, in the opinion of the Divisional Canal Officer, loss from wastage is likely to occur. From his decision an application for revision may be preferred to the Superintending Canal Officer.

7A.

. Such application shall not ordinarily be granted in respect of lands where the available supply of water in the canal, distributary or water-course is already fully utilised. [Notification No. 30271, dated 12.8.1888(22)]

8. Sanitary reasons.

- [Section 30-B read with section 75(5)]. - The Divisional Canal Officer shall not engage to grant for irrigation of any Kharif crop upon lands within one mile from the outer-most houses of any town, if such irrigation be objected to by the Municipal Committee, and the objection is approved by the Superintending Canal Officer after affording opportunity to the applicant of being heard.

8A. Prohibition of irrigation in the vicinity of cantonment.

- [Section 31]. - When the State Government has by a notification, in the Official Gazette declared that the irrigation of certain crops within a specified distance from the boundary of cantonment ought not, on sanitary grounds to be permitted no engagement for a supply of water shall be made against the terms of such prohibition. [Notification No. 349331, dated 26.6.1884(29)].

8B.

. Every supply of water shall be deemed to be given subject to the condition that the water shall not be used for the cultivation of any particular kind of crop in any particular locality in which the use of canal water for that kind of crop has been prohibited by the State Government on sanitary grounds by a notification in the Official Gazette, when, however the right to impose this prohibition is exercised in regard to existing cultivation, the occupiers shall be entitled to such compensation, if any, as State Government may think just.

9.

Omitted vide Notification No. 119-R-I, dated 20.8.1928.

10. Filling of tanks within the irrigation boundary for watering cattle.

-[Section 31]. - Tanks may, subject to the following provisions, be filled with canal water without charge and without reference to the area irrigated in any village, whenever water can be made

available without injury to the cultivation dependent on any canal : [Notification No. 3584 R 37396, dated 19.1.1946].I. Except as provided in rules 12 and 12-A, no tank shall be so filled unless exclusively used for domestic purposes, for watering cattle, or for the manufacture of bricks not subsequently burnt in a kiln, or for pise wall buildings.II. The Lambardars of a village, (and Sarpanch of the Gram Sabha) in which there are one or more tanks for which a supply of canal water is desired, shall submit an application to that effect to the Divisional or Sub- Divisional Canal Officer, in which the number, names and approximate general dimensions of the tanks for which water is desired shall be stated. The Sub- Divisional Canal Officer, on receipt of the application and after any further enquiries that he may deem necessary shall pass an order stating the number and names of the tanks to which canal water may be supplied, whenever it can be made available without injury to the cultivation dependent on the canal, and subject to the following provisions. A written licence in the terms of this order shall be given to the applicant and shall remain in force until revoked by a written order of the Divisional Canal Officer.III. Tanks shall be filled at such time as may be directed by the Divisional or Sub-Divisional Canal Officer either by a general or by a special order. If it is desired to fill a tank at any other time, a written application shall be made to that effect. The filling to tanks shall be permitted only at such times and to such extent as the Divisional or Sub- Divisional Canal Officer may approve.IV. No tank shall be so filled which by intercepting any line of drainage is liable to overflow from an accumulation of water derived from natural sources.V. No tank shall be so filled when the water-course used to fill it is, in the opinion of the Sub-Divisional Canal Officer, in an unsound or unfit condition to carry the supply.VI. The privilege afforded by clause II of this rule may in addition to any penalty which may be incurred under the Act, be suspended for twelve months for breach of any of the foregoing provisions under a written order of the Divisional Canal Officer passed on regular proceedings and enquiry in each case. From such order an appeal shall lie to the Superintending Canal Officer.VII. In cases in which tanks have been filled without the licence prescribed in clause II, or during the suspension under clause VI of the privilege afforded by such licence or in which tanks for which licences have been granted have been filled at time other than those prescribed by the Divisional or Sub-Divisional Canal Officer under clause III, the water so admitted into such tanks may be charged for at such rate, not exceeding the rate for the time being in force for water supplied in bulk as the Divisional Canal Officer may in each case direct. Against such charges appeal shall lie to the Superintending Canal Officer.

10.

Section 31. I.B. - Tanks outside the irrigation boundary may also be filled with canal water for purely domestic purposes, on sanction by the Chief Engineer, under such conditions as may be laid down in each case. Notification No. 3584/R/3/3/40, dated 19.1.1946.

11. Contracts.

- [Section 31]. - The Divisional Canal Officer, with the previous sanction of the Superintending Canal Officer, is empowered to make contracts for the supply of canal-water for purposes other than irrigation not specified in the schedule of rates, for any term not exceeding one year. For terms exceeding one year the previous sanction of the State Government shall be necessary.

12. Charges for water used for purposes other than irrigation.

- [Section 31]. - Tanks may be filled with canal water for purposes other than those stated in clause 1 of rule 10, such water shall be charged for at rates and subject to conditions to be determined by the State Government in each case.

12A.

- Section 31 - Irrigation may also be carried on from tanks, provided the previous sanction of the Sub Divisional Canal Officer be obtained. The usual rates will be charged for such irrigation.

13. Water supplied to cantonments, towns, etc.

- [Section 31]. - When water is supplied to forts or other military buildings, cantonments, civil station, cities, towns, railways, public garden or other places of public resort, either by filling of tanks or by direct flow, contracts at special rates may be accepted by Divisional Canal Officer with the previous sanction of the State Government.

14. Water power.

- [Section 31]. - The use of water power may be granted by the Divisional Canal Officer at such rates and under such conditions as may be sanctioned by the State Government in each case.

15. Tails.

- [Section 32(a)]. - Divisional Canal Officers are empowered for purposes of administration, repairs and maintenance, to order the closure of any water-course for periods which shall not extend beyond 12 consecutive days. For longer closure the authority of the Superintending Canal Officer is required. [Notification No. 138-R.I. dated 23.6.1922.

15A.

- [Sections 32(a)(1)] - Divisional Canal Officers are empowered to order the closure of any water-course situated within municipal limits for a period not exceeding twelve days on receipt of a written declaration by the Medical Officer of Health that the water-course is in such defective sanitary condition as to be a menace to public health. For longer closure the authority of the Superintending Canal Officer is required.

16.

[Section 32(a)] - Order for closures under rule 15 must be notified either -(a)by a notification, or(b)by a special orderSuch notification or order shall be in writing under the hand of the Divisional Canal Officer, and a copy shall be conveyed by the canal establishment with due expedition to each

village concerned and delivered to the patwari, or in his absence to any lambardar, or the Sarpanch of the Gram Sabha concerned. The receipt of each person to whom a copy of the notification or order is delivered shall be affixed to a schedule prepared for the purpose which shall be recorded in the Divisional Canal Office. It shall be the duty of the Patwari or Lambardar or Sarpanch of Gram Sabha who receives the notification or order above described to affix it at once in a conspicuous position in the village and to make its purport generally known.

17. Stoppage of supply in improperly maintained water-course.

- [Section 32(a)]. - Stoppage of supply of water to any water-course under section 32(a)(2) may be enforced when "a Canal Officer of rank not lower than the Sub Divisional Canal" has satisfied himself, by personal inspection that the water-course is not maintained in proper repair. The order for such stoppage shall be in writing under the hand of the Divisional Canal Officer and an immediate report shall be made to the Superintending Canal Officer and the special grounds for stoppage explained. The Superintending Canal Officer's order shall be final. [Notification No. 0177-R.I. dated 17.8.1920.]

18. Report of closures.

- [Section 32(a)]. - Immediate report shall be made to the Superintending Canal Officer of all closures under clause (1) Section 32(a).

19.

Nothing in the foregoing rules shall be taken to affect the power of a Canal Officer, not under the rank of a Sub-Divisional Officer, to close any water-course or stop any supply of water on his own authority in cases which he deems it to be of pressing emergency. A copy of the order passed by the Canal Officer, with a note explaining the circumstances leading to the order of closure or stoppage of any supply of water, shall be forwarded to the Superintending Canal Officer who may cancel or confirm the order.

20. Claims for remission of occupiers rates and ordinary charges other than occupiers rates for the use of canal water.

- [Section 32(b) I.B.] - Notification No. 31429 R/112-109, dated 13.11.1944 remission of occupiers' rate for failed crops. I. Where damage is caused from failure or stoppage of supply or from causes other than those mentioned in parts II to IV below :-(i) Claim for remission where failure is confined to individual fields may be presented to the Divisional or Sub-Divisional Canal Officer, or to the Deputy Collector, by the cultivator or where a large part of an estate is affected, by the lambardar of the affected area (or the Sarpanch of the Gram Sabha concerned) to the Collector or Divisional Canal Officers, in each case before the crop is cut and not later than 10 days previous to such date as may be fixed by the Commissioner and the Superintending Canal Officer acting in agreement for commencing the Kharaba inspection of the crops in question. (ii) the quantum of damage shall be

assessed in respect of each field by inspecting officers, and, (iii) no remission is admissible under this part unless - (a) the failure of the crop is complete, i.e. it is less than a 25 paise crop, and (b) Such failure is due entirely to causes beyond the control of the cultivator in which case full remission shall be given.

II. Where damage is caused by crop disease or calamities such as hail, severe dust storms, extensive flooding, rats, locusts or other pests. - Claims for remission may be presented by the cultivator or the Lambardar of the area or the Sarpanch of the Gram Sabha concerned to the Divisional Canal Officer or the Collector before the crop is cut. The Divisional Canal Officer or the Collector may also initiate suo motu proposals for the grant of remission in case no claims are received.

(ii) The Divisional Canal Officer shall himself, or in consultation with the Collector, decide whether it is practicable to make a field to field inspection of the affected areas. If so, the quantum of damage shall be assessed in respect of each field by the inspecting officer and if the crop is :- (a) more than a 25 paise crop but less than an 50 paise crop then half shall be remitted. (b) less than 25 paise the whole shall be remitted.

(iii) in case the Divisional Canal Officer either by himself or in consultation with the Collector decides that field to field inspection is not practicable, the quantum of damage to the crop will be assessed in relation to whole estates or portion thereof or to groups of estates. If the Divisional Canal Officer and the Collector are agreed that remission shall be granted if the total remissions are likely to amount to more than Rs. 25,000/-, in any canal division remission may be granted without further sanction. If remissions are likely to exceed this sum or if the Collector and the Divisional Canal Officer are not in agreement as to necessity for the granting remissions or as to the rate of remissions to be granted the case shall be referred to the Commissioner of the Division, who will consult the Superintending Canal Officer. The reference should be in considerable details, particularly in the event of disagreement between the Collector and the Divisional Canal Officer and the views of both Officers with reason fully given. If the Commissioner and the Superintending Canal Officer are not in agreement a further reference will be made to the Financial Commissioner who will consult the Chief Engineer and if there is further disagreement the case will be referred to the Punjab Government for orders. The Commissioner and the Superintending Canal Officer, if in agreement, can grant remission upto one lakh of rupees without further sanction, and the Financial Commissioner and the Chief Engineer if in agreement can grant remission upto any amount which they deem to be necessary.

III. Power relating to remissions under Parts I and II above where assessment of damage is on individual fields. - In cases falling under Part I and II (ii) above where assessment of damage is on individual field, the Divisional Canal Officer may remit upto Rs. 100 in the case of each individual cultivator, subject to a maximum of Rs. 2,000 in respect of a single estate but where failure extends to a large part of an estate, the Divisional Canal Officer and the Collector may after consultation, and by mutual agreement remit upto a maximum of Rs. 500 in the case of each individual cultivator and Rs. 10,000 in respect of a single estate.

IV. Where widespread damage arises, occurs or comes to light after the crop has been cut. - Where widespread damage arises, occurs, or comes to light after the crop has been cut, claims for remission may be presented by the cultivators or Lambardars of the affected area to the Divisional Canal Officer or the Collector but no remission can be granted except under the express order of Government. It shall be the duty of the Canal and Revenue Officers to investigate the facts fully and submit a detailed report to the Government, which should contain their estimate of the quantum of damage which has occurred. The report should make as close an estimate as possible of the amount of damage expressed in terms of paise of in a rupee to the particular crop concerned taken over the whole of the revenue estate not only over the fields in

which damage has occurred. Such a calamity may affect a particular crop only but so far as that crop is concerned, it may be general over contiguous area or may affect some fields and not others although the total extent of the damage is large. V. Remission of ordinary charges other than Occupier's rates payable for the use of canal water. - Claims for remission of ordinary charges other than occupier's rate payable for the use of canal water shall be admitted only on proof -(i) of the actual loss caused, and (ii) that such loss was caused by the stoppage of supply and by no other cause. Remission shall be in proportion to the quantum of proved loss as heretofore provided. Such claims may be presented to a Divisional Canal Officer. Where a Divisional Canal Officer rejects such a claim, the claimant may prefer an appeal to the Superintending Canal Office. Note. - (a) A normal crop is represented by 100 paise and is one estimate to yield as much as the yield adopted by the Settlement Officer for that crop in framing his estimate of assets. (b) Where there are two schedules of Occupier's Rates on a canal this implies that a normal crop on land subject to the lower schedule has a smaller yield than a normal crop on land subject to the higher schedule. (c) For the purpose of arriving at decisions required to be made by them under these rules the Divisional Canal Officer or the Collector may either by himself or by any Officer subordinate to him enter upon and inspect any portion of the affected area as well as unaffected areas adjacent thereto.

20A. Who to be deemed "occupiers"

-Notification No. 40-R.I., dated 9.2.1930. I. For the purposes of section 36 of the said Act the following persons shall be deemed to be "occupiers" namely :- (a) Where the landowner is in actual cultivating occupancy, such landowner; (b) Where land is in the actual cultivating occupancy, of a tenant or sub-tenant and the rent is not paid through a contractor; the landlord and such tenant or sub-tenant; (c) Where the land is in the actual cultivating occupancy of tenant or sub-tenant but the rent is paid through a contractor; the landlord, the contractor, and such tenant and the sub-tenant; (d) Where the land is in the actual cultivating occupancy of a mortgagee from a landlord; tenant or sub-tenant; such mortgagee and the mortgagor. II. In the case referred to in sub-clauses (b), (c), and (d) of clause I -(a) the landlord, and the tenant or sub-tenant, or (b) the landlord, and the contractor, and the tenant or sub-tenant, or (c) the mortgagee the mortgagor; as the case may be, shall be jointly and severally liable for the payment of the occupier's rate. III. The expressions "landowner", "landlord" and "tenant" in this rule shall have the meanings respectively assigned to them in the Punjab Land Revenue Act, 1887 (XVII of 1887), and the Punjab Tenancy Act, 1887 (XVI of 1887).

Part V – Of Water Rates

21. Charges for the use of water.

- [Section 36]. - The charges for the use of water shall be made on the area irrigated at the rates specified in the schedules for the time being in force, and subject to the following rules :- Provided that for water used for growing of fodder crops on any irrigated area, in excess of twenty per centum of the net cropped area of an occupier, the charge for the excess area leviable according to the rates specified in the schedule shall be increased by -(a) twenty-five per centum if the irrigated area is

situated within the limits of a municipality of the third class or notified area or within a distance of five miles on all sides of outer boundary thereof;(b)fifty per centum if the irrigated area is situated within the limits of municipality of the second class or within a distance of five miles on all sides of outer boundary thereof; and(c)hundred per centum if the irrigated area is situated within the limits of a municipality of the first class or cantonment or within a distance of five miles on all sides of the outer boundary thereof.

22. Charges leviable for a preliminary watering (Paleve) when no crop is sown.

- When a field receives the first preliminary watering and afterwards no crop is sown, the lowest rate of charge for "lift" or "flow" as the case may be, will be imposed. [Notification No. 6616-IR, dated 27.11.1881.]

22A.

(1)When a field receives the first or preliminary watering and afterwards a crop is sown, there shall, subject to the provision of paragraph (2) of this rule be, payable in respect of that watering the full rate specified in the appropriate schedule as the rate to be charged for canal water supplied for the irrigation of the crop.(2)When provision is made in the schedule for the special rate being charged for a single watering followed by a crop on land irrigated from a channel to which the State Government has declared the special rate to be applicable, the rate to be charged for watering shall be such special rate and not the full rate which would otherwise be payable under paragraph (1) of this rule. [Notification No. 6616-IR, dated 17.11.1888.]

23. Charge for mixed crops.

- Mixed crops which have no specific name in the schedule of occupier's rate shall be assessed at the highest rate leviable on any one of them. [Notification No. 6616-IR, dated 6.5.1983.]

24. Charge for crops grown separately in the same field.

- Crops grown separately in the same field shall be treated as mixed crops unless the division between them has been clearly marked by a well defined ridge.

25. Charge liable on fields resown.

- When the original crop sown in a canal irrigated field fails and is ploughed up and fresh crop is sown in the same season, the Occupier's rate to be levied is that due on the crop which comes to maturity.

26. Occupier's rate for fields partly irrigated.

- [Section 36]. - If only a portion of a field be irrigated, the occupier's rate shall be chargeable on the whole field, unless such portion shall have been clearly demarcated by a well defined ridge.

27. Charge leviable on fields partly irrigated from canal, partly from wells or other sources.

-[Section 36] - When a portion of field has been irrigated with canal water, and a portion with water from well or any other source, the whole field will be treated as irrigated with canal water unless a clearly distinguishable boundary demarcated by a well-defined ridge exists between the two portions. Where such a boundary exists, enquiry will be made whether the use of water from a well or any other source was owing to deficiency in the supply of canal water; in which case the canal charge on the portion irrigated by canal water shall be reduced to lift rates.

28. Use of canal water-course for conveyance of water from a well or any other source.

- [Section 36]. - If water from a well or any other source is conveyed in the same channel as canal water in the course of the same season the whole of the irrigation from that channel during such season is liable to be treated as irrigation from the canal.

29. Charge leviable for permanent irrigation from escapes.

- [Section 36] - Irrigation from escape channel when the supply is permanent shall be governed by the same rules as irrigation from other parts of the canal.

30. Charges leviable for intermittent irrigation from escapes.

-[Section 36]. - Irrigation from such channels when the supply is intermittent may be allowed at such reduced rates as shall from time to time be fixed by the State Government in each case.

30A. Owner's rate.

-[Sections 37, 38 and 39.] - (1) Where any irrigation scheme has come into operation for any one of the following purposes namely :-(a)Extension of irrigation to new areas from any existing or projected canal.(b)Extension of irrigation to areas situated within the approved irrigation boundary of an existing canal system.there shall be owner's rate recoverable from the owners of the areas so irrigated, as below :

- | | |
|--------------------------------------|---------------------------|
| (i) Perennial irrigation | Rs. 3.00 per acre matured |
| (ii) Restricted perennial irrigation | Rs. 2.00 per acre matured |

(iii) Non-perennial (Kharif) irrigation Rs. 1.50 per acre matured

Provided that :-(a)Where in any irrigation scheme only the lift irrigation is possible and arrangements for the same are maintained and operated by the landowners, the Owner's Rates shall be one half of the rates payable for gravity flow irrigation;(b)Where on a land crops are matured by irrigation from drains or escape channels, falling under the definition of "canal" as given in the Northern India Canal and Drainage Act, VIII of 1873, Owner's Rate equal to the rate prescribed for non-perennial irrigation shall be payable.

2. Realization of Owner's Rates. - The amount of Owner's Rates shall be shown separately in the demand statements of occupier's Rate and shall be realized from the landowners in the same manner as prescribed for the recovery of Occupier's Rates.

3. [Remission of Owner's Rates. [Published vide Punjab Government Notification No. 412/IW/59/256, dated 6.1.1959.] - Where Occupier's Rates on any land has been remitted under the rules for the time being in force relating to any Canal the Owner's Rates in respect of that land shall be deemed to be remitted automatically, and the landowner concerned need not put in an application for remitting the same, separately.]

31.

When a natural drainage channel or reservoir, not being a part of the canal, is used as an escape channel, if it is so used at the request of persons desirous of irrigation from it, the same rates shall be chargeable for irrigation from it as for irrigation from an escape channel :Provided that the area, if any, irrigated from it previous to the introduction of canal water shall not be liable to water rate, the amount of such area shall be determined by the Deputy Commissioner. In all cases in which water is supplied under this rule, a written contract shall be executed, setting forth the terms on which it is supplied.

32. Charge leviable for taking water from a canal without permission or at times prohibited by proper authority (i.e. during tatils)

- Persons taking water from a canal without permission or at a time prohibited by proper authority shall be chargeable with a special rate as below, in respect of all lands on which water has flowed :-(i)Uncultivated land. - [Sections 31 and 34]. - The special rate in this case will be equal to six times in addition to the ordinary occupier's rate leviable on the crop standing at the time in the area;(ii)Uncultivated land. - Equal to six times the highest rate prescribed by State Government in the schedule of occupier's rates for any one crop;(iii)Ponds etc. - Equal to six times the bulk rate sanctioned for the time being by the State Government :Provided that in each case the Collector may impose a lower charge if he thinks fit, and, provided further that this charge may be made for each

distinct and separate occasion on which water is so taken. If the person or persons taking water from a canal in an unauthorised manner cannot be identified the persons chargeable shall be determined in accordance with the provisions of section 33 of Act provided the water is conveyed through a water-course. [Notification No. 798/5 Rev., dated 4.6.1914 R/63, 29, dated 5.6.1944.]

33. Charge leviable for canal water used in an unauthorised manner or suffered to run to waste.

- [Sections 31, 33 and 34]. - Persons using canal water in an unauthorised manner or suffering it to run to waste shall be chargeable with a special rate in the same manner and at the same rates as prescribed under Rule 32 : Provided that in every case the Collector may impose a lower charge, if he thinks fit and provided further that this charge may be made for each distinct and separate occasion on which water is so used. If the person or persons using water in an unauthorised manner or suffering it to run to waste cannot be identified, the persons chargeable shall be determined in accordance with the provisions of section 33 or 34 of the Act as the case may be. For the purpose of this as well as the preceding Rule, the area shall be measured up as soon as possible and the persons chargeable with the special rate having been determined, notice shall at once be given to them on each such occasion that they will be charged accordingly in the demand statement for the area thus watered. The special rate shall be in addition to such penalties as may be imposed under section 70 of the Act.

33A.

(1) The Divisional Canal Officer shall within 48 hours of the receipt of any information that the water supplied through a water-course is being used in an unauthorised manner under section 33 or is suffered to run to waste under section 34, inform the Collector in writing giving the date, time and place of such use or waste of water and all other information relevant hereto. (2) The Collector shall, on receipt of such information, institute a summary inquiry for determining, if possible, the persons responsible for the unauthorised use or waste and thereafter proceed to determine under sections 33 and 36 of the Act the charges to be levied and the persons against whom such charges are to be levied. The Collector shall give to the parties concerned due notice of date, time and place of hearing in the manner prescribed under rules 79-A to 79-I. In case of failure of any of the parties to attend in spite of service of notice the Collector shall take ex parte proceedings and give his decision after recording such evidence as may be produced or such further evidence as he may deem necessary.

33B.

, 33C, 33D, 33F and 34. Omitted.

34A.

An appeal against any charge under rules 22 to 33 may be preferred to the Commissioner.

35. Schedule of rates to be accessible to villagers.

- [Section 75]. - The patwari of every village irrigated by canal shall be furnished by the Divisional Canal Officer with a statement in the Regional Language showing the rates of assessment per ordinary local and canal measurements, which statement shall be suspended in the chaupal or in a conspicuous position in a place of public resort.

36. Patwari's fees.

- (This rule has been omitted). Notification No. 22361, dated 13.5.1888.

37. Lambardar's Fees.

- [Section 46]. - The allowance to Lambardars, or other persons collecting from cultivators shall be three per cent on the amount collected on account of water rates on the condition that full amount due has been paid for each estate by the date fixed by the Financial Commissioner and that the Lambardar has performed his duty connected with the assessment, such as personal attendance or deputation of a proper substitute at the time of measurement and correct report of irrigation. The allowance to lambardar or other persons collecting from cultivators shall be one per cent on the amount collected on account of charges for tubewell irrigation on the condition that full amount has paid for each estate by the dates fixed by the Financial Commissioner, and that the lambardar has performed his duty concerned with collection such as distribution of deemed slips, realisation of the amount and depositing the same into the treasury : Provided that it shall be at the discretion of the Deputy Commissioner or Divisional Canal Officer as the case may be, subject to the appeal allowed by Rule 76 to withhold the whole or part of the allowance prescribed in this rule in the event of conditions not being complied with.

Part VI – Navigation

38. Tolls.

- [Sections 49, 51 and 58]. - When a Government canal shall have been declared by the State Government open for navigation, tolls and charges on boats and rafts, plying thereon shall be levied on such a system and at such rates, as shall be from time to time determined by the State Government with the approval of the Government of India, such system and rates being published by notification in the Government Gazette.

39. Ferry and steam boats.

- Ferry and steam boats shall not be permitted to ply on the canal except under written licences which shall be in the forms contained in Appendices II and II(A), respectively, from the Divisional Canal Officers, and subject to conditions therein laid down. An appeal against an order revoking such licences may be preferred within 15 days to the Superintending Canal Officer, whose order

shall be final.

40. Measurement.

- Every boat or raft entering a Government canal shall be liable to measurement for the purpose of ascertaining the amount of toll the boat or raft shall pay, according to the schedule of rates in force for the time being.

41. Number.

- Every boat, at the time of first measurement shall be given a serial number by which it shall be distinguished while plying on the canal. The number shall be fixed on the part or the left hand bow of the boat and shall not be less than eight inches in height and shall be of such a colour as to be easily distinguishable at a distance of 100 yards.

42. Ticket.

- Every boat on entering a canal shall be furnished with a ticket, in the form contained in Appendix III which shall specify the number of the boat, the date on which it entered the canal, the name of the owner of the boat, his occupation and place of abode, and the name of the person incharge of the boat. Upon leaving the canal the Divisional Canal Officer shall enter on the tickets the date of leaving and shall return the tickets to the person incharge of the boat.

43. Dimensions.

- No boat above 14 feet beam overall shall be allowed in a canal on which the locks are 16 feet in width, and no boat above 18 feet beam overall shall be allowed in a canal in which the locks are 20 feet in width. No raft of more than 14 feet in width and 90 feet in length shall be allowed on any canal, the locks of which are 16 feet and no raft of more than 18 feet in width and 100 feet in length will be allowed in a canal, the locks of which are 20 feet in width.

44. Tolls payable in advance.

- Tolls on boats are payable in advance and no boat shall be allowed to leave any canal on which it is plying until all such tolls and charges have been duly liquidated. The Officer granting permission for the boat removal shall sign the certificate at the foot of the ticket given under Rule 42 (Appendix III) after satisfying himself that all claims against the boat have been paid.

45. Receipt for tolls.

- Tools may be paid either to the Divisional Canal Officer or to the persons appointed by him, hereinafter called the agent at any of the toll stations, and a receipt, in the form contained in Appendix IV shall be granted for the same.

46. Pass for boats.

- Omitted.

47. Pass to be shown when required.

- It shall be obligatory on the persons in charge of a boat to show the pass granted under rule 42 when called upon to do so by the Divisional Canal Officer or his authorised agent.

48. Every boat or raft to be navigated by two persons.

- No boat or raft shall be navigated by less than two adult persons, except from Dadupur to the Jagadhri Timber Depot in which case raft whose length does not exceed 55 feet may be navigated by one adult person per raft. [Notification No. 3368 R.I., dated 28.7.1926.]

49. Pass for rafts.

- Pass in the form shown in Appendix VI shall be granted to persons wishing to float rafts down a canal upon an application to the Divisional Canal Officer or the nearest agent. No raft unprovided with a pass shall enter a canal.

50. Removal of rafts from canal.

- On reaching the destination specified in the pass, the person in charge of rafts shall within two days deliver the said pass to the local agent who if all is in good order, shall authorise removal of the raft which shall be effected within five days, from the time of permission being granted unless written authority to defer removal is given by the agent. [Notification No. R.I., dated 23.11.1921.] The local agent shall maintain a register in the following form :-Form of registerDraft has arrived from _____ on _____ at _____ and its delivery has been taken by the dealer on _____.

51. Divisional Canal Officer empowered to remove rafts.

- Rafts not removed within the time required by Rule 50 and rafts found unattended may be taken out of the water by the Divisional Canal Officer or his agent.

52. Rafts without passes.

- Any rafts found in a Government canal unprotected by a pass, may be charged with double toll reckoned on the distance from the head of the canal to the place where such raft is found shall be removed from the canal.

53. Double rate to be charged for excess over quantity shown in pass.

- Double rates shall be leviable on all articles in excess over quantity of each kind specified in the pass granted under Rule 49.

54. Removal of rafts lodging against canal works.

- Every person floating a raft in a canal shall so navigate it that it shall not lodge against any canal works; and if any raft so lodges or causes obstruction, it shall at once be broken up and removed by any Canal Officer on the spot.

55. Masts

- Boats must have their masts fitted so that they can be let down with ease and speed; and no mast shall be so high as to strike or scrape any bridge under which the boat may pass.

56. Boats and rafts to be fastened for and aft.

- Every boat or raft which is or brought to alongside of a canal bank or wharf must be securely fastened for and aft to the bank of wharf; no boat or raft can be brought up outside another or so moored without the permission of the Divisional Canal Officer.

57. Boats and rafts to be moored so as not to obstruct.

- No boat or raft shall be placed in such a position so as to endanger the safety of other boats or rafts, or to obstruct their passage or to impede navigation and no bamboos or poles shall be allowed to be erected or to remain erected on vessels to the bank.

58. Every boat or raft when brought to have some one on board.

- Every boat and raft in navigable channel shall have some person in attendance on board at all time and it shall never be left unattended.

59. Wrecks.

- In every case of a wreck or obstruction in a canal channel by a sunken or a partially sunken boat or raft, the Divisional Canal Officer may call upon the owner or a person in charge to remove the same without delay. Should the owner or person in charge, be not forthcoming or should he refuse to remove the wreck or obstruction, then the Divisional Canal Officer may undertake its removal under section 49 of the Act.

60. Banks or berms not to be used as wharves.

- The banks or berms of the canal shall not be used as wharves for the deposit of goods, except with the permission of the Divisional Canal Officer, or of some person authorised on his behalf.

61. Goods to be removed from canal lands.

- All goods shall be removed from the canal lands within seven days, unless the written permission of the Divisional Canal Officer be obtained to their remaining longer. All goods deposited on canal lands must be properly stacked, and so placed as not to interfere with other traffic. In the event of such goods not being removed when required a charge of one paisa per quintal per diem shall be levied, when the goods are susceptible of being reckoned by weight or at proportionate charge shall be determined by the Divisional Canal Officer when the goods are reckoned by number. This rule does not apply to canal waterhouse, for which special rules will be framed. [Notification No. 0589-I, dated 27.8.1984.]

62. Boats or rafts liable to be examined.

- Any boat or raft plying on a canal may be examined by any Canal Officer of rank not inferior to a Sub- Divisional Officer, or by any agent, provided there is reason to believe that the owner or the person incharge thereof is attempting to evade these rules.

63. Canal closures.

- Any canal may be closed once a year for the execution of needful works, on one month's notice published in the Government Gazette of the intention so to close it. Any canal may be closed at any time without notice in the event of any sudden emergency, and no claim for compensation to any owner or person in charge of any boat or raft navigating the canal shall be created by unavoidable detention resulting from such closure or from the depth of water being at any time unavoidably reduced in the canal, or from the failure of any weir, lock, bridge or other work in the canal bed. The fact of an emergent closure having been authorised shall be notified in the Government Gazette, whenever the duration of such closure may be likely to exceed or shall have exceeded, three days. [Notification No. 2591 I, dated 27.8.1981 (129).]

Part VII – Of Drainage work

63A.

- (Rules published with P.G. Irrigation Branch Notification No. 1120/CA-1446/53, dated 2.8.1954 and amended vide Irrigation Notification No. 1417/CA, 1446/53, dated 1.4.1956 (Sections 57, 59 and 60).

1. Mode of publication of drainage works schemes. - A Scheme for drainage work, under section 57 of the Act, shall be published in the Official Gazette together with an estimate of its cost and a statement of the proportion of such cost which the Government proposes to defray, and the schedule of the lands which it is proposed to make chargeable in respect of the scheme, and translation thereof in Punjabi in Gurmukhi script shall be posted :-

(i)at the Offices of the Deputy Commissioner and the Divisional Canal Officer;(ii)at conspicuous places in the locality affected by the scheme : such as Tehsils and Thanas, etc;and shall also be published by beat of drum or in any other customary manner.

2. Cost of the drainage works scheme. - The term "Cost" in section 57 of the Act shall be deemed to mean the total charges of construction of the drainage works scheme and shall include the cost of land, if any, acquired for the drainage works, departmental charges, and such interest charges as may be ordered by the Government in accordance with its financial rules.

3. Calculation of drainage rate. - The portion of the cost to be recovered from the owners of lands benefitted by the scheme, shall be worked out on the basis or the area served by the scheme in the following manner :-

(i)Total cost of scheme _____ A.(ii)Amount recoverable from the owners
(Total cost of the scheme less the portion that Government proposes to defray)
_____ B.(iii)Total area that will be served by the scheme
_____ C.(iv)Rate per acre of the area served by the scheme
_____ (v)Area benefitted in a village _____ B/C D(vi)Total recovery
from the village _____ VxD.(vii)Total revenue of the village
_____ R(viii)Amount recoverable per rupee of land revenue from the village
VXD R(xi)Revenue paid by a landowner _____ r(x)Amount recoverable from
the landowner VXBXR R

4. Option of landowner for mode of payment. - On publication of the drainage works scheme, the Divisional Canal Officer shall publish in the villages affected thereby that the owners of land chargeable in respect of the scheme should intimate to him through an application, in writing, within 15 days, of the date of such publication, their option with regard to the manner of payment.

If no intimation regarding manner of payment or an objection under Rule 5 infra is received by the Divisional Canal Officer from any land-owner within the period prescribed, it shall be presumed that

he proposes to contribute in cash.

5. Disposal of objections as to the ownership of lands chargeable in respect of drainage charges. - Any aggrieved land-owner may present a petition, in writing to the Divisional Canal Officer within 15 days of the date of publication referred to in sub-rule 4 stating his objection. The Divisional Canal Officer shall after giving him an opportunity to support his objections and after such verification as may be necessary, either confirm, vary or cancel the assessment against him.

6. Condition for surrender of land in lieu of drainage charges. - Surrender of land by any landowner in lieu of full or part payment of drainage charges shall be acceptable only if the area to be surrendered is free from all encumbrances and comes within area to be acquired by the Government for the execution of the drainage scheme concerned.

Where land is given by the owner, due credit for the Costs of such lands will be given to the recoveries of drainage charges to be effected from land- owners.

7. Evaluation of land offered for surrender in lieu of drainage charges. - The value of land surrendered in lieu of drainage charges will be determined as per rules laid down in Financial Commissioner's Standing Order No. 28 by the Collector.

8. Apportionment of dues among joint ownership. - If any land on which charges are levied, is owned by more than one person Divisional Canal Officer, on receipt of application from any one of the owners will distribute the charges amongst all owners according to their shares in the said lands as per Revenue records.

9. Conditions for offer of labour in lieu of drainage charges. - The offer of labour made by any landowner in lieu of full or part payment of charges shall be accepted, if the labour is to be performed only by able- bodied adult males between the age of 18 and 55 years and shall be subject to the following conditions :-

(i)The land-owner, who chooses to contribute in labour will inform the Divisional Canal Officer, or the Sub-Divisional Canal Officer, concerned, of the quantum of labour that he would supply, and the Divisional Canal Officer or the Sub-Divisional Canal Officer will intimate to the tehsildar, through

the Collector, that corresponding recoveries be held in abeyance.(ii)The quantum of labour will be supplied in the digging of the drain in question which the Divisional Canal Officer or the Sub-Divisional Canal Officer will specify to the owner. The Divisional Canal Officer or the Sub-Divisional Canal Officer will allocate the reach in which he will accept the labour.(iii)The period for which recovery will be held in abeyance will be the period specified for the digging for the drain and will be fixed by the Divisional Canal Officer in each case.(iv)The Divisional Canal Officer or the Sub-Divisional Canal Officer will communicate at the expiry of the period to the tehsildar, through the Collector, the remission to be granted to each owner for contribution by way of labour.

10. The rate of labour offered by a land-owner. - The rate of labour offered by a land-owner in lieu of payment of drainage charges will be the rate for the time being paid by Government in the neighbourhood for similar works.

11. Distribution of demand slips. - As soon as the demand statements in respect of drainage charges for any village are completed the copies of demand slips meant for assesseees will be sent to a Canal Patwari or a Civil Patwari through the Collector. The Patwari will deliver these to the lambardar concerned within 5 days of their receipt by him. The Lambardar will distribute them among assesseees or failing them to their recognised agents or an adult male member of the family of an assessee within 5 days of receipt of these demand slips from Patwari. The acknowledgement of assesseees for demand slips shall be submitted by Lambardars to Divisional Canal Officer under a registered post through Canal Zildar concerned within 10 days of their receipt from Patwari.

12. Submission of demand statement to Tehsil. - One copy of the demand statement for each village shall be sent to the Tehsil concerned through the Collector for recovery. The Divisional Canal Officer may lay down if recovery is to be made in one or more instalments.

13. Procedure of recoveries. - Any amount due from an assessee under a Notice of Demand for drainage charges shall on demand, be payable to the Lambardar concerned. The procedure for recovery will be the same as followed in the case of recovery of land revenue and water rates.

14. Objections by land-owners to amounts shown in the demand statement and their disposal. - Any owner may present his objections against the amount shown in the demand statement to the Divisional Canal Officer concerned, within 15 days of the date of receipt of the demand slip by him, or

his agent or any adult male member of his family.

Part VIII – Of Obtaining Labour etc.

64.

- Omitted by P.G. (I & P) Deptt. Notification No. GSR 297/CA8/1873/S.75/65, dated 4.12.1965.

Part IX – PART X

Of Offences and Penalties

65. Trial of offences.

- [Section 70]. - Offences under the Act shall be tried by the Judicial Magistrate 2nd Class.

66.

[Section 70 clause 11]. - No person, without the permission in writing of the Divisional Canal Officer, shall pass, or shall cause any animal or vehicle to pass on or across any of the roads, works banks or channels of Canal, or drainage work, after he has been desired to desist therefrom, excepting upon such bridges, fords and ferries and their approaches, as are provided by the Divisional Canal Officer.

Part XI – Subsidiary Rules

67. Assessment and realization of occupier's rate.

- The amount demandable for occupier's rate shall be determined and apportioned by the Divisional Canal Officer, and the Deputy Commissioner shall realise the sums due.

68. Khatauni to be accessible to villagers.

- [Section 75]. - The Patwari is responsible that the village copy of Khatauni or demand statement is at all times accessible to any person who pays for canal water.

69. Distribution of parchas.

- As soon as the Khatauni and parchas of a canal Patwari's Circle are completed, the Canal Patwari shall inform the Lambardars of the dates on which the purchase will be distributed in each village. The Lambardar shall call upon the irrigators to attend and receive the parchas from the Canal Patwari. Undistributed parchas shall be entrusted to the Lambardars of the village. The Canal

Patwari shall in every case endorse the date of distribution on the parcha. [Notification No. 1077-I, dated 21.4.1882.]

70. Complaints against khasra entries.

- [Section 75]. - If a cultivator desires to contest the correctness of the entries made against him in the demand statement whether as to the fact of the land having been irrigated or of its being charged "flow" or "lift" or as to the measurement and entries of class or crop; he must lodge a complaint with the Divisional or Sub-Divisional Canal Officer or Deputy Collector or Ziladar within twenty-one days of the date on which the parchas were distributed on completion of the measurements of the village, or if he has been charged without having done any irrigation from the canal during the harvest under assessments or, if no parcha has been delivered either to him or to the lambardars, within ten days of the date on which he first became acquainted with the claim against him; and the claim shall be investigated on the spot within fifteen days of receipt of the complaint, and promptly decided. On a complaint being presented to a Ziladar, he will immediately make a local enquiry and report the circumstances of the case to Sub-Divisional Officer for order. The order of the Divisional or Sub-Divisional Canal Officer, or Deputy Collector, in such cases shall be forthwith communicated to the complainant, and shall be subject to appeal to the Commissioner of the Division.

71. Objection may be made by a Lambardar etc. on behalf of cultivators.

- [Section 75] - When a Lambardar or other person is responsible under sections 46 and 47 of the said Act, for the payment of the occupier's rate in a village, or any portion of a village, complaints under these Rules may be lodged by such Lambardar or contractor, instead of by the cultivator, and any refund that may be necessary in consequence of the order passed upon objection so lodged, shall be paid by the Deputy Commissioner to such Lambardar or contractor on account of the cultivators concerned. In case the Lambardar or contractor does not file any objection, the cultivator himself can lodge objections for refund.

72. Method of dealing with alteration in the demand.

- If after the giving of the parcha, any addition is made to the demand or any reduction is allowed on a claim under rule 20 or appeal under rule 34 or by way of remission under section 32, clause (b) of the Act or otherwise, such addition or reduction shall be communicated to the cultivator by means of supplementary parchas. Demand shall be shown in black and remissions in red letters. All such alterations as are made before the despatch of the Khatauni to the Deputy Commissioner shall be included in that document, and shall also be written on slips similarly printed (black for additions and red for reductions) and attached to the Khatauni. Alterations made after the despatch of the Khatauni shall be communicated to the Deputy Commissioner by means of similar slips.

73. Objections to the demand.

- Objections to the demand urged before the Deputy Commissioner shall be referred by him to the

Divisional Canal Officer, the collection not being suspended, except on the receipt of an intimation from the Divisional Canal Officer that an objection has been admitted by him.

74. Irrecoverable balances.

- Balances as found to be irrecoverable owing to want of assets, absconding of defaulters, or any other such cause and claims for refund on the ground of mistakes in collection, shall be dealt with by the Deputy Commissioner under the rules for suspension, remission or refund of land revenue. [Notification No. R-I, dated 9.10.1966 as unamended.]

75. Payments of refunds.

- Omitted.

76. Appeal against retrenchment of fees.

- [Section 75]. - An appeal against retrenchment of fees of Lambardar shall lie to the Commissioner of the Division or Superintending Canal Officer, according as the retrenchment has been made by the Deputy Commissioner or Divisional Canal Officer.

77. Receipts for water rates.

- Receipt shall, when demanded, be given by the Lambardar or other person making the collection to each cultivator on payment of occupier's rate.

78. General prohibition.

- [Section 75]. - No person employed on a canal shall, without previous sanction obtained from the Divisional Canal Officer, have any interest in the distribution or use of water from the said canal, or purchase, or bid for any Government property sold thereon either in his own name, or in the name of another, or jointly, or in shares with others.

78A.

. All proceedings under sections 8, 9, 15, 17, 18, 19, 20, 23, 24, 30A, 30D, 30FF, 32, 33, 34, 35, 61, 62, 68 and 70 of the Act shall be taken in a summary manner and any officer, who is required or empowered to take action in any matter under these sections of the Act, shall unless for reasons to be recorded in writing by him it is not practicable to do so, decide such matters within a period of four months. A brief memorandum of evidence produced in such proceedings shall be prepared by the officer hearing them.

78B.

All applications made under the sections of the Act mentioned in rule 78-A shall be submitted to the officer concerned in duplicate who may while calling for a report from the subordinate officer forward the duplicate copy to that officer immediately retaining the original for his own record. When a report is called from the subordinate officer the case shall be adjourned to a date fixed for the purpose and the applicant shall be informed of the date so fixed. Procedure Service of Summons and Notices and the Publication of Notices, Proclamations etc. Notification No. 0721-I, dated 20.6.1898

79A.

- Every summons notice, order, requisition and proclamation which under the Northern India Canal and Drainage Act, 1873, or the rule thereunder is required to be served on or issued, delivered or communicated to any person or published for general information, shall be so served, issued, delivered, communicated or published (as the case may be) as hereinafter provided.

79B.

- Every such summons, notice, order, requisition or proclamation shall be drawn up in writing and dated and signed by the officer having authority to issue or make the same.

79C.

- Every public notice or proclamation shall be issued or made by posting certified copies thereof - (a) at the office of the Officer giving or making the same in such manner that such notice shall be accessible to the public; (b) at convenient places in the locality or near the residence of the persons affected thereby, and by beat of drum or oral proclamation or other customary method.

79D.

(1) Every summons, notice, order or requisition which is required to be served on or delivered or communicated to any person shall whenever possible, be so served, delivered or communicated - (a) personally on or to the person to whom it is addressed, or failing him, (b) on or to his recognised agent, or failing such agent, (c) on an adult male member of his family usually residing with him. (2) When the serving officer delivers or tenders the summons, notice, order or requisition which is required to be served on, delivered or communicated to any person personally or to an agent or other persons on his behalf he shall require the signature of the person to whom the summons, notice, order or, as the case be, requisition is so delivered or tendered as to acknowledgement of service endorsed on the copy of such summons, notice, order or requisition. (3) The serving officer shall, in all cases in which the summons, notice, order or requisition has been served, under this rule, endorse on the duplicate copy thereof a memorandum signed by him stating the time when and the manner in which such summons, notice, order or requisition was served, and return such copy

to the officer having authority to issue or make the same.

79E.

- If service, delivery or communication cannot be so effected or if acceptance of service, delivery or communication is refused the summons, notice, order or requisition may be served, delivered or communicated by posting a copy thereof at the usual or last known place or residence of the person to whom it is addressed, or if that cannot be done, then in such other manner as the Officer authorised to issue or make the same may specially direct.

79F.

- If the summons, notice, order or requisition relates to a case in which persons having the same interest are so numerous that personal service on each one of them is not reasonably practicable, it may be served, delivered or communicated by delivery of a copy thereof to such of those persons as the officer authorised to issue or make the same specially nominated in this behalf, and by proclamation of the contents thereof for the information of the other persons interested.

79G.

A summons, notice, order, or requisition may be served on or delivered or communicated to the person therein, either in addition to, or in substitution for any other mode of service by forwarding the summons, notice, order or requisition by post, in a registered letter addressed to that person.

79H.

- When a summons, notice, order or requisition is so forwarded in a letter and it is proved that the letter was properly addressed and duly posted and registered, the Officer authorised to issue or make the same may presume that summons was served at the time when the letter would be delivered in the ordinary course of post.

79I.

- In every case in which service of any process is not effected personally, the Officer authorised to issue the same shall satisfy himself by examining the process server or otherwise, that such service has been duly effected in the manner required by these rules. Of Appeals, revisions and references and the Procedure therein

80. Interpretation.

- In the following rules the expression, "the Court" denotes the Officer to whom in the particular case an appeal may be preferred under the provisions of the Act, or the rules made thereunder for the time being in force.

81. No appeal except when expressly given.

- No appeal shall lie from any decision or order given or made under any provision of the Act except where an appeal is expressly allowed by the Act or by the rules made thereunder for the time being in force.

82. Period for appealing.

- The period for presenting an appeal shall be thirty days unless any other period is expressly prescribed, and in the latter case the period so prescribed. Extension of time. - But any appeal may be admitted after the period prescribed when the appellant satisfies the Court that he had sufficient cause for not presenting the appeal within such period. If the period prescribed expires on a day when the court is closed, the appeal may be presented on the day the Court re-opens.

83. Calculation of period.

- The period prescribed shall be calculated from the date of decision or order appealed from and in computing such period, the day when the decision or order was made and the time requisite for obtaining a copy of the decision or order appealed against shall be excluded.

84. Form of appeal.

- The application for admission of an appeal shall be stamped in accordance with the law in force relating to court fees, and shall be accompanied by a copy of decision or order appealed against, and shall state concisely the grounds upon which the appeal is preferred.

85. When appeal may be summarily rejected.

- The application may be rejected if, upon perusal of the grounds of appeal and the copy of the decision or order appealed against, it appears to the Court unnecessary to call for the proceedings.

86. Procedure on admission of appeal.

- If the application is granted an entry thereof shall be made in a register of appeals numbered consecutively, and a day shall be fixed for the hearing of the appeal.

87. Notice of hearing to be given.

- Notice of the date and place fixed for the hearing of the appeal shall be given to the applicant in such manner as the Court may direct and to every other party to the case whose interest is opposed to that of the appellant in the manner hereinafter prescribed.

88. Contents of notice.

- A written notice containing the title of the Court, the names of the parties, the date and the place fixed for the hearing of the appeal, and such other particulars as the Court may by general or special order direct, shall be issued in duplicate under the hand and seal of the Court.

89. Mode of service.

- All notices and processes issued in connection with appeal shall be served in the manner prescribed by rules 79-A to 79-I in connection with the service of summonses and notices generally.

90. Acknowledgement of personal service.

- When personal service is effected, his addressee shall be required to acknowledge the service by affixing his signature, seal or mark on the back of the duplicate copy to be retained by the serving officer.

91. Memorandum by serving Officer.

- The serving Officer shall in every case endorse on the duplicate copy a memo, signed by him of the date and mode of service, and return such copy to the Court which issued it.

92. Cost of service.

- The cost of serving any notice shall be borne in the first instance by the party appellant, and shall be paid to the proper officer of the Court before such notice is issued. The charge made for service shall be in accordance with the lowest civil process scale for the time being in force.

93. Hearing may be postponed or adjourned.

- The hearing of an appeal may be postponed or adjourned from time to time as the Court may think fit by written order to any subsequent date, and notice of such date shall be given to the parties in such manner as the Court may direct.

94. Attendance or representation of parties not essential.

- The attendance of the parties in person or by representative, shall not be necessary at the hearing of any petition or appeal, but any party so attending shall be entitled to be heard.

95. Court to be satisfied before hearing that notice has been received by parties.

- The Court shall not proceed to the hearing of any appeal unless and until it is satisfied that notice of the date and place fixed for such hearing has been received by the parties concerned in sufficient time to permit them to appear or to be represented at such hearing :Provided that the Court may presume that notice has been received when a written notice has been served in any of the ways described in rule 89 above. Provided also that an appeal may be heard and decided, notwithstanding the absence of any party who is shown to the satisfaction of the Court to be wilfully evading service of notice.

96. Procedure on hearing (When parties present).

(a)The Court before passing an order or decision on the appeal, shall record in writing which (if any) of the parties to the appeal are present in person or by representative, at the hearing thereof.(b)Further enquiry by appellate Court. - The Court, if it thinks further enquiry necessary, may conduct such enquiry itself in such case and shall be deemed to be an officer with the powers described in section 69 of the Act.(c)The decision or order of the Court. - When the hearing of the appeal is concluded, the decision or order of the Court shall when practicable, be pronounced forthwith, and shall be recorded in writing signed by the Court, and the substance thereof shall be explained to such of the parties or their representatives as are present when the decision or order is passed or given.(d)Omitted by P.G. Notification No. GSR 241/...../66, dated 11.10.1966.

97. Copy thereof to be sent to the subordinate officer.

- A copy of the decision or order shall be transmitted by the Court to the Officer from whose decision or order the appeal was preferred.

98. Copies to be granted to parties.

- A copy of the decision or order of the Court, in English or (regional language) shall be granted to any person concerned or interested therein, who shall apply for the same upon payment of the proper Court Fee and copying charges.

99. Of hearing in certain events.

- If any party against whom an order or decision is made or given upon an appeal heard in his absence shall within thirty days of the date of such order or decision, satisfy the Court that he had received no notice of the time and place fixed for the hearing thereof, had not received such notice in sufficient time to permit him to appear, and that he did not wilfully evade service thereof, the Court may pass order, if it thinks such order requisite for the ends of justice (and not otherwise) upon such terms as appear just, setting aside its previous decision or order, and grant a re-hearing, which shall be subject to the same rules as the hearing of an appeal.

100. Power of revision by Financial Commissioner and Chief Engineer and rule 101 (Power of revision by State Government).

- Issued vide Notification No. 34001-R, dated 23.2.1938. Cancelled.

102. Finality of orders and decision of Appellate Court.

- Except as provided in the three last preceding rules or, as may be otherwise expressly provided in the rules for the time being in force, the order or decision passed upon any appeal shall be final.

103. Scope of rules.

- Nothing contained in the foregoing rules applies to the hearing of an appeal from any decision or order in a criminal case under the Act.

104. Procedure upon references under Section 27.

- Upon a reference to the Commissioner under section 27 of the Act, the procedure shall as far as may be, be the same as is prescribed in rule 2 upon a reference under section 20 of the Act.

105.

Except, as provided in the rule 2 and in the last preceding rule, no person shall be entitled to be heard in person or by a representative before the Superintending Canal Officer, Commissioner, or other higher authority to whom, under the provisions of the Act or the foregoing rules any matter is submitted or referred for a sanction, approval or decision. Nothing in this rule shall preclude the person concerned from submitting for the consideration of any such officer or authority, petition relating to any matter so transmitted or referred.

Part XII – Inspection of Records

106.

Records relating to proceedings before any officer competent to decide a case under the Act or these rules shall be open to inspection by the persons interested therein or their counsels, as the case may be.

107.

Inspection of the general file containing record of executive proceedings including notes and reports by the subordinate officers is not permitted.

108.

The inspection of the pending as well as the decided cases will be subject to the control of the officer in whose charge the file may be at the time of making the application for inspection.

109.

The application for inspection of records shall be made in writing to the officer concerned specifying the record, the inspection of which is desired.

110.

The application for inspection of record shall bear Re. 1/- Court fee stamp, in addition to the amount of inspection fee specified hereinafter.

111.

The inspection fee shall be Re. 1/- for each hour or part of an hour for ordinary and Rs. 2/- for each hour or part or an hour for urgent inspection on the date of the hearing.

112.

The fee shall be paid in Court fee stamp or stamps, affixed to the original application before the file is handed over to the applicant. The stamp or stamps affixed to the application shall be punched; cancelled immediately on receipt of the application.

113.

If more time than is covered by the fee is taken in the inspection, the balance shall be paid at the close of the inspection by affixing the additional (stamp or stamps to the application).

114.

A separate application shall be made and a separate fee paid for each record the inspection of which is desired, unless the records are so closely connected that in the opinion of the officer incharge of the record they may be regarded as one, in which case one application and one fee shall suffice.

115.

The inspection of records shall be made at such time, in such place and in the presence of such officials as the officer incharge of the record may direct.

116.

No mark shall be made on any record or paper inspected. The copying of any document or portion of the records in pen and ink is strictly prohibited, but pencil notes from the record may be made by the applicant, his counsel or any other authorised agent.

117.

A separate register shall be maintained in the office of the officer allowing inspection of the record for all applications received for inspection of the warabandi files and fees paid for their inspections. Appendix I Application for water-course from _____ Canal

_____ Village _____ Paragraph _____ For
_____ Crop of 19____ To Be Filled By The Applicant

1. Name of the applicant.

2. Name of supply channel.

3. Proposed site of new outlet.

4. Approximate area of land to be irrigated.

5. Number of pipes required.

6. Irrigation by overflow or lift.

7. Approximate length of water-course.

8. Names of owners of lands to be traversed by water-course.

9. Land irrigable from any existing outlet or not.

10. Number and names of intending share-holders (if any) in the outlet applied for.

Signature of the applicant _____ To Be Filled In By The Sectional Officer

11. Number of outlets now in supply channel Right Bank Left Bank

12. Width of bank including slope and pathway

13. Number of outlets now allotted to village. Whole village Applicant's lands

14. Culturable area. In village

15. Area already provided with irrigation In applicant's holding

N.B. - Columns 11-15 to be filled in office. Appendix II

Licence for ferry boat. Canal

Position of ferry.

Dimensions of boat or raft.

Name of person to whom license is granted.

Period for which license is granted.

Tolls liable at ferry.

Conditions This license may be revoked without any compensation thereby becoming claimable by the licensors if tolls be levied in excess of those specified above are if the boat be not maintained in proper working condition or if delays or obstructions to travellers occur, or for other fault which in the judgment of the Divisional Canal Officer, demands it. Appeal against the order of the Divisional Canal Officer shall lie to the Superintending Canal Officer. (Sd/-) A. B. Executive Engineer, Divisional Canal Officer Station and date Appendix II(a)

Notification No. Licence for Passenger Boat.....canal. Number of

144.R 1 dated 28th Boat.....Dimension of Boat.....Name of licensee with
April, 1903 (236), father's name and place of abode

Petition for which license is granted

Conditions under which license is granted

1. Length not exceed

2. Beam not to exceed

3. Draught loaded with full number of passengers of luggage not to exceed.....

4. Number of passengers not to exceed

5. Number of crew not to be less than.....

6. Lights to be carried

7. The number of the boat is to be printed in large figures not less than eight inches in height on both bows of the boat distinguishable at a distance of 100 yards.

8. The license, or a copy thereof, is to be exhibited in a conspicuous position on board the boat.

9. The boat may be stopped and inspected and the number of passengers on board counted at any time by any officer duly authorized for that purpose. If the conditions above laid down are not fully complied with, such officer may refuse permission for the boat to proceed.

10. If the above conditions are not fully complied with the license may be revoked by the Divisional Canal Officer without any compensation becoming claimable by the licensee. Appeal against the order of the Divisional Canal Officer shall lie to the Superintending Canal Officer whose order shall be final.

The boat was inspected by _____ on _____ and was declared to be in a safe condition and fit for passenger traffic on the date. Executive Engineer. Notes. Station

 Division. Dated _____ Canal. Appendix III
 See Rule 42 Traffic Department, Canal.
 No. 19

PASS TICKET

Boat No.
 Date of entry.
 Owner's name.
 Occupation.
 Residence or place of business.
 Name of person in charge.
 Measurements of boat.
 Estimated carrying capacity
 Maunds.
 Tolls paid from 19 to 10
 Amount Rs. Annas Pies
 By whom issued.
 Navigation. Section
 Date of leaving canal.

I hereby testify that all demands against boat No. _____ for tolls, right of way, damage to canal works, etc., etc., upto date have been satisfied. Navigation Agent Appendix IV

Rule No. 45 Traffic Department. Canal.
 No. 19
 Received from
 Rupees
 Annas Pies
 Being amount of toll on boat No. Canal
 From

To Navigation Department Canal Incharge of Station Sd/- Appendix V Appendix VI

Notification No. 2193-1, dated 16th May, 1882
 (87) Traffic Department No. Canal

RAFTING PASS

See Rule 49. From To
 Distance mile (K.M.)
 Description of rafts.
 Dimensions.
 Cubic contents.
 Rates of toll Rs.
 Amount paid Rs.

Estimated value of rafts.

Name of owner.

Name of person in charge.

Date of entering Canal.

(Signature)

Canal

Rs.

Received at

Station

of

19

Navigation Agent.

Appendix VI

Notification No. 1072-I This appendix has been omitted.

Dated 189(157).

[Schedule Of Occupiers Rates] [Schedule revised vide Punjab Notification No. GSR/CA8/1873/Ss. 36 & 75/74, dated 21st June 1974, w.e.f. Kharif 1974.] Statement showing Occupiers Rates in Force in the Canals in the Punjab with effect from Kharif 1974

Class	Crop	Rate per acre		
		Flow	Lift	Per
1	2	3	4	5
	EASTERN CANAL	Rs. P.	Rs. P.	
I.	Sugarcane	27	13.5	Crop
II.	Water Nuts	22.5	11.25	Do
II-A.	Rice	19.5	9.75	Do
III.	Indigo and other dyes, spices and drugs (excluding Rabi)Crops	18.75	9.37	Do
III-A.	Cotton	15.75	7.87	Do
IV.	(i) Garden and Orchards	20.62	10.31	Half year
	(ii) Vegetables (Excluding Rabi crops)	16.5	8.25	Crop
V.	Melons, fibers (Other than Cotton) and all crops nototherwise specified	15	7.5	Crop
V-A.	Maize	12.75	6.37	Do
VI.	Kharif Oil Seeds	12.75	6.37	Do
VII.	(i) All Rabi Crops except, wheat, Gram, Gardens	6	3	Crop
	Orchards(including vegetables, but excluding Wadh Water area)			
	(ii) Gardens and Orchards	7.5	3.75	Half year
VII-A	Wheat and gram except other Rabi crops	5.5	2.75	Crop
VIII	Bajra and pulses excluding Mung if sown mixed with Bajra orChari and used as green fodder	7.5	3.75	Do

IX.	All fodder crops in Kharif and Rabi including mung if sown mixed with Bajra, Chari and used as green fodder crops.	6	3	Do
X.	(a) Watering or ploughing not followed by crop in the same or succeeding harvest	3	1.5	Acre
	(b) Village and Distt. Board Plantations	3	1.5	Do Half year
	(c) Grass. A single watering	3	1.5	Do

Note: - Grass given two or more waterings falls under class IX. Hemp, Indigo, Guara, Jantar and Arhar ploughed in as green manure before 15th September are not assessed to water rates, An additional charge specified in the table will be levied on Eastern Canal, if any extra watering is allowed after 31st October. Rates per acre

Flow Lift

Rs. P. Rs. P.

2.25 1.12 Except for fodder crops including turnips

1.12 0.56 for fodder crops including turnips.

Bhakra Canal, Dist Doab Canal, Nawanshahar Branch, Jullundur Branch Grey Canals taking off from Sidhwan Branch and Makhu Canal and Mayawah and Sodhinagar Distributaries taking off from Ferozepur Feeder and Sidhwan Branch and Mudki Golewala Phida and Jit Distributaries off taking from Sutlej Navigation Channel of Sirhind Canal

1	2	3	4	5
		Rs. P.	Rs. P.	
I.	Sugarcane (except on Khariff Channels)	33	16.5	Crop
II.	Sugarcane on Kharif Channels	27	13.5	Do
III.	Water nuts	22.5	11.25	Do
III-A.	Rice	19.5	9.75	Do
IV.	Indigo & other dyes, Tobacco, spices and drugs	16.5	8.25	Do
IV-A.	Cotton	13.5	6.75	Crop
V.	(i) Gardens and Orchards	20.62	10.31	Half year
	(ii) Vegetables except turnips	16.5	8.25	Crop
VI.	Deleted			
VI-A.	Barley and oats (Except on Kharif Channels)	12.75	6.37	Do
VI-B.	Wheat (Except on Kharif Channels)	11.69	5.84	Do
VII.	Melons, fibres (Other than Cotton) and all crops not otherwise specified)	15	7.5	Do
VII-A	Maize	12.75	6.37	Do
VIII.	Oilseeds (Except on Kharif Channels)	12.75	6.37	Do
IX.	(i) All Rabi Crops (Except, wheat and gram, on Kharif channels) including vegetables and fodder	6	3	Do
	(ii) Gardens & Orchards	7.5	3.75	Half year

IX-A.	Wheat and gram on Kharif Channels	5.5	2.75	Crop
X.	Bajra, Masure, Pulses	9.75	4.87	Do
X-A.	Gram	8.94	4.47	Do
XI.	Jawar, Cheena, grass which has received two or more watering and all fodder crops including turnips	7.5	3.75	Grass per half year, the rest per acre
XII.	(a) Watering for ploughing not followed by a crop in the same or succeeding harvest	3	1.5	Acre
	(b) Village and District Board Plantation -			
	(i) Any number of waterings in Kharif	3	1.5	Half year
	(ii) One watering in Rabi	3	1.5	Ditto
	(iii) Two are more watering in Rabi	6	3	Ditto
	(c) Grass - A single watering in Kharif or Rabi	3	1.5	Ditto

Note.- (1) Grass given two or more waterings falls under grass XI Hemp, Indigo, Guara, Jantar, and Arhar ploughed in as Green manure before 15th September, are not assessed to water rates. (2) An additional charge specified in the table below will be levied, if an extra watering is allowed after the 31st Oct., on Kharif Channel.

Class Crop Rate per acre

Flow		Lift		
1	2	3	4	5
Rates per acre,				
Flow	Lift			
Rs. P.	Rs. P.			
2.25	1.12	Except for fodder crops including turnips		
1.12	0.56	For fodder crops including turnips only		
1	2		3	4
	SIRHIND CANAL		Rs. P.	Rs. P.
1	Sugar cane (Except on Kharif, Channels)		33	1.5
				Do
II.	Sugarcane on Kharif Channels		27	13.5
III.	Water nuts		22.5	11.25
III-A.	Rice		19.5	9.75
IV	Indigo and other dyes Tobacco, spices and drugs		16.5	8.25
IV-A.	Cotton		13.5	6.75
V	(i) Garden and Orchards		20.62	10.31
	(ii) Vegetable except turnips		16.5	8.25
VI.	Deleted			Crop

VI-A.	Barely and oats (Except on Kharif Channels)	12.75	6.37	Do
VI-B.	Wheat (Except on Kharif Channels)	11.69	6.84	Do
VII.	Melons, fibres (Other than Cotton and all crops not otherwise specified)	15-00	07/01/50	Do
VII-A	Maize	12.75	6.37	Do
VIII.	Oilseeds (Except on Kharif Channels)	12.75	6.37	Do
IX.	(i) All Rabi Crops (Except wheat and gram, on Kharif channels) including vegetables and fodder	6	3	Do
	(ii) Gardens & Orchards	7.5	3.75	Half year
IX-A.	Wheat and gram on Kharif Channels	5.5	2.75	Crop
X.	Bajra, Masur, Pulses excluding Mung sown mixed with Bajra or Chari and used as green fodder	9.75	4.87	Do
X-A.	Gram	8.94	4.47	Do
XI.	Jawar, Cheema, Mung if sown with Bajra, Chari and used as green fodder. grass which has received two or more watering and all fodder crops including turnips	7.5	3.75	The grass per half year, the rest per acre
XII.	(a) Watering for ploughing not followed by a crop in the same or succeeding harvest	3	1.5	Acre
	(b) Village and District Board Planation -			
	(i) Any number of waterings in Kharif	3	1.5	Half year
	(ii) One watering in Rabi	3	1.5	Ditto
	(iii) Two or more watering in Rabi	6	3	Ditto
	(c) Grass - A single watering in Kharif or Rabi	3	1.5	Ditto

Notes:- Grass given two or more waterings falls under class
 XI Hemp, Idigo Guara, Jantor and Arhar ploughed in as green manure before 15th September are not assessed to water rates.

Additional charges An additional charge specified in the table below will be levied on Sirhind and upper Bari Doab Canal, if any extra watering is allowed after 31st October on Kharif channels. Rates per acre

Flow	Lift			
Rs. P.	Rs. P.			
2.25	1.12 Per Acre except for fodder crops including turnips			
1.12	0.56 For fodder crops including turnips only.			
1	2	3	4	5
	UPPER BARI DOAB CANAL			
I.	Sugarcane (except on Kharif Channels)	32.28	16.64	Crop
II.	Sugarcane on Kharif Channels	27.22	13.61	Do
III.	Water nuts	22.69	11.34	Do
III-A.	Rice	19.65	9.83	Do
IV.	Indigo & other dyes, Tobacco, spices and drugs	4.64	2.33	Do
IV-A.	Cotton	13.61	6.8	Do
V.	(i) Gardens and Orchards	20.8	20.4	Half year
	(ii) Vegetables except turnips	16.64	8.32	Crop
VI.	Wheat (Except on Kharif Channels)	11.79	5.89	Do
VI-A.	Barely and oats (Except on Kharif Channels)	6.86	3.43	Do
VII.	Melons, fibres (Other than Cotton) and all crops not otherwise specified)	13.59	6.8	Do
VII-A	Maize	11.34	5.67	Do
VIII.	Oilseeds (Except) Rabi oilseeds on Kharif	12.86	6.43	Do

	Channels)			
	(i) All Rabi Crops (except, wheat and gram, on Kharif channels) including vegetables and fodder	6.06	3.03	Do
	(ii) Gardens & Orchardas	7.58	3.79	Half year
IX.				
IX-A.	Wheat and gram on Kharif Channels	5.56	2.78	Crop
	Bajra, Masur, Pulses (excluding Mung if sown mixed with Bajra and Chari and used as green fodder)	9.83	4.91	Do
X.				
X-A.	Gram	9.01	4.51	Do
	Jawar, Cheena, Mung if sown with Bajra and Chari and used as green fodder, grass which has received two or more watering and all fodder crops including turnips	7.56	3.78	The grass per half year, the rate per crop
XI.				
	Paddock area as sanctioned by the State Government	16.5	8.25	Per half year on the whole area irrespective of whether it is irrigated in part or whole or not at all
XI-A.				
	(a) Watering for ploughing not followed by a crop in the same or succeeding harvest	3.03	1.52	Acre
XII.				
	(b) Village and District Board Planations -			
	(i) Any number of waterings in Kharif	3.03	1.52	Half year
	(ii) One watering in Rabi	3.03	1.52	Ditto
	(iii) Two or more watering in Rabi	6.06	3.03	Ditto
	(c) Grass - A single watering in Kharif or	3.03	1.55	Ditto

Rabi

Notes:- (1) Grass given two or more waterings falls underclass XI Hemp, Idigo Guara, Jantor and Arhar ploughed in asgreen manure before 15th September are not assessed to waterrates.(2) Additional charge specified in the table below willbe levied on Sirhind Canal and Upper Bari Doab Canal, if anyextra water is allowed after 31st October on Kharif channels.

Rates per acre

Flow

Lift

2.25

1.12 Per acre except for fodder crops including turnips.

1.12

0.35 For fodder crops including turnips only.

Note :- (3) Canal rates specified in respect of the UBDC areequivalent to :-

Class	Paise per Marla	Class	Paise per Marla	Class	Paise per Marla	Class	Paise per Marla
I	0-17	II	0-14	III	0-12	III-A	0-10
IV & V	0-09	IV-A	0-08	VI	0-08	VI-A	0-07
VII	0-07	VII-A	0-05	VIII	0-07	IX	0-03
						XII	
X	0-05	XI	0-04	XII(iii)	0-03	(a)(c)(i)(ii) & (d)	0.02

are in accord with the Gumaon measure in use in the areairrigated by the UBDC.

Note :- (3) Rates for rabi crops under classes other than IXrelate to perennial channels.

Class	Crop	Flow	Lift	Per
	SHAH NAHAR CANAL			
I.	Deleted	Rs. P.	Rs. P.	
II.	Sugarcane	27.45	13.73	Crop
III.	Water nuts	23.06	11.53	Do

III-A.	Rice	19.76	9.88	Do
IV.	Indigo & other dyes, Tobacco, spices and drugs	16.47	8.24	Do
IV-A.	Cotton	13.17	6.59	Do
V.	(i) Gardens and Orchards	20.58	10.29	Half year
	(ii) Vegetable, except turnips excluding Rabi crops	16.47	8.24	Crop
VI.	Deleted			
VII.	Melons fibres (other than cotton) all crops not otherwise specified	13.17	6.59	Do
VII-A.	Maize	10.98	5.49	Do
VIII.	Oilseeds (except Rabi oilseeds on Kharif Channels)	13.17	6.59	Do
IX.	(i) All Rabi crops except wheat and gram on Kharif channels(including vegetables and fodders).	6.58	3.29	Do
	(ii) Gardens and Vegetable	8.23	4.11	Half year
IX-A	Wheat and gram on Kharif Channels	6.04	3.02	Crop
X.	Bajra and Pulses	9.87	4.94	Do
	Jawar, Cheena, grass which has received two or more waterings & all fodder crops including turnips	6.58	3.29	Grass per 1/2 year the rate per crop
XI-A.	Deleted			
XII.	(a) Watering for ploughing not followed by crop in the same or succeeding harvest. (b) Village and District Board Plantation.	3.29	1.64	Acre
	(i) Any number of waterings in Kharif	3.29	1.64	Half year
	(ii) One watering in Rabi	3.29	1.64	Do

(iii) Two or more watering in Rabi	6.58	3.29	Do
(c) Grass - A single watering in Kharif or Rabi	3.29	1.64	Do

Notes:- (1) Grass given two or more waterings falls underclass XI, Hemp, Indigo, Guara, Jantor and Arhar ploughed in as green manure before 15th September are not assessed to water rates. (2) An additional charge specified in the table below will be levied, if any extra water is allowed after 31st October on Kharif channel.

Rate per acre

Flow

Rs. P.

2.2

0.55

XIII.

Lift

Rs. P.

1.10 For all Rabi crops except for crops including turnips

0.28 For Rabi fodder crops including turnips only

Rates recoverable from all owners of water mills.

Category A- - Rs. 200.00 per stone per annum. It includes all Gharats near Mukerian and Head Reach of Shah Nehar Canal. Category B- - Rs. 160.00 per stone per annum. It includes Gharats on the River Canal, other Gharats on Shah Nehar Canal, Gharats on Nallah Chichian and Shenkarwals Disutary. Category C- Rs. 120.00 per stone per annum Gharats on tail reach at Shah Nehar Canal on Choe Maingwal Poore Chak.

The following provision applies to all canals in the Punjab :- "Provided that for water used for the growing fodder crops on any irrigated area, in excess of twenty per centum of the net cropped area of any Occupier the charge for the excess area leviable according to the rates specified in the schedules shall be increased by-(a) twenty-five per centum, if the irrigated area is situated within the limits of a municipality of the third class or a notified area or within the distance of five miles on all sides of the outer boundary thereof ;(b) fifty per centum, if the irrigated area is situated within the limits of a municipality of the second class or within a distance of five miles on all sides of the outer boundary thereof and ;(c) one hundred per centum, if the irrigated area is situated within the limits of a Municipality of the first class or Cantonment or within a distance of five miles on all sides of the outer boundary thereof ;"

For Miscellaneous Rates Applicable To All Canals

	Rs.	
	P.	
Brick making and pise wall building	0.56	Per 100 cubic Feet
Laying concrete and brick or stone masonry	0.37	Ditto
Metalling Roads	30	Per mile
Consolidation of Kacha service Roads	90	Per mile per annum for a maximum of 8 watering in the 10 months December to September
Water supplied in bulk	3.00	Per 2500 cubic feet
Manufacture of Charcoal	4.50	Per kiln per season crop, provided kiln is in use.
Watering road side or avenue trees	(i) 7.50	Per canal mile of 5000 ft. for Kharif crop
	(ii) 15.00	For Rabi crop
Sprinkling water on roads in the Kharif season	15.00	Per canal mile of 5000 feet for Rabi crop
Sprinkling water on roads in the Kharif season	15.00	Per mile
Sprinkling water on roads in the Rabi season	30.00	Per mile

Proviso :-Except within the limits of civil stations, Cantonments and Municipalities no charges shall be made for water used for bricks not subsequently burnt in kiln or for pise wall building, if taken from a water course or tank or lawfully supplied from canal.No charge additional to Rs. 90.00 for flooding per mile should be levied for sprinkling water on Kacha service roads.No charge in practice will be levied for sprinkling water on roads where the amount of water used is negligible.Water supplied in bulk to Municipalities including. Notified Area and Small Town Committees and other public bodies, for use by Public in general for drinking and washing purposes (but not for commercial purposes is to be charged at the rate of 6,000 cubic feet per Rs. 3.00).No charge shall be made for water used for washing avenue or road side trees grown by villagers alongside water course, fields and village road and village abadi.

List of
fodder
crops

1	Jowar (Great Milet)	2	Kangri (Italian Milets)	3	Lucern of Affaiss
4	Grass	5	Chari	6	Moth
7	Gaura	8	Sawanak	9	Rawan
10	Madal	11	Turnips	12	Senji

13	Mains	14 Shrftal	15 Methra
16	Sarson or Tara Mira when sown with any sanctioned fodder crops and cut green fodder.		
17	Fields containing an admixture of wheat of Kashni does not appreciably enhance the value of fodder.		
18	Oats grown in declared paddock areas.		
19	Maize grown for fodder sown in March and April.		
20	Barsen.		
21	Mak Chari		
	Schedule of occupiers rates applicable to water supplied for irrigation purposes through Government channels when driven from pumping from Sub-soil water table :-		
	Supply during the Kharif Season	0.44	Per 1000 cft.
	Supply during the Rabi Season	0.21	Ditto