

Rules for Extra Supply of Canal Water for Gardens and Orchards

PUNJAB

India

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Rule

RULES-FOR-EXTRA-SUPPLY-OF-CANAL-WATER-FOR-GARDENS-AND-ORCHARDS-1943

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Rules for Extra Supply of Canal Water for Gardens and OrchardsOriginally introduced by Irrigation Branch No. 24379-92-145/20, dated 23.12.1943

1. Limits.

- Supplies allowed to garden areas are limited on the basis of outlet capacity.The limits authorised are :-

(a) On a canal	1 per cent of total outlet capacity	
(b) On a Branch of more than 1,000 cusecs	2 per cent	ditto ditto
(c) On a Branch of less than 1,000 cusecs or Distributaryincluding its minors	4 per cent	ditto ditto
(d) On a minor	8 per cent	ditto ditto

It is, however, permissible to allow water for gardens upto 2 cusecs of outlet capacity on any channels however, small provided water is available without exceeding the limits laid down in (a) and (b) above. No. 1943- 57/R/145/20, dated 21.5.1946.

2. Distribution of supplies between big and small gardens.

- The supply permissible is to be divided equally among the big and small owners - a big owner being one who has 18 acres or more of garden. To ensure this being done, half the supplies available on any distributary for growing fruit orchards will be for each of the two categories and what is

reserved for one category may not be allowed for orchards of the other without the sanction of the Government, which will not be granted unless the circumstances are exceptional.

3. Discharges permissible.

- The discharge permissible for areas under gardens shall be calculated on the following scale :-

Name of Canal	Discharge per cent acres at outlet Cusecs	Name of Canal	Discharge per cent acres at outlets Cusecs
Perennial Channels			
		Sirhind	10
Upper Bari Doab	9	Western Jumna	12
		[Bhakra Canal]	10
Kharif Channels			
Upper Bari Doab	10	Eastern	16
		Western Jumna	12
Sirhind	14	Extensions	
		All Innudation	
		Canals	16
		[Bhakra Canals]	10

4. Jhallari concession.

- The gardens and orchards receiving supply in accordance with scale laid down in para 3, even when irrigated by means of Jhallars, are not to be given the Jhallari concession of 50 per cent of extra supply.

5. Raising existing supply as per sanctioned scale.

- The supplies to fruit orchards sanctioned are revised under 1940 orders and any other garden supplies previously sanctioned on a scale less than what is now permissible as per para 3 above, should be raised to the scale now sanctioned.

6. Reducing existing supply as per sanctioned scale.

- Where existing gardens or orchards are receiving supplies more than now sanctioned it is for consideration whether they should be reduced. A list of all such cases should be sent by the Superintending Engineer, to the Chief Engineer, Irrigation Works Punjab, obtaining the advice of the Director of Agriculture, Punjab as to this. If the Director of Agriculture recommends a reduction the supply will be reduced accordingly in each individual case after giving one year's notice.

7. Excesses in the limits on account of existing supplies.

- Where the existing supplies including those to be raised as per para 5 above are in excess of the limits laid down in paras I(c) and (d) above they should be allowed to stand but the excess over the limits will not count against the limits laid down in paras 1(a) and (b) above.

8. Statement showing discharges allowable.

- A statement showing the discharges allowable under these rules on the various branches, distributaries and minors for the existing sanctioned gardens shall be prepared and submitted by the Superintending Engineers, to the Chief Engineer, Irrigation Works, Punjab.

9. Procedure regarding new application.

- Superintending Engineer will work out every year the discharge that can be made available on every distributary for planting of gardens in accordance with rule 1 supra. He will then invite applications for extra supply for big and small gardens separately to reach him by the end of September by advertising in papers through the Public Relations Officer and also by sending notices to be posted at District and Tehsil Head Quarters as also through the Panchayats of all villages concerned. These applications will then be passed on to the Fruit Specialist who will examine the suitability of the areas for which garden supply is demanded by the applicants. After the Fruit Specialist has examined the various cases himself or through the joint report of canal Deputy Collector and District Agricultural Officer he will send his recommendations to the Superintending Engineer concerned. The Superintending Engineer will then fix up a date not later than the end of December to decide as to which applications should be accepted. In case the total demand for extra supply for gardens is less than the discharge available on the distributary, all the applications recommended by the Fruit Specialist will be accepted. In case the demand as per recommendations of the Fruit Specialist is more than the supply available decision will be taken by a system of lots to be drawn by the Superintending Engineer in the aforesaid meeting in the presence of the Fruit Specialist and of the applicants who may choose to be present. After this the Superintending Engineer will straight away proceed to sanction supplies in various outlets concerned and make sure that the adjustment of outlets are completed in all cases during the following month of April. The applications for extra supply for gardens already existing will be sorted out and a lottery drawn among such of those applications whose gardens have been verified by the Fruit Specialist as genuine. If any supply is left over after meeting the demand for existing gardens, a second lottery for applications for supply of newly proposed gardens will be drawn. [Inserted by Addendum & Corrigendum No. 1, dated 20th April, 1960 vide case No. 145/20.]

10. Agreement for garden supplies.

- An agreement will have to be entered into between the Government and the owner receiving extra supply for an orchard as per existing form (Stereo I.B. No. 463). The essential condition is that abiana shall be charged at the scheduled rate for fruit orchards on the whole year in each crop

season for which extra supply is sanctioned, irrespective of whether the whole of the area is actually irrigated or not. Also, abiana shall be paid in the non-fruit bearing stage.

11. Supplies for gardens planted in stages.

- In the case of large orchards it may not be possible or desirable for the owners to plant up the whole area at once. In such cases the supply to be given in any year should be restricted to be sufficient for the area which is actually or is proposed to be planted in that area : the Superintending Engineers must use their discretion as to the supply allowed for area proposed to be planted having regard to the financial status of the owner and the area actually prepared for planting. No restriction should be placed on such supplies as are required for the proper development of the orchard and supplies may if necessary be supplemented during the year.

12.

Extra discharge made available to a sanctioned garden will be withdrawn under the following circumstances :-(a)If the planter fails to plant and maintain his garden according to the specifications laid down by the Fruit Specialist within one year to the extent for which the discharge has been actually available for the year a six months notice for withdrawal of extra supply will be issued and supply withdrawn before the second year is over, provided a fresh joint report by the Deputy Collector and the District Agricultural Officer after expiry of the notice period is not satisfactory.(b)If a planter is levied penalty for infringing rules for garden supply in two successive crops, the extra garden supply will be reduced to such part of the area only on which the penalty has been levied.The Fruit Specialist will have every recognised garden inspected once a year either by himself or jointly by the District Agricultural Officer and the Canal Deputy Collector. He will however see that he visits every garden once in three years. Notice for withdrawal of supplies from defaulters will be based on the report of these inspections as to the condition of the garden.

13. Separate outlets.

- Where possible, a separate outlet shall be given for planting an orchard, the minimum discharge for the purposes being half a cusec.

14. Alteration to outlets.

- According to normal Irrigation Branch practice an outlet would not be altered until the next remodelling unless the additional garden supply sanctioned brings the total outlet capacity up to more than ten per cent in excess of the old capacity; but the authorized outlet capacity should be altered at once to include any garden supply sanctioned for the chak, however small and the garden owner will be entitled to have his "wari" altered to include the supply for his garden area.

15. Gardens receiving extra supplies, but not on sanction list.

- There are said to be a large number of orchards which have actually been receiving extra supply for any number of years but are not on the sanctioned list and whenever warabandi is sanctioned under section 68, extra supply is not allotted to them. All such cases should be referred to the Director of Agriculture for his recommendations, whenever the question of extra supply arises.

16. Maintenance of garden register.

- A register shall be maintained in the Circle Office showing the supply sanctioned on each Distributary, Branch and the Canal separately for the big and small owners and a close watch kept that the limits laid down by Government are not exceeded in any case. The form in which the register is to be kept is enclosed herewith for guidance.

17. Inspection of gardens by Zilladars.

- All gardens and orchards receiving extra canal water supply should be inspected by the Zilladars once during the year who should certify on 30th November, annually to the effect that all the conditions on which extra supply has been sanctioned for all garden or orchard area in their sections are being fulfilled. Exceptions if any, should be given. On receipt of certificate from the Zilladars, the Deputy Collector will check and consolidate the reports before submission to Executive Engineer on the 15th December. The Executive Engineer after any examination that he may wish to be carried out will forward the same to the Superintending Engineer, on 15th January, who will submit the final report for the circle, with his recommendations to Chief Engineer on 1st February.