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MADHYA PRADESH ACT**No. 23 OF 1999.****THE MADHYA PRADESH SINCHAI PRABANDHAN ME KRISHKON KI
BHAGIDARI ADHINIYAM, 1999.**

[Received the assent of the Governor on the 12th August, 1999; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)" dated the 18th August, 1999.]

An Act to provide for Farmers' participation in the Management of Irrigation System and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the Fiftieth Year of the Republic of India as follow:-

CHAPTER-I-PRELIMINARY**Short title,
extent and
commence-
ment.**

- 1.(1) This act may be called the Madhya Pradesh Sinchai Prabandhan Me Krishakon Ki Bhagidari Adhiniyam, 1999.
- (2) It extent to the whole of the Madhya Pradesh.
- (3) It shall come into force on such date as the state Government may, by notification in the official gazette, appoint and different dates may be appointed for different areas and different provisions.

Definitions.

2. (1) In this Act, unless the context otherwise requires:-
- (a) "area of operation" in relation to farmers' organisation means a contiguous block of land in the command area of an irrigation system as may be notified by the State Government for the purposes of this Act;
- (b) "ayacut road" means a road within the area of operation of a farmers' organisation for the purpose of irrigation and agriculture but does not include a road vested in a Gram Panchayat, Janpad Panchayat, Zila Panchayat, Nagar Panchayat, Municipal Council, Municipal Corporation or Public works Department of the State Government;
- (c) "Command area" means an area irrigated or capable of being irrigated either by gravitational flow or by lift irrigation or by any other method from a Government or the Government aided source and includes every such area whether it is called 'ayacut' or by any other name under any law for the time being in force;
- (d) "competent authority" means the competent authority appointed under Section 21;
- (e) "distributory system" means and includes,-
- (i) all main canals, branch canals, distributories and minor canals constructed for the supply and distribution of water for irrigation;
- (ii) all works, structures And appliances connected With the distributio~~n~~ of water for irrigation; and
- (iii) all field channels and other related channels and structures under a pipe outlet.

outlet ;

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- (f) "drainage system" in relation to an irrigation system includes,-
- (i) channels either natural or artificial, for the discharge of waste or surplus water and all works connected therewith or ancillary thereto;
 - (ii) escape channels from an irrigation or distribution and other Works contacted therewith, but does not include works for removal of sewage;
 - (iii) all collecting drains and main drains to drain off surplus water from field drains; and
 - (iv) all field drains and related structures under pipe outlets;
- (g) "farmers' organisation" wherever it occurs, shall mean and include,-
- (i) water users' association at the primary level consisting of all the water users' as constituted under section 3;
 - (ii) distributory committee at the secondary level as constituted under section 5; and
 - (iii) project committee at the project level, as constituted under section 7;
- (h) "field channel" includes a channel existing or to be constructed by the state Government or by the land holders or by any agency to receive and distribute water from a pipe outlet or an opening in a water course for irrigation of field belonging to Government or private owners,-
- (i) "field drain" includes a channel excavated and maintained by the land holder or by any other agency, to discharge waste or surplus water from the land holding under a pipe outlet and includes drains, escape channels and other similar works existing or to be constructed;
- (j) "financing agency" means any commercial bank or any co-operative society or any other lends bank or organisation established or incorporated under any law for the time being in force, which money for the development of the area of operation of the farmers' organisation;
- (k) "hydraulic basis" means the basis for identifying a viable irrigated area served by one or more hydraulic structures such as headworks, distributories, minors, pipe outlets and the like;
- (l) "Irrigation system" means such major, medium and minor irrigation system excluding those which are under the control of Panchayat for harnessing water for irrigation and other allied uses from Government sources and includes reservoirs, open head channels, diversion systems, anicuts, lift irrigation schemes, tanks, wells and the like;

Explanation:-(i) 'major irrigation system' means irrigation system under major irrigation project having irrigable command area of more than 10,000 hectares;

(ii) 'medium irrigation system' means irrigation system under medium irrigation project having irrigable command area of more than 2,000 hectares and up to 10,000 hectares;

(iii) 'minor irrigation system' means irrigation system under minor irrigation project having irrigable command area upto 2,000 hectares;

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- (m) "land holder" means an owner and or a tenant recorded as such in the record of rights under the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) in respect of land in the notified ayacut area of an irrigation system;
- (n) "maintenance" means execution of such works on the irrigation system as are necessary to ensure that the physical system designed to the standards operates for proper distribution of water to the land holders in the area of operation;
- (o) "operational plan" means a schedule of irrigation deliveries with details of the mode and duration of supplies drawn up for regulation of irrigation in the command area of an irrigation system;
- (p) "warabandi" means a system of distribution of water allocation to water users by turn, according to an approved schedule indicating the day, duration and the time of supply;
- (q) "water allocation" in relation to an irrigation system means distribution of water determined from time to time by a farmer's organisation in its area of operation;
- (r) "water user" means and includes any individual or body corporate or a society using water for agriculture domestic, power, non-domestic, commercial, industrial or any other purpose from a Government source of irrigation;
- (s) "canal officer" means the following Officers of the Water Resources Department namely:-
 - (a) The Chief Engineer;
 - (b) Superintending Engineer;
 - (c) Executive Engineer;
 - (d) Sub-Divisional Officer; and
 - (e) Canal Deputy Collector.
- (2) The words and expressions used in this Act, but not defined, shall have the same meaning as assigned to them in the Madhya Pradesh Irrigation Act, 1931 (No. 3 of 1931).

CHAPTER-I – FARMERS' ORGANISATION

Delineation of water users' area and constitution of an association.

3. (1) The District Collector, may by notification and in accordance with the rules made under this Act, in this behalf, delineate every command area under each of the irrigation systems on a hydraulic basis which may be administratively viable; and declare it to be a water users' area for the purpose of this Act:

Provided that in respect of the command area under the minor and lift irrigation systems, the entire command area may, as far as possible form a single water users' area;

(2) Every water users' area shall be divided into territorial constituencies, which shall not be less than four but not more than ten, as may be prescribed

(3) There shall be a Water Users' Association called by its local distinct name for every water users' area delineated under sub-section (1).

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(4) Every Water Users' Association shall consist of the following members, namely:-

(a) (i) all the water users' who are land holders in a water users' area:

Provided that where both the owner and the tenant are land holders in respect of the same land, the tenant;

(ii) all other water users in a water users' area;

(iii) three ex-officio members one of ^{Admin} ~~Admin~~ Cadre and one of Sub-Engineer Cadre from the Water Resources Department who will Act as Co-ordinator between the Government Departments and the farmers' Association and the third from the Agriculture Department or Ayacut Department who will Act as Adviser.

(b) the member specified in sub-clauses (i) to (iii) of clause (a) shall constitute the general body of the Water Users' Association;

(c) a person eligible to become a member of more than one territorial constituency of a Water Users' Association under sub-clause (i) of clause (a) shall be entitled to be a member of only one territorial constituency and he shall exercise his option thereof;

(d) the members specified in sub-clause (i) of clause (a) alone shall have the right to vote;

4. (1) There shall be a Managing Committee for every Water Users' Association, which shall consist of a President and one member from each of the territorial constituencies of the Water Users' Area;

Managing Committee of Water Users' Association.

(2) The District Collector shall make arrangements for the election of President of the Managing Committee of the Water Users' Association by direct election by the method of secret ballot in the manner prescribed.

(3) The District Collector shall also cause arrangements for the election of the members of Managing Committee by the method of secret ballot in the manner prescribed.

(4) If the Managing Committee of the Water users' Association does not have a woman member, the Managing Committee shall co-opt a woman as a member who shall ordinarily be a resident of the farmers' organisation area.

(5) The President and the members of the Managing Committee shall, if not recalled earlier, be in office for a period of five years, from the date of the first meeting.

(6) The Managing Committee shall exercise the powers and perform the functions of the Water Users' Association

5. (1) The State Government may, by notification and in accordance with the rules made in this behalf, delineate every command area of the irrigation system, comprising of two or more Water Users' Associations, and declare it to be a distributory area, for the purpose of this Act.

Delineation of Distributory area and constitution of the Distributory Committee.

(2) There shall be a Distributory Committee called by its local distinct name for every distributory area declared as such under sub-section (1).

(3) All the Presidents of the Water Users' Association in the distributory area, so long as they hold such office, shall constitute the general body of the Distributory Committee including two

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nominated official members, one of them shall be an Assistant Engineer of Water Resources Department, who will work as a Co-ordinator between the various departments, Water Users' Associations and Distributory Committee, and the second member will Act as an Advisor who will be from Agriculture or Ayacut Department,

Election of Managing Committee of Distributory Committee.

6. (1) There shall be a Managing Committee for every Distributory Committee.
- (2) *The District Collector shall cause arrangements, in such manner as may be prescribed for the election by the Method of secret ballot of the President, and Members of the Managing Committee which shall not be more than five from amongst the members of the general body of the Distributory Committee.*
- (3) If the managing Committee of the Distributory Committee does not have a woman member, the Managing Committee shall co-opt a woman as a member who shall ordinarily be a resident of the farmers' organisation area.
- (3) The term of office of the President, and the members of the Managing Committee shall be five years from the date of the first meeting of the Managing Committee.
- (5) The Managing Committee shall exercise the powers and perform the functions of the Distributory Committee.

Delineation of Project area and construction of project committee.

- 7 (1) The State Government; may by notification and in accordance with the rules made under this Act in this behalf, delineate every command area or part thereof, and declare it to be a project area for the purposes of this Act.
- (2) There shall be a Project Committee called by its distinct name for every project area declared as such under sub-section (1).
- (3) All the Presidents, of the Distributory Committees in the project area so long as they hold such office, shall constitute the general body for the Project Committee. The Project Committee shall have two nominated members, one of whom shall act as a co-ordinator between various departments and farmers' associations and who will be an Executive Engineer of Water Resources Department and second member will act as Advisor who will be from Agriculture or Ayacut Department. The nominated members shall not have the right to vote.

Election Managing Committee for Project Committee

8. (1) There shall be a Managing Committee, for every Project Committee.
- (2) The District Collector, shall cause arrangements in such manner as may be prescribed for the election, by the method of secret ballot, of Chairperson, and Managing Committee consisting of not more than nine members from amongst the members of the general body of the Project Committee.
- (3) If the Managing Committee of the Project Committee does not have a woman member, the Managing Committee shall co-opt a woman as a member who shall ordinarily be a resident of the farmers' organisation area.
- (4) The term of office of the Chairperson, and the members of the Managing Committee shall be five years from date of first meeting.
- (5) The Managing Committee shall exercise the powers and perform the functions of Project Committee.

Apex Committee.

9. (1) The State Government may by notification, constitute an Apex Committee consisting of the following Members, namely:-
- (i) The minister Water Resources Department-Chairperson.

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- (ii) five persons from amongst the Chairperson of the Project Committee;
- (iii) two persons from non-government organisations; and
- (iv) three officers not below the rank of Chief Engineer or equivalent from the Water Resources Department, Agriculture Department or Ayacut Department of the State Government.

(2) The number of members may be increased by such number as may be considered necessary by the State Government.

(3) The Committee, constituted under sub-section (1) shall exercise such powers and functions as may be necessary to,-

- (a) lay down the policies for implementation of the provisions of this Act; and
- (b) give such directions to any farmers' organisation as may be considered necessary, in exercising their powers and performing their functions in accordance with the provisions of this Act.

10. (1) A motion for recall of a Chairperson or President or member of a Managing Committee, as the case may be, of a farmers' organisation may be made by giving a written notice as may be prescribed, signed by not less than one third of the total number of members of the farmers' organisation, who are entitled to vote:

Procedure for recall

Provided that no notice of motion under this section shall be made within one year of the date of assumption of office by the person against whom the motion is sought to be moved.

(2) If the motion is carried with the support of two third majority of the members present and voting and half of the total number of members of the association voting at the meeting of the general body specially convened for the purpose, the district collector or the state government, as the case may be, shall by order remove him from office and the vacancy shall be filled in the manner specified in Section 15.

11. The Managing Committee of a farmers' organisation may constitute sub-committees to carry out all or any of the functions vested in each organisation under this Act.

Constitution of Sub-committee in farmers' organisation

12. Every farmers' organisation shall be a body corporate with a distinct name having perpetual succession and a common seal and subject to the provisions of this Act vested with the capacity of entering into contracts and of doing all things necessary, proper or expedient for the purposes for which it is constituted and it shall sue and be sued in its corporate name represented by the Chairperson or the President, as the case may be:

Farmers' organisation to be a body corporate.

Provided that no farmers' organisation shall have the power to alienate in any manner, any property vested in it.

13. The State Government may, in the interest of a Farmers organisation in the command area, by notification, and in accordance with the rules made in this behalf,

Changes in Farmers' organisation.

- (a) form a new farmers' organisation by separating the area from any farmers' organisation;
- (b) increase the area of any farmers' organisation;
- (c) diminish the area of any farmers' organisation;

- (d) alter the boundaries of any farmers' organisation; or
- (e) cancel a notification issued under this Act for rectifying of any mistake:

Provided that no such separation, increase, diminution, alteration or cancellation shall be effected unless a reasonable opportunity is given to the organisation likely to be affected.

**Disqualifications
of Candidates
or Members.**

14. (1) No officer or servant of the Government of India or any State Government or a local authority or an employee of any institution receiving aid from the funds of the State Government shall be qualified for being chosen as or for being a Chairperson, or President or a member of a managing committee.

(2) No person who has been convicted by a criminal court for any offences involving Moral turpitude shall be qualified for being chosen as or for being a Chairperson or President, or a member of a Managing Committee.

(3) A person shall be disqualified for being chosen as a Chairperson, or a President or a member of a managing committee if on the date fixed for scrutiny of nominations for election he is:-

- (a) of unsound mind;
- (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or
- (c) a defaulter of land revenue or water tax or charges payable either to the State Government or to the farmers' organisation;
- (d) interested in a subsisting contract made with, or any work being done for, the Gram Panchayat, Janpad Panchayat, Zila Panchayat or any State Government or Central Government or the farmers' organisation;

Provided that a person shall not be deemed to have any interest in such contract or work by reason only of this having share, or interest in:-

- (i) a company as mere share-holder but not as a director;
- (ii) any lease, sale or purchase of immovable property or any agreement same; or
- (iii) any agreement for the loan of money or any security for the payment of money only; or
- (iv) any newspaper in which any advertisement relating to the affairs of the organisation is inserted;

Explanation.-For the removal of doubts it is hereby declared that where a contract is fully performed it shall not be deemed to be subsisting merely on the ground that the Gram Panchayat, Janpad Panchayat, Zila Panchayat, the Farmers' organisation, the State Government or Central Government has not performed its part of the contractual obligations.

- (e) a person rendered landless due to sale or transfer of land of area or operation after constitution of Water Users' Association;
- (f) employed in Government or Semi Government organisation or local body ;

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4) A Chairperson or a President or a member of a Managing Committee shall also become disqualified to continue in office if he,-

- (a) absents from three consecutive meetings without reasonable cause;
- (b) is a person who incurs any of the disqualifications mentioned sub-section (1) and (3) and he shall cease to hold the office forthwith:

Provided that disqualification under clause (a) shall not apply in the case of Women who are in advanced stage of pregnancy and for a period of three months after delivery.

(5) A member of the Water Users' Association or a Chairperson or a President or a member of a Managing Committee shall become disqualified to continue the office, if he/she ceases to be a land holder;

15. (1) A vacancy arising either due to disqualification under sub-section (4) of Section 14 or due to death or resignation or by any reason such vacancy shall be filled up by nomination in the following manner, namely.- **Filling up of Vacancies.**

- (a) a vacancy in the Water Users' Association shall be filled, by nomination by the managing committee of the Distributory Committee in the manner prescribed;
- (b) a vacancy in the Distributory Committee shall be filled, by nomination by the managing committee of the Project Committee in the manner prescribed;
- (c) a vacancy in the Project Committee shall be filled by nomination by the Apex Committee in the manner prescribed; and
- (d) a vacancy in the Apex committee shall be filled by nomination by the State Government in the prescribed manner.

(2) The District Collector shall take necessary steps to conduct elections to fill up any vacancy caused within a period of one month from the date of occurrence of such vacancy.

3) The term of office of a member or a President or a Chairperson of a farmers' organisation, elected under sub-section (2), shall expire at the time at which it would have expired, if he had been elected at the ordinary election.

CHAPTER-III-OBJECT AND FUNCTIONS OF THE FARMERS' ORGANISATION

16. The objects of the farmers' organisation shall be to promote and secure distribution of water among its users; adequate maintenance of the irrigation system, efficient and economical utilisation of water to optimise agricultural production, to protect the environment, and to ensure ecological balance by involving the farmers, inculcating a sense of ownership of the irrigation system in accordance with the water budget and the operational plan.

Objects

17. The Water Users' Association shall perform the following functions, namely:-

- (a) to prepare and implement a warabandi schedule for each irrigation season, consistent with the operational plan based upon the entitlement, area, soil and cropping pattern as approved by the Distributory committee, or as the case may be, the Project Committee;

Functions of Water users' Association.

- (b) to prepare a plan for the maintenance of irrigation system in the area of its operation at the end of each crop season and carry out the maintenance works of both

distributory system and minor and field drains in its area of operation with the funds of the association from time to time and to provide funds for the maintenance of staff including such persons who are placed by the State Government with the Water Users' Association for the purpose of regulation and maintenance of irrigation system.

- (c) to regulate the use of water among the various pipe outlet under its area of operation according to the warabandi schedule of the system;
- (d) to promote economy in the use of water allocated;
- (e) to maintain a register of land holders as published by the revenue department;
- (f) to prepare and maintain a register of co-opted members;
- (g) to prepare and maintain an inventory of the irrigation system within the area of operation;
- (h) to monitor flow of water for irrigation;
- (i) to resolve the disputes, if any between the members and water users in its area of operation;
- (j) to raise resources;
- (k) to maintain accounts;
- (l) to cause annual audit of its accounts;
- (m) to assist in the conduct of elections to the managing committee;
- (n) to maintain other records in such manner as may be prescribed;
- (o) to abide by the decisions of the distributory and project committees;
- (p) to conduct general body meetings in such manner as may be prescribed;
- (q) to conduct regular water budgeting and also to conduct periodical social audit in such manner as may be prescribed.

Functions of Distributory Committees.

18. The Distributory Committee shall perform the following functions, namely:
- (a) to prepare an operation plan based on its entitlement area, soil, cropping pattern at the beginning of each irrigation season, consistent with the operational plan prepared by the project committee;
 - (a) to prepare a plan for the maintenance of both distributories and medium drains within its area of operation at the end of each crop seasons and execute the maintenance works with the funds of the committee from time to time and to provide funds for the maintenance of staff including such persons who are placed by the State Government with the Distributory Committee for the purpose of regulation and maintenance of irrigation system;
 - (c) to regulate the use of water among the various Water Users Associations under its area of operation;

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- (d) to resolve disputes, if any, among the Water Users' Associations in its area of operations;
- (e) to maintain register of Water Users' Associations in its area of operations;
- (f) to maintain an inventory of the irrigation system in the area of its operation, including drains;
- (g) to promote economy in the use of water allocated;
- (h) to maintain accounts;
- (i) to cause annual audit;
- (j) to maintain other records as may be prescribed;
- (k) to monitor the flow of water for irrigation;
- (l) to conduct general body meetings in such manner as may be prescribed;
- (m) to abide by the decisions of the Project Committee;
- (n) to cause regular water budgeting and also the periodical social audit in such manner as may be prescribed;
- (o) to assist in the conduct of elections to the managing committee.

19. The Project Committee shall perform the following functions, namely :-

Functions
of
Project
Comm-
itees.

- (a) To approve an operational plan based on its entitlement, area, soil, cropping pattern as prepared by the competent authority in respect of the entire project area at the beginning of each irrigation season.
- (b) To approve a plan for the maintenance of irrigation system including the major drains within its areas of operation at the end of each crop season and execute the maintenance works with the funds of the committee from time to time and to provide funds for the maintenance of staff including such persons who are placed by the State Government with Project Committee for the purpose of regulation and maintenance of irrigation system;
- (c) to maintain a list of the distributory committee and Water User's Association in its area of operation;
- (d) to maintain an inventory of the distributory and drainage systems in its area of operation;
- (e) to resolve disputes if any among the distributory committees;
- (f) to promote economy in the use of water;
- (g) to maintain accounts;
- (h) to cause annual audit of its account;
- (i) to maintain other records in such manner as may be prescribed;

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(j) to conduct general body meetings in such manner as may be prescribed; and

(k) to cause regular water budgeting and also the Periodical social audit in such manner as may be prescribed.

Power to levy and collect fee.

20. A farmers' organisation may, for carrying out the purposes of this Act, achieving the objects of the organisation and performing its functions, levy and collect such fee as may be prescribed from time to time.

Appointment of competent authority and his function.

21. (1) The State Government may, by notification, appoint such officer from the Water Resources Department, or any other department, as it considers necessary, to be the competent authority for every farmers' organisation for the purposes of this Act.

(2) The Competent authority appointed under sub-section (1) shall be responsible to the respective farmers' organisations in the implementation and execution of all decisions taken by the farmers' organisation prescribed manner and shall provide technical advice and ensure that the work is executed in accordance with the technical parameters.

CHAPTER-IV-RESOURCES

Resources of Farmers' Organisation

22. The Funds of the farmers' organisation shall comprise of the following namely:-

(i) grants and commission received from the State Government as a share of the water tax collected in the area of operation of the farmers' organisation;

(ii) such other funds as may be granted by the State Government and Central Government for the development of the area of operation;

(iii) resources raised from any financing agency for undertaking any economic development activities in its area of operation;

(iv) income from the properties and assets attached to the irrigation system;

(v) fees collected by the farmers' organisation for the services rendered in better management of the irrigation system; and

(vi) amounts received from any other sources.

Offences and Penalties

CHAPTER-V-OFFENCES AND PENALTIES

23. Whoever without any lawful authority does any of the following acts, that is to say:-

(a) damages, alters, enlarges or obstructs any canal;

(b) interferes with, increases or diminishes the supply of water in, or the flow of water from, through, over or under any canal;

(c) interferes with or alters the flow of water in any river or stream, so as to endanger, damage or render less useful any canal;

(d) being responsible for the maintenance of water course or using water course, neglects to take proper precautions for the prevention of water of the water thereof, or interferes with the authorised distribution of the water therefrom or uses such water in an unauthorised manner;

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- (e) receiving water in his fields for irrigation, neglects to take proper precautions for the prevention of waste of such water;
- (f) corrupts or fouls the water of any canal so as to render it less fit for the purposes for which it is ordinarily used;
- (g) being a permanent holder, occupier, cultivator or agricultural labourer, resident in a village in which a proclamation under Section 36 of the Madhya Pradesh Irrigation Act, 1931 (No. 3 of 1931) has been made, neglects to attend at the place appointed or refuses or neglects to carry out the duties allotted to him;
- (h) destroys, injures, defaces or removes any land mark, level mark, Water gauge or other apparatus fixed by the authority of a canal officer;
- (i) causes animals or vehicles to pass on or across any of the works, banks or channels or any canal after such passage has been prohibited by a canal officer;
- (j) causes or knowingly and wilfully permits animals to graze or be tethered upon the bank or border of any canal after such grazing or tethering has been prohibited by a canal officer;
- (k) removes or injures any tree, bush, grass or other vegetation growing on any canal; or
- (l) eases himself on the banks or in the channel of a canal.

shall on complaint made by a Farmer's Organisation:-

(i) be punishable in respect of offences mentioned in clauses (a) to (h), with imprisonment which may extend to two years, or with fine which shall not be less than one thousand Rupees but which may extend to five thousand Rupees or with both; and when the offence is a continuing one, with an additional fine not exceeding twenty Rupees for every day after the first during which the offence has been persisted in; and

(ii) be punishable in respect of offences mentioned in clauses (i) to (l) with fine which shall not be less than Rupees five hundred but which may extent Rupees two thousand and if the same person is subsequently convicted for a like offence he shall be liable for imprisonment which may extend to six months for each such subsequent conviction.

Minimum
Penalty.

24. Nothing in this Act shall prevent any person from being prosecuted and punished under any law for the in force for any act or omission made punishable by or under this Act :

Punishment
under other
laws not
barred.

Provided that no person shall be prosecuted and punished for the same offence more than once .

25. (1) A farmers' organisation may accept from any person who committed or in respect of whom a reasonable belief can be inferred that he has committed an offence punishable under this Act or the rules made there under, a sum of money not less than rupees one thousand in case of offences mentioned in clause (a) to (h) of Section 23 and Rs. Five hundred for the offences mentioned in clause (i) to (l) of Section 23 by way of composition.

Composition
of offences.

(2) On payment of such sum of money, no further proceedings shall be taken against him/her in regard to the offence, so compounded by the Farmers' Organisations.

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CHAPTER-VI-SETTLEMENT OF DISPUTE

Settlement of disputes.

26. (1) Any dispute or difference touching the constitution, management, powers or functions of a farmers' organisation arising between members shall be determined by the managing committee of the farmers' organisation.

(2) Any such dispute or difference arising between a member and the managing committee of a Water Users' Association or between two or more Water Users' Association shall be determined by the managing committee of the Distributory Committee.

(3) Any such dispute or difference arising between a member and the managing Committee of a Distributory Committee or between two or more Distributory Committees shall be determined by the managing Committee of the Project Committee.

(4) Any such dispute or difference arising between a member and the managing committee of a project committee or between two or more project committees shall be determined by the Apex Committee, whose decision shall be final.

(5) Every dispute or difference under this section shall be disposed of within fifteen days from the date of reference of the dispute or difference.

Appeals.

27. (1) A party to a dispute or difference aggrieved by any decision made or order passed by the managing committee of a Water Users' Association may appeal to the managing committee of the Distributory Committee, whose decision thereon shall be final.

(2) Any party to a dispute or difference aggrieved by any decision made or order passed by the managing committee of a Distributory Committee may appeal to a Project Committee, whose decision thereon shall be final.

(3) Any party to a dispute or difference aggrieved by any decision made or order passed by the managing committee of a Project Committee may appeal to the Apex Committee, whose decision thereon shall be final.

(4) Any appeal under sub-section (1) or sub-section (2) or sub-section (3) shall be preferred within 15 days of communication of the decision or the order to the person aggrieved.

(5) Every appeal under this section shall be disposed of within 15 days from the date of filing of the appeal.

CHAPETER- VII – MISCELLANEOUS

Records.

28. (1) Every farmers' organisation shall keep at its office the following account records and documents, namely:-

- (a) a map of the area of operation of the farmers' organisation along with map of the structures and distributory networks prepared in consultation with the Water Resources Department;
- (b) a statement of the assets and liabilities;
- (c) minutes book;
- (d) books of account showing receipt and payments;
- (e) books of account of all purchases and sales of goods by the farmers' organisation,

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-
- (f) register of measurement books, level field books, work orders and the like,
- (g) copies of audit reports and enquiry reports;
- (h) all such other accounts, records and documents as may be prescribed from time to time;
- (i) stock register;
- (j) list of users with details of land holding;
- (k) register of penalties;
- (2) The books of accounts and other records shall be open for information to the members of the farmers' organisation.
29. Every farmers' organisation shall get its accounts audited once in a year in the manner prescribed. Audit.
30. All the amounts payable or due to a farmers' organisation shall be recoverable as arrears of land revenue. Recovery of dues
31. The meetings of the farmers' organisation and the managing committees thereof at such intervals, the procedure, the presidency and the quorum thereof shall be, such as may be prescribed. Meetings.
32. (1) A member of the managing committee of a farmers' organisation may resign his office by a letter sent by registered post or tendered in person to the Chairperson or President of the managing committee concerned. Resignation.
- (2) The President of the managing committee of a Water Users' Association may resign his office by a letter sent by registered post or tendered in person to the President of the Distributory Committee concerned.
- (3) The President of the managing committee of a Distributory Committee may resign his office by a letter sent by registered post or tendered in person to the Chairperson of the Project Committee concerned.
- (4) The Chairperson of the managing committee of a Project Committee may resign his office by a letter sent by registered post or tendered in person to the Chairperson of the Apex Committee.
- (5) The resignation as above mentioned shall take effect from the date of its acceptance or on the expiry of 30 days from the date of its receipt whichever ever is earlier.
33. (1) The State Government may, by notification, appoint controlling officers not below the rank of a Commissioner of a revenue division to exercise the general control and superintendence over the competent authorities and the District Collectors in performance of their functions under this Act or rules made thereunder. Appointment.
- (2) The powers to be exercised and the functions to be performed by the controlling officers shall be such as may be prescribed.
34. The Government may, by notification, appoint an officer or officers to exercise the powers and perform the functions of a farmers' organisation and the managing committee thereof till such time such farmers' organisation is duly constituted or reconstituted and such managing committee assumes office under the provisions of this Act. Transitional arrangements.

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Authentication of orders and documents of organisation.	35. All permissions, orders, decisions and other documents of the farmers' organisation shall be authenticated by the signature of the Chairperson or President of the farmers' organisation or any other member of the managing committee authorised by the managing committee in this behalf.
Acts not to be invalidated by informality or vacancy etc.	36. No act or proceedings of the managing committee of a farmers' organisation shall be invalid by reason only of the existence of any vacancy in, or defect in the constitution of the said committee.
Deposit and administration of the funds.	37. (1) The farmers' organisation shall keep their funds in a Nationalised Bank or a Co-operative Bank namely, the District Co-operative Central Bank or the Madhya Pradesh State Apex Co-operative Bank. (2) The funds shall be applied towards meeting of the expenses incurred by the managing committee of the concerned farmers' organisation in the administration of this Act and for no other purpose.
Sinking fund.	38. (1) The managing committee of the farmers' organisation shall maintain a sinking fund for the repayment of moneys borrowed and shall pay every year into the sinking fund such sum as may be sufficient for repayment within the period fixed of all moneys so borrowed. (2) The sinking fund or any part thereof shall be applied in or towards, the discharge of the loan for which such fund was created, and until such loan is wholly discharged it shall not be applied for any other purpose.
Budget.	39. The managing committee of a farmers' organisation shall prepare in such form in every financial year a budget in respect of the next financial year, showing the estimated receipts and expenditure of the committee and shall place before the general body of the farmers' organisation for its approval in such manner as may be prescribed.
Protection of acts done in good faith.	40. (1) No suit, prosecution or other legal proceedings shall be instituted against any person for anything which is in good faith, done or intended to be done under this Act or under the rules made there under.
Power to remove difficulties.	41. (1) If any difficulty arises in giving effect to the provisions of this Act or as to the first constitution or reconstitution of any farmers' organisation after the commencement of this Act, the Government, as the occasion may require by order published in the Madhya Pradesh Gazette, do anything which appears to them necessary for removing the difficulty. (2) All orders made under sub-section (1) shall as soon as may be laid on the table of the Vidhan Sabha.
Savings.	42. (1) Nothing contained in this Act shall effect the rights or properties vested in a Gram Panchayat, Janpad Panchayat, Zila Panchayat, Nagar Panchayat, Municipal Council or Municipal Corporation under any law for the time being in force. (2) Nothing contained in this Act shall apply to the minor water bodies in the Scheduled Area of the State.
Power to make rules.	43. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act. (2) Every rule made under this Act shall as soon as after it is made be laid before Vidhan Sabha.

MADHYA PRADESH FORMERS

ORGANISATION RULES

1999

Bhopal, the 18th October 1999

No.32-1-99-M-XXXI.-In exercise of the powers conferred by Section 43 of the "Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhiniyam, 1999" (No. 23 of 1999), the State Government hereby makes the following Rules, namely:-

RULES

1. Short title and commencement. - (1) These rules may be called the Madhya Pradesh Farmers' Organisation Rules, 1999.

(2) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".

2. Definitions. - In these Rules, unless the context otherwise requires,

(a) "Act" means the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhiniyam, 1999 (No. 23 of 1999);

(b) The words and expressions used in these rules, but not defined, shall have the same meaning as assigned to them in the Act.

3. The General Body Meetings. - (1) The meetings of the General Bodies under clause (p) of Section 17, clause (1) of Section 18 and clause (j) of Section 19 of the Act, shall be held at least twice in a year, once before the kharif and once before the rabi season. The meetings shall be presided over by the Chairperson/President, as the case may be and in his absence the members present shall elect once person from amongst themselves to preside/chaire the meeting.

(2) The meeting of the General Body may also be called at any time by the President or Managing Committee members through a majority resolution or by members of the organisation through a requisition signed by not less than one third of the members who have voting right.

(3) General Body meeting shall also be held on receipt of a direction from the Government or from the Commissioner, Ayacut or by the next higher Committee or the Farmers' Organisation in respect of matters relating to urgent public importance.

4. Notice of meeting. - (1) Notice of every meeting shall be given by the Managing Committee of Farmers' Organisation to all the members at least seven days in advance, specifying the place, date, time and agenda items for the meeting.

Provided that in cases of emergency a meeting may be called at three days advance notice.

(2) The notice may be sent by hand or post or publication or by beat of drum and shall be pasted on the notice board of the concerning organisation.

5. Quorum for the General Body. - (1) The quorum for a meeting shall be not less than one third of the total members of the concerning organisation.

(2) If there is no quorum for the meeting it shall stand adjourned and be convened on such date and time as the Managing Committee may determine. At such adjourned meeting no quorum shall be necessary and the members present may transact the business for which the meeting was called.

(3) In a General Body meeting, the items specified in the agenda alone will be discussed. No other subjects will be discussed without the express permission of the Chairperson/President or the majority decision of the members present in the meeting.

6. **Minutes of the Meeting.**—(1) Every proceeding of the General Body shall be recorded in the minutes book maintained for the purpose and authenticated by the Chairperson or President or the person who has presided over the meeting, as the case, may be. A copy of the minutes shall be sent to the authority at the next higher committee.

7. **Procedure for taking up works.**—For the purposes of taking up works under clauses (b) and (n) of Section 17, clause (b) and (j) of Section 18 and clause (b) and (i) of Section 19 of the Act, the Farmers' Organisation shall adopt the following procedure:—

(1) **System Diagnosis for Maintenance Works.**—

(i) Prior to the commencement of every crops season (kharif & rabi) the Managing Committees and Competent Authority of every Farmers' Organisation shall undertake to assess the condition of the system (system diagnosis) through a participatory walk through exercise.

(ii) The Farmers' Organisation shall inspect each and every hydraulic structure and record its status.

(2) All works shall be categorised as follows :

(i) Normal Operation and Maintenance Works which includes ordinary repairs, such as:—
(a) Desilting;

(b) Weed removal;

(c) Embankment repairs;

(d) Revetment;

(e) Repairs to shutters;

(f) Repairs to masonry and lining;

(g) Cleaning & Oiling of screw gearing shutters;

(h) Painting of hoists and gates etc;

(i) Emergent breach closing works, and

(j) Maintenance of inspection paths.

(ii) **Deferred Maintenance Works (Rehabilitation Works)**—

(a) Reconstruction of sluices;

(b) Reconstruction/repairs to drops regulators;

(c) Reconstruction of measuring devices;

(d) Rehabilitation of the system; and

(iii) Original Works-

(a) Modernisation of the System; and

(b) Any other construction works in the irrigation system. The above works shall be executed by the Farmers' Organisation, under the supervision of the Water Resources Department at the rates not exceeding estimated rates.

(3) Identification of normal operation and maintenance works-participatory walk-through:-The Chairperson/President along with the Managing Committee members shall organise a participatory walk, through within the area of operation of the Farmers' Organisation and identify all the critical reaches' which need immediate repair as listed out above. The competent authority shall assist the Farmers' Organisation in preparation of detailed list of works to be undertaken.

(4) Prioritising Works. - The Managing Committee of the Farmers' Organisation shall discuss the list so prepared and fix up priority or works to be taken up immediately.

(5) Preparation of estimates. -The competent authority shall prepare estimates within a fortnight for the works so prioritised according to the hydraulic particulars as maintained by the Water Resources Department at the prevailing schedule of rates.

(6) Administrative approval. -The Managing Committee of the Farmers' Organisation shall accord administrative approval for the estimates prepared subject to availability of funds. Each administrative approval shall be recorded in the register of administrative approvals in Form-I.

(7) Technical Clearance. -- (a) The powers for giving technical clearance by the Competent Authority shall be as follows:-

(i) Special Repairs:

- | | | |
|-----|--------------------------|---------------------|
| (a) | Executive Engineer | Up to Rs. 5,000/- |
| (b) | Superintending Engineer, | Up to Rs. 50,000/- |
| (c) | Chief Engineer, | Up to Rs.5,00,000/- |

(ii) Ordinary Repair :	full powers within the funds provided to
Executive Engineer,	farmers' organisation

(b) a Competent Authority may accord technical clearance vested in an authority lower than him;

(c) the Competent Authority, shall record all the technical clearances in the register of technical clearance in Form-I appended to the rules, and

(d) the technical clearance shall not exceed the Administrative approval;

(e) in respect of a Distributory Committee, the Project Committee, the Competent Authority may cause the technical clearance to be given by an appropriate officer under his control as per the financial powers mentioned in clause (a).

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

(b) Under no circumstances Chairperson/President or Managing Committee Member of the Farmers' Organisation execute a work directly in his individual capacity,

- (c) The cost of works executed shall not exceed the estimated costs; and
- (d) The competent authority shall record the initial measurements and final measurements for quantifying the work done for making payments by the Farmers' Organisation.
- (9) **Maintenance and Adherence to the Designed Hydraulic Particulars** -The competent authority shall be responsible for the maintenance and adherence to the approved hydraulic particulars. He shall ensure that the designed hydraulic particulars of an irrigation system are not altered with. He shall guide the Farmers' Organisation in supervising works.
- (10) **Limitations on Works** .- No Farmers' Organisation shall have the power to interfere with the designed hydraulic particulars of an Irrigation system. Any violation will invite the penal provisions under section 23 of the Act; and the rules made there under.
- (11) **Publication of List of Works to be Taken-Up**. - (a) The lists of works to be taken up should be given wide publicity by means of display in the office of the Farmers' Organisation and other public places and institutions within the area;
- (b) Along with the lists other particulars of works, estimates, values, and mode of execution should be given wide publicity; and
- (c) If any member wishes to have access to any of the records relating to works to be taken up, he may do so on payment of the fee as fixed by the Farmers' Organisation.
- (12) **Freedom to Add Other Funds or Extra Contributions**. -The members are free to contribute resources either in cash or by way of material or labour.
- (13) **Proof of Works Done**. -The competent authority shall maintain Level Field Book, and Measurement Book for recording the work done by the Farmers' Organisation.
- (14) **Payment for the Works Done**. -All payments for works done above Rs. 1000/- shall be paid by cheque. The Farmers' Organisation shall maintain a record of all payments made in the Cash- book date-wise.
- (15) **Original Works**. - A Farmers' Organisation may take up any original work within its area of operation subject to the following conditions; namely :-
- (a) Specific approval shall be obtained from the authority vested with such powers to do so.
- (b) The estimates for works shall be prepared by the Water Resources Department and works shall be let out to the Farmers' Organisation wherever they come forward for execution of such works at the estimated rates.
- (c) If the Farmers' Organisation agrees to take up any work, an agreement shall be entered into with the Water Resources Department.
- (d) Payments shall be made to the Farmers' Organisation based on the out turn of work on fortnightly basis or even earlier as may be mutually decided.
- (e) Where the Farmers' Organisation does not come forward the procedure as prescribed under the "Works Department Manual" shall be followed or as per any direction given by the Government from time to time.

8. Social Audit of Farmers' Organisation. - (1) At the end of each crop season the Farmers' Organisation shall conduct Social Audit as detailed below:-

- (i) Social Audit shall be done for both water utilisation against the water budgeting and expenditure incurred

for maintenance of the system with reference to the funds available to each of the Farmers' Organisation.

(ii) The Social Audit shall cover:

- (a) Equity in water distribution;
- (b) Increase in production;
- (c) Increase in productivity;
- (d) Crop diversification;
- (e) Multiple cropping;
- (f) Water use efficiency;
- (g) Utilisation of resources for execution of works;
- (h) Improvement in the cultivated areas of the Farmers' Organisation compared to previous season; and
- (i) Quality of works undertaken.

(2) The Social Audit so conducted shall be made known to all the beneficiaries under the Farmers' Organisation by way of displaying a list containing the benefits accrued with reference to funds spent on the notice board of the office of each of the Farmers' Organisation.

(3) Whenever a work is taken up, the estimated cost of the work, item of work proposed to be executed, details of the executors of the work etc., are to be exhibited on a board at the place of the work; so that every beneficiary under the Farmers' Organisation is aware of the details of the work being executed and expenditures to be incurred.

(4) The Competent Authority shall render all assistance in the conduct of the social audit. The revenue and agriculture officials shall also render the requisite assistance.

(5) The Social Audit so conducted shall be recorded and a copy thereof be sent to the Distributory Committee in the case of Water Users Association, to the Project Committee in the case of Distributory Committee; and to the Apex Committee and to the Government in the case of Project Committee.

(6) The auditor shall incorporate the Social Audit Report in his annual audit report together with his specific observations on rectification of defects, if any, noticed in the social audit.

9. **Operational Plan and Water Budgeting.** - Water Budget for Farmers Organisation-The Managing Committee of the respective Farmers' Organisation shall, along with the assistance of the competent authority, prepare a water budget for the area of operation under its control as detailed below :-

(i) One month before the onset of the Kharif season, the Project Committee shall, subject to such directions as may be given by Government from time to time, work out the anticipated inflows and existing availability in the reservoir and work out the water allocation to all the Distributory Committees; the Distributory Committees in turn shall allocate the water made available to Water Users' Association in its jurisdiction: Provided that in the case of medium irrigation projects, the Project Committee shall allocate to the Water Users' Associations.

(ii) A Farmers' Organisation in distributing water to its member constituents shall have regard to allocations meant for drinking waters, or for any specified purpose as may be decided by Government from time to time.

(iii) For the Rabi season, the Project Committee will determine the area to be thrown open for irrigation based upon the actual availability of water at the beginning of Rabi Season. The water so available shall be allocated equitably among the Distributory Committees and Water Users' Associations. In the case of medium or minor irrigation system, equitable distribution shall be achieved by adopting circular rotation over a period.

(iv) Each of the Farmers' Organisation, shall draw up an operational plan which shall specify the quantity of water to be drawn on a fortnightly basis.

(v) The draws of water shall be monitored each day at specified gauge points as decided by the Farmers' Organisation.

(vi) Review of the draws and distribution shall be done by each of the Farmers' Organisation at the end of each fortnight and corrective measures taken.

(vii) At the end of each season the respective Farmers' Organisation shall prepare a report of water received and utilised along with the area irrigated, quality of water supply and extent of crops.

(viii) The Farmers' Organisation shall analyse the shortcoming and deviations in water budget and report to the next higher tier.

(ix) In respect of a minor irrigation system the Water users' Association shall decide the operational plan, date of release of water, which are to be thrown open for irrigation depending upon the storage/inflows into the tank.

10. Water Regulation . - After a water budget is prepared, the Farmers' Organisation shall draw up a plan of water regulation as follows:-

(a) The dates of release and closer shall be informed to all members well in advance;

(b) Equitable distribution of water amongst all users shall be the main principle in water regulation;

(c) A Farmers' Organisation shall draw water and monitor flows based on the operational plan prepared;

(d) A Warabandi Schedule (Turn-Schedule) shall be prepared for each outlet in a Farmers' Organisation;

(e) The Farmers' Organisation shall, record the crop wise area in the command area with the assistance of the Competent Authority, and

(f) A Farmers' Organisation may, for the purpose of monitoring, install such devices as may be required within its jurisdiction.

11. Accounts/Finance. - (1) The Farmers' Organisation shall open an account in a nationalised bank or cooperative bank namely; the District Co-operative Central Bank or the Madhya Pradesh State Apex Co-operative Bank in its name. The account shall be operated jointly by the President or Chairperson as the case may be and one of the Managing Committee members as nominated by the Managing Committee. The Farmers' Organisation shall maintain the cash-book and accounts of expenditure with appropriate vouchers and receipts.

(2) Every expenditure should be supported by a receipt, or voucher which shall be duly passed for payment by the president.

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

(4) Account Registers to be maintained. - Every Farmers' Organisation shall maintain accounts register. Each of the following record shall bear the name, address and the seal of the Farmers' Organisation and shall be machine

numbered; namely:-

- (a) Cash book;
- (b) Bill registers;
- (c) Contingent registers;
- (d) Receipts books; and
- (e) Cheque register.

12. Records to be maintained. -Each of the Farmers' Organisations shall maintain the following records, other than the records, specifically, mentioned in the Act in these rules. An up-to-date copy of the Act/Rules/Directions and orders of Commissioner / Government :-

(a) The following maps shall be maintained by each Water Users' Association; namely :-

- (i) Map showing the boundaries and jurisdiction of the association, water conveyance system, within the boundaries of the association;
- (ii) Map showing the notified command area with Serial numbers as prescribed in sub-rule (6) of rule 3 of the Farmers' Organisation Constitution, rules, 1999.

(b) the following registers shall be maintained; namely:-

(1) **Property Register and Records.** - These records shall contain the details of properties, assets and liabilities vested in a Farmers' Organisation like lands, buildings, canal banks etc. -

(i) **Inventory Register (Component Register).** - An inventory register in Form 2 shall contain particulars of hydraulic particulars of structures, including details of canals and with their hydraulic particulars.

(ii) **Register Of Vacant Land and Buildings in Form 3.**

(iii) **Miscellaneous Property Register.** - Other minor properties such as trees grass etc. in form 4, and

(iv) **Register of Machines.** -shall contain the list of machines working and condemned in Form-5.

(2) **Membership Register and Records.** -Registers relating to memberships as specified in sub-rule (1), (2) and (3) of Rule-4 of the Farmers' Organisation Constitution rules, 1999.

(3) **Water Flows Register and Records.** -Every Farmer' Organisation shall be supplied with water, based on the operational prepared plan. These flows need to be monitored daily at specified locations as decided by Farmers' Organisation-

(i) **A Reservoir Gauge Register in Form-6.**

(ii) **A Canal Gauge Register in Form-7.**

(4) **Area Crops Register and Records-**

(i) **Command Area Register in Form-8.**

- (ii) Farmer Wise Demand Register in Form-9
- (5) Works Register and Records:
 - (i) Register of Administrative Sanctions in Form-1.
 - (ii) Register of Technical Clearance in Form-1.
- (6) Cash register and Records:
 - (i) Cash Book in Form-10.
 - (ii) Receipts Book in Form- 11.
 - (iii) Bill Register in Form-12.
 - (iv) Cheque Memo Register in Form-13.
- (v) Special Fee Register in Form 14.
- (7) Minutes Register and Records.-Every proceeding of a General Body meeting, a Managing Committee meeting, a Sub-Committee meeting shall be recorded separately in a minutes book.

13. Levy & Collection of Fees.—(1) The Farmers' Organisation may by resolution passed by the General Body of the concerning committee levy a fee.

- (2) a fee under sub-rule (1) shall be levied for the following purposes for the Farmers' Organisation:-
 - (a) to provide facilities or;
 - (b) to provide specific services;
 - (c) to meet any urgent needs of the Farmers' Organisation;
 - (d) to build up assets of the Farmers' Organisation, and
 - (e) to improve the system.

(3) After passing the resolution by the General Body the competent authority shall prepare the estimate for the purpose as specified in sub-rule (2) and the Managing Committee shall decide a levy of fee proportionate to the land holding or to the number of members. The Managing Committee after it's decision shall serve the demand notice to the concerned.

(4) all fees collected shall be duly accounted for and the receipt thereof be given to the concerning person.

(5) a fee collected for which specific purpose shall be used only for that purpose-

(a) In default of payment of fee by any member, the Managing Committee shall prepare a list of defaulters along with amounts due.

(b) The defaulters list so prepared in clause (a) shall be sent to the Sub-Engineer, Water Resources Department of the area in whose jurisdiction the area of operation of a Farmers' Organisation lies for recovery.

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

- (i) the Managing Committee shall appoint an Auditor who has adequate experience in normal auditing work.

(ii) the Auditor so appointed shall be a person of repute in the area of operation of the Farmers' Organisation, who has reasonable knowledge in accounts;

(iii) the appointment of the Auditor shall be approved by the Managing Committee of the Farmers' Organisation;

(iv) the Auditor so appointed shall take all steps necessary to scrutinise the accounts of receipts and expenditure, within thirty days from the date of his appointment and furnish the audit report along with the statement of accounts and balance sheet to the President of the concerned Farmers' Organisation;

(v) the audit report shall be submitted to the General Body in its meeting for its approval;

(vi) the Managing Committee of a Farmers' Organisation shall provide the audit report to the General Body, and

(vii) if the overall transactions exceed Rs. 10 lakhs per annum, the Farmers' Organisation shall engage a Chartered Accountant for audit of accounts.

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

(a) attend the meeting convened by the Managing Committee, and participate in the discussions but he has no voting right;

(b) assist in the preparation of maintenance plan;

(c) prepare estimates for works identified for execution; the estimate shall be prepared as per the norms and the rules prescribed by the Water Resources Department in this regard.

(d) accord technical clearance to the maintenance works, as per the powers delegated. The technical clearance shall be limited to the administrative sanctions for the work;

(e) ensure that no alteration or change is made in the irrigation system, with reference to the approved hydraulic particulars;

(f) bring to the notice of Water Resources Department any tampering or changes made in the system, by any Farmers' Organisation in contravention of the hydraulic particulars. He shall ensure that action is taken in accordance with the Act;

(g) provide technical details of the system to the member of the Managing Committee;

(h) assist the Managing Committee in the preparation and approval of operational plan,

(i) advise and assist on water regulation, based on the water supplies and seasonal condition;

(j) prepare water budgeting for the Farmers' Organisation;

(k) help in assessment of areas irrigated;

(l) help in training any helper appointed by the Farmers' Organisation in discharging their duties;

(m) guide the Farmers' Organisation in maintaining various registers and

(n) record measurements for the work done and pass the bills for payments by Farmers' Organisation based on the approval of the works sub-committee.

FORM 1

[See Rule 7 (5) and 12(5) (i)]

REGISTER OF TECHNICAL SANCTION / ADMINISTRATIVE SANCTION

(T.S.)

(A.S.)

Name of W.U.A./F.O.....

WAS/DAS/PAS WTS/DTS/P Sanction No. & Year	Sanctioned By	Head of Account	Name of Work	Amount of Estimate	Date of Sanction	Initial
(1)	(2)	(3)	(4)	(5)	(6)	(7)

- Note : -W.A.S. W.U.A's Administrative Sanction.
W.T.S. W.U.A's Technical Sanction by Competent Authority(Technical).
D.A.S. Distributory Committee's Administrative sanction
D.T.S. Distributory Committee's Technical sanction by Competent
Technical Authority..
P.A.S. Project Committees Administrative Sanction.
P.T.S. Project Committees Technical Sanction by Competent
Technical Authority.

FORM 2

[See Rule 12 (1) (i)]

REGISTER OF COMPONENT WORK

Name of the Scheme.....

Name of W.U.A./F.O.....

Sl. No.	Distance from head	Position Right- (R) Left- (L) Across- (X)	Name and description of work	Reduced levels (m) or ft.			Dimensions (m) or ft.			Slopes of bank number of vents openings	Areas chargeable anchment or drainage (ha/Km.2)	Discharge capacity (million m or Mcft.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
			Canals channels, aqueducts or super passages	Bed (a) canal (b) drain	(a) FSL of canal (b) MEL of drain	(a) Top of lining (b) Bank/ parapet (c) Flood bank	(a) Canal BWV/Bed fall (b) drain BWV/bed fall	Depth or height (a) canal (b) side wall	Top width of bank R/L (a) canal (b) flood bank	Front Rear & slopes (a) canal (b) flood bank	(a) Ayacut below (b) drain age area	At (a) ES of canal (b) MFL of drain	1. In case of regulators & bridges the dimension under column
			Drops and canal falls	Sill	Front (a) Bed (b) FSL	Rear (a) Bed (b) FSL	Length (a) at sill (b) at top	Height of opening vent or notch	Overall length	Number of openings or vents	Ayacut below	At FSL of canal	(a) Should be up to bottom of girder
			Stuices or syphons	Sill or floor	(a) Canal bed From rear (b) Drain bed	(a) Canal FSL from/rear (b) Drain MFL	Width sill at	Height of vent	Overall length of pipe or barrel	Number of vents	(a) Ayacut (i) parent canal (ii) off take canal	(a) At FSL (i) parent canal (ii) off take canal (b) At MFL of drain	2. The s/w regulators stand for the tailoring FSL Full supply level M F L
			Inlets outlets escape sluices	Crest or sill	MFL (a) above (b) below	Top (a) Canal bank (b) Canal bank operating	Width of wall (top/bottom) of vent	Height of wall or vent	Overall length	Number of vents	Drainage area	(a) At MFL (b) At FSL	Maximum flood level BWV Bed width R/L Right Left
			Regulators and bridge	Crest or sill	FSL (a) above (b) below	(a) Platform (b) Road	Width of (a) vent (b) road way	Height of (a) vent (b) parapet	Overall length	(a) Number of vents (b) type of gates	Villages connected	At FSL	

FORM - 3
[See Rule 12(j) (iii)]

REGISTER OF BUILDINGS & LANDS

Name of the W.U.S./F.O.

Sl. No.	Village & S.No. Location	Name Description	Building Type			Lands					S.No.	Extent	Type Wet/Dry waste Barran	Remarks	Rent/ Auction Amounts Realised		
			Walls	Floor	Roof	Plinth in sq	Land	Standard Rent	Canal Drain	Reach					1997	1998	1999
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

FORM - 4
(See Rule 12(i)(iii))
REGISTER OF TREES - GRASS - Other Miscellaneous Properties

Name of the W.U.S./F.O.....

Sl.N o.	M.P. Item No.	Tank Bund Canal Bank RF-LF Reach From - To	Location	Details of M.P. Items								Year-wise collection			
				No. of Tree	Name of Tree	Girth & Rft. of Trunk	Grass or Lulieflora	Fish	Born	Others	Min.Rent/Bi d Fixed	1997	1998	1999	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

FORM - 5

(See Rule 12(1)(iv))

REGISTER OF MACHINES

Name of the W.U.S./F.O...

Sl No.	Name of Machine	Make & Model	H.P. of Machine	Year of Purchase	Original Book Value	Hire Charges per km. Hour	Working Condition	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM - 6

[See Rule 12(3)(i)]

RESERVIOR GAUGE - DISCHARGE REGISTER

Name of Reservoir/Tank.....

Name of the W.U.A./F.O...

F.T.L.....MWL.....TBL

Date	Reservoir level to 8 A.M.	Capacity in Mcft	Front Gauge	Head Sluice(1)/sluice(2)			Discharge cusecs/Mcft	spillway/surplus weir			Evaporation			Rain fall	Rise/fall of Res.L level in ft.	Net Impounding depletion Mcft	Total Inflow Mcft	Net utilisation Mcft	Remarks
				Rear Gauge	Vent way & Opening	head		Head over crest	Vent way & opening	Discharge cusecs/Mcft	In ft.	In Mcft	Total out flow Mcft						
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) (9)	(10)	(11)	(12) (13)	(14)	(15)	(16)	(17)	(18)	19	(20)	(21)	(22)

FORM - 7
[See Rule 12(3)(ii)]

CANAL GAUGE- DISCHARGE REGISTER

Name of parent canal/Distributory
At Start

Bed Width.....
Full Supply Depth.....
Gauge.....
Discharge.....

Name of the W.U.A./F.O....
At End

Bed Width.....
Full Supply Depth.....
Gauge.....
Discharge.....

At

Date	Time	Gauge @ Start of F.O.	Discharge in Cusecs	Gauge @ end of F.O.	Discharge in Cusecs	Discharge	
						In Cusecs	In Melt.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM - 8

[See Rule 12(4)(i)]

COMMAND AREA REGISTER

Name of Source.....

Name of the W.U.A./F.O...

Sl. No.	Name of the Land Holder/Father's name	Name of Village	Survey Number	Extent of Commond Area	Total	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM -9

[See Rule 12(4)(ii)]

REGISTER OF IRRIGATED AREAS AND DEMANDS

Name of Source

Name of the W.U.A./F.O....

Sl.No.	Name of the Land Holder/Father's name	Survey Number	Extent of holding	Actual area irrigated	Type of Crop	No. of Waterings	Water Charge Assessment	
							Rate	Amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM - 10

[See Rule 12(6)(i)]

CASH-BOOK

Name of the W.U.A./F.O...

[illegible]

FORM -11

[See Rule 12(6) (ii)]

ORIGINAL

TEMPORARY RECEIPT
(Stamp of Farmers Association)

Receipt No..... Date.....
 Received Rupees

 From Sri
 S/o
 R/o
 Towards the.....

Place : Signature Authorised
 Date : Authority of the Farmers
 Association

DUPLICATE

TEMPORARY RECEIPT
(Stamp of Farmers Association)

Receipt No..... Date.....
 Received Rupees

 From Sri
 S/o
 R/o
 Towards the.....

Place : Signature Authorised
 Date : Authority of the Farmers
 Association

FORM - 12

[See Rule 12(6)(iii)]

BILL REGISTER

Name of the W.U.A./F.O...

Sl.No.	Date of Submission and Despatch No.	Name of the Work	Amount of Estimate	Ref. to Sanction	Amount of the bill	M.B.No. and Page	Name of the Agency	Initial
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM - 13

[See Rule 12(6)(iv)]

RESISTER OF CHEQUE MEMO RESISTER

Name of the W.U.A./F.O...

Sl. No.	To whom the Cheque issued	Name of the work	Cheque No. & Date	Amount of the Cheque	Cheque Book No.	Amount of Budget	Balance Amount	Signature
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM - 14

[See Rule 12(6)(v)]

SPECIAL FEE REGISTER

Name of the W.U.A./F.O...

Sl.No.	Date	Description of Special Fee	Period	From whom collected	Amount	Temp.Receipt No.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

**MADHYA PRADESH FARMERS
ORGANISATION CONSTITUTION RULES
1999**

Bhopal, the 18th October 1999

No.32-1-99-M-XXXI.—In exercise of the powers conferred by Section 43 of the "Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhinium, 1999" (Act 23 of 1999), the State Government hereby makes the following rules :-

1. Short title. - (1) These rules may be called the "Madhya Pradesh Farmers' Organisation Constitution Rules, 1999".

(2) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".

2. Definition. -In these rules, unless the context otherwise requires:-

(a) "Act" means the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhinium, 1999.

(b) "Authorised Officer" means an officer authorised by the District Collector not below the rank of a Naib Tahsildar.

(c) "Form" means a form appended to these rules;

(d) "Farmers' Organisation" means water users' Association at the primary level, Distributory Committee at the secondary level and Project Committee at the project level;

(e) "Notice" means notice appended to these rules.

3. **Delineation of Command Area of an Irrigation System.**—(1) The District Collector, may by notification delineate the command area under each of the irrigation system within his district on a hydraulic basis which may be administratively viable; and declare it to be a water users' area for the purpose of the Act and publish a notification in Form-A the Farmer's Organisation shall have distinct name; by amending the notification published under this sub-rule.

(2) For the purpose of this rule, every water's users association shall have the name of a village as its distinct name in which the major extent of the command is situated. If there is more than one association in such village, then such association shall be called by adding numerals to the distinct name.

(3) For each of the irrigation system the Collector shall cause to be prepared the maps or sketches, indicating the distribution system like majors, minors and outlets along with the related structures in the command area. In the map or sketch the village boundaries, the drains, ayacut roads and all structures shall be marked.

(4) The areas irrigated or planned to be irrigated under each of the distributory, minor, survey number wise shall be, prepared.

(5) The command area for each water user area shall be delineated on hydraulic basis, each to be served by a distinct segment of the irrigation system and with a control structure or a mechanism at its head for supply of allocated or designed quantity of water for that command area.

(6) The delineated area may have one or more distributories or minors or sub-minors or direct pipes or outlets or a combination of two or more thereof, serving its command. It shall also have a distinctly demarcated boundary which could be a drain, or a bund or an uncommandable land.

(7) In case of minor irrigation system, including tanks, diversion channels, lift irrigation schemes, wells, and such other smaller irrigation systems each shall form into one water user area.

(8) In case major and medium irrigation system such water user areas shall be more than one-.

(9) To ensure administrative viability, the area of operation of each of the Water User's Area shall be the limits of a village or contiguous villages situated within a Revenue Circle, as far as possible.

(10) The District Collector shall divide each of the water user area in a Major or Medium Irrigation Project, as far as possible equally into such even number of territorial constituencies as specified below :

upto 1000 hectares	4 territorial constituencies
from 1001 to 1500 hectares	6 territorial constituencies
from 1501 to 2000 hectares	8 territorial constituencies
more than 2000 hectares	10 territorial constituencies

and in respect of minor irrigation project, the water user area as far as possible be equally divided into such even number of territorial constituencies as specified below :

up to 200 hectares	4 constituencies
from 201 hectare., to 400 hectares	6 constituencies
from 401 hectares to 600 hectares	8 constituencies
from 600 hectares to 2000 hectares	10 constituencies

Note. -The command area under a direct pipe outlet shall not be bifurcated while dividing territorial constituencies.

(11) The draft command area map or sketch of the water user's area demarcating the boundaries of territorial constituencies in the area of operation shall be prepared. The particulars containing the survey numbers of the lands situated in each of such territorial constituency in Form "A" shall be displayed together with such map or sketch on the notice board of the Gram Panchayat and the Janpad Panchayat, for information of the land holders.

(12) Objections or suggestions against the delineation of water user area or the division of territorial constituencies, if any, may be filed, by the landholders in the area of operation, before the District Collector within a period of seven days excluding the date of display.

(13) Within two days of the receipt of the objections or suggestions, the District Collector shall after conducting a summary enquiry make such changes or modifications wherever considered necessary in the maps or sketches duly recording reasons thereof, whose decision thereon shall be final.

(14) A final map or sketch in pursuance of sub-rule (13) shall immediately be displayed in the office of the Gram Panchayat and Janpad Panchayat in Form "B" by the District Collector.

4. Preparation of landholders list, Voters list and other Water User's List. – (1) The District Collector shall prepare or cause to be prepared by the authorised officer, the list of landholders on the basis of record of rights, in form "C". On the basis of the list as so prepared, he shall prepare or cause to be prepared territorial constituency - wise voters list in Form "D", consisting of those landholders who have completed eighteen years of age as on the date of issue of notification for conducting elections in a water user's area for electing the president and the members of the managing committee of the water users' Association.

(2) The lists prepared under sub-rule (1) shall be displayed on the notice board of the office of the concerned Gram Panchayat and the Janpad Panchayat.

(3) Before finalising the lists mentioned in sub-rules (1), the District Collector shall invite objections in Form "E" against inclusion of any name or names in Form "F" and for deletion of any name or names in Form "G" within a week of display under sub-rule (2). After receiving the objections if any, the District Collector shall consider all such objections within a week and finalise such lists, by appending the names to be deleted or incorporated, at the end of each list and a final notice thereof shall be published in Form "H" for verification.

(4) Each land-holder in the water users' Area shall have one vote only irrespective of his land holdings in the said area.

(5) (i) In case, a land holder has land in more than one Territorial Constituency of a water user area the land holder shall opt for one constituency by giving a declaration as specified in Form "I" to the Authorised Officer.

(ii) In case no such option is exercised by the land holder, the Authorised Officer shall allot his vote to the constituency in which the landholder holds the maximum extent of land; where such land held is the same in two constituencies any of the constituency may be allotted.

(6) The list prepared under sub-rule (1) shall be revised six months before, the commencement of the subsequent elections in accordance with the provisions of the Madhya Pradesh Farmer's Organisation, Election Rules-1999.

5. Delineation of distributory areas.—(1) The Government, keeping in view the operational viability and in consultation with the District Collector, for the purpose of constituting the Distributory Committees, delineate the command area by a notification in Form "J", under a major project into such number of distributory areas as they consider proper.

(2) A distributory area may contain two or more contiguous water users' areas.

(3) In delineating a distributory area, no water user area shall be divided or bifurcated into parts.

6. Delineation of project areas - (1) The Government, keeping in view the operational viability and in Consultation with the District Collector, delineate, the command area by a notification in Form "K" under a major irrigation project into one or more project areas for the purpose of constituting a Project Committee or Committees.

(2) The entire command area under a medium irrigation project shall be treated as a single unit and notified by the Government as a Project Area.

7. Procedure for conducting election - (1) The election to the office of the Chairperson or the President and the members of a Farmers' Organisation shall be conducted in accordance with the provisions of the Farmers' Organisation Election Rules-1999.

(2) No Member shall hold more than one elective office in a Water Users' Association. If a person is elected as President of Water Users' Association and also as a Member of the Managing Committee, he shall resign one of such offices within 15 (fifteen) days of the declaration of the result, by a letter addressed to the concerned Competent Authority. If he fails to do so, he shall cease to be a Member of the Managing Committee of the Water Users' Association. The Competent Authority then shall immediately inform the fact of resignation or cessation of such office to the District Election Officer and the President Distributory Committee where such committee exists. Such casual vacancy shall be filled in accordance with the Provisions of Section- 15 of the Act.

8. Recall - (1) The competent authority for receiving the recall notice in respect of a Chairperson or a President or a Member of the Managing Committee by any Farmer's Organisation shall be the District Collector or an officer nominated by him.

(2) The recall notice in Form "L" shall be signed by one third of the total voters in respect of the president or a Member of the managing committee of a Water Users' Association, and one third of the total members of the General Body in respect of the President or the Chairperson or a Member of a Managing Committee of a Distributory Committee or the Project Committee.

(3) On receipt of such notice the Competent Authority Officer shall verify the notice in Form "M".

(4) The officer nominated by the District Collector shall call for a meeting of the voters or the members of the General Body, as the case may be, of the respective Farmers' Organisation within seven days after verification of the notice.

(5) Two third majority of the total voters present and voting and half of the total number of members of the association voting at a General Body meeting specially convened for the purpose have voted in favour of the motion for recall, the motion shall be deemed to have been passed.

(6) After the motion passed under sub-rule (5) the competent authority shall issue the proceedings of motion to the concerned Chairperson, President or the Member of the respective Farmers' Organisation immediately stating that the recall became effective from the date of passing of the resolution; and accordingly he shall cease to hold such office.

9. Casual Vacancies.- A vacancy arising in any of the Farmers' Organisation either due to disqualification or due to death or resignation / recall, or by any reason, such vacancy shall be filled in the following manner.

(a) (i) If a vacancy in the office of the President of the Water Users' Association arises the President of the Managing Committee of the Distributory Committee in which the Water Users' Association is situated, shall nominate one of the member of the Distributory committee as President of the Water Users' Association.

(ii) If a vacancy of a Member of Managing Committee of Water Users' Association arises, the President of the Managing Committee of the Distributory Committee shall nominate, any one of the land holders from that particular constituency in which vacancy has arisen, as a Member of the Managing Committee.

(b) (i) If a vacancy in the office of a President of a Distributory Committee arises, the Chairperson of the Managing Committee of the Project Committee in which the Distributory area is situated, shall nominate one of the members of the Managing Committee of the Project Committee as the President of the Distributory Committee.

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(ii) If a vacancy of a Member of Managing Committee of a Distributory Committee arises the Chairperson of the Project Committee shall nominate one of the members of General Body of the Distributory Committee as a Member.

(c) (i) If a vacancy in the office of the Chairperson, of the Project Committee arises, the Apex Committee or the Government shall nominate one of the members of the Managing Committee of the Project Committee as the Chairperson.

(ii) If a vacancy of a Member of the Managing Committee of a Project Committee arises, the Apex Committee or the Government shall nominate one of the General Body members of the Project committee as a Member.

FORM "A"

NOTIFICATION

[See sub-rules (ii) of rule 3]

Whereas, it has been decided to delineate the entire command area into Water Users' Areas on hydraulic basis and which are found to be administratively viable;

And whereas, the water users' areas as so divided shall be further divided equally as far as possibly into such even number of territorial constituencies for the purpose of forming the Water Users' Associations :

Now therefore under sub-rules (2) to (6) of rule 3, of the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999), I, the Collector and District Magistrate of District/Authorised Officer hereby delineate Water Users' Area into territorial constituencies, and direct that the maps and sketches indicating the various Water Users' Areas and the territorial constituencies shall be displayed on the notice board of the Gram Panchayat and on the notice board of the office of the Janpad Panchayat.

Any objections or claims against the delineation detailed below may be filed before the authorised officer within seven days excluding the date of display on the notice board of the office of Gram Panchayat or the Janpad Panchayat.

..... Irrigation System.
..... Water Users' Association.

Name of the village Total Nos. of Territorial constituencies.....
Name of the Tehsil..... Name of the major/minor.....
Total Command Area in Acres Territorial constituency No.....

(Part No.)

Sl. No.	Location of Off-Take Sluice	Command Area		Village
		Survey No.	Extent in Ha.	
(1)	(2)	(3)	(4)	(5)

Collector & District Magistrate/Authorised Officer

..... District

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FORM "B"

[See sub-rules 14 of rule 3]

Where as, the objections received against Form-A displayed on..... (Date) have been considered and thoroughly examined.

And whereas, it is considered that the amendments to Form "A" are considered necessary; and accordingly they are hereby made and revised in the table hereunder.

..... Irrigation System.

..... Water Users' Association,

Name of the village Total Nos. of Territorial constituencies

Name of the Tehsil Name of the major/minor.....

Total Command Area in Ha..... Territorial constituency No.....

(Part No.....)

Sl. No. (1)	Location of Off-Take- Sluice (2)	Command Area		Village (5)
		Khasra No. (3)	Extent in Ha. (4)	

Collector & District Magistrate/Authorised Officer

..... District

FORM "C"

[See rule 4 (1)]

Under -sub-rule (1) of rule 4 of the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999), I..... the Tehsildar of the..... Tahsil being the Authorised Officer hereby publish the land holders list as in the table below. Any objections or claims against the above list may be filed before me within a week from the date of display of this list.

Name of the WATER USERS' ASSOCIATION

Name of the village Name of the Tehsil.....

Name of the major/minor..... District

Total Command Area..... Total Territorial Constituencies

Territorial Constituency No..... (Part No.).....

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Land Holders List

Si. No.	Name of the land holder Father's name	Extent of Holding (Ha.)	Khasra No.	Name of the village	Age
(1)	(2)	(3)	(4)	(5)	(6)

Collector & District Magistrate/Authorised Officer
.....District/WUA

FORM "D"
[See rule 4 (1)]

Under sub-rule (1) of rule 4 of the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999), I..... the Tehsildar..... Tehsil being the Authorised Officer hereby display in this form the list of all the voters who are the land holders' and have completed eighteen years of age on the date of issue of Notification prepared territorial constituency wise, for electing the, President and members of the managing committee of the Water Users' Association specified below.

Any objection, against the list may be filed before the undersigned within a week for consideration and finalisation.

Voters List of..... Water Users' Association

Name of the Water Users' Association.....
Name of the village..... Name of the Tehsil.....
District..... Total Command Area.....
Total Territorial Constituencies.....
Territorial Constituency No.....(Part No.).....

List of All Other Water Users'

Sl. No.	Name of the voter	Father's name	Age	Name of village	<u>Land Holding</u> Khasra No.	Extent
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Collector & District Magistrate/ Authorised Officer
..... District/WUA

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FORM "E"
[(See rule 4(3))]

OBJECTION TO INCLUSION OF NAME

To,
The Authorised Officer, -
..... Water User Association,
sir,

I object to the inclusion of the name of..... at Serial No.....
in..... Water Users' Association electoral roll for the following reason (s).

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief

My name has been included in the electoral roll for this Water User Association as follows :

Name (in full).....

Father's / Mother's / Husband's name.....

Serial No.....

Date.....

Signature/Thumb Impression of Objector
(Full Postal Address)
.....

I am an elector included in the same electoral roll in which the name objected to appear, my serial number therein is..... I support this objection and countersign it.

Signature of the elector
Name (in full)

Note. - Any person who makes a statement or declaration which he either knows or believes to be false or does not believe to be true is punishable under provisions of Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999).

FORM "F"
[See rule 4(3)]

TO,
The Authorised Officer,
..... Water User Association.

Sir,

I request that my name be included in the electoral toll for the above Water Users' Association.

1. Name (in full).....
2. Father's / Mother's / Husband's name

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3. Particulars of my place of residence are

- (a) House No.....
- (b) Street/Mohalla.....
- (c) Town/Village.....
- (d) Post Office.....
- (e) Police Station/Tehsil.....
- (f) District.....

4. Particulars and holding.....

- (a) Survey No.....
- (b) Extent.....
- (c) Name of the village.....
- (d) Name of the Irrigation System.....

I hereby declare that to the best of my knowledge and belief :

- (i) that I am a citizen of India;
- (ii) that my age on the first day of January 1st / July 1st was..... years and..... months;
- (iii) that I am water User' of this Water Users' Association at the address given below.

Place.....

Signature or thumb impression of claimant

Date

FORM-G

[See rule (3)]

APPLICATION FOR DELETION OF ENTRY IN ELECTROAL ROLL

TO,

The Authorised Officer,

..... Water User Association.

Sir,

I submit that the entry at Serial No. of the.....electoral roll for the Water Users' Association relating to *Shri / Smt*son/wife/ daughter/..... of requires to be deleted as the said person is *dead / is not a water user in this Water Users' Association*his name is already included in the voters list at Serial No. as such he is not entitled to be registered in the electoral roll for the following reasons.

.....

.....

.....

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

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I declare that I am an elector of this Water Users' Association being enrolled at Serial No.....of the roll.

Place

Date

Signature/thumb Impression of Objector
(Full Postal Address)

.....

Note—Any person who makes a statement or declaration which is false of which he either knows or believes to be false or does not believe to be true is punishable under provisions of Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999).

*Strike out the in appropriate words.

I am an elector..... included in the electoral roll of the same Water User's Association in which the claimant has applied for deletion. My Serial No. therein is..... I support this claim and countersign it.

Signature of the elector

Name (in full)

Note—Any person who makes a statement or declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable under provisions of Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999).

FORM "H"

[See sub-rule (3) of rule 4]

NOTICE OF FINAL PUBLICATION OF ELECTORAL ROLL

It is hereby notified for public Information that the list of amendments to the draft landholders list, voters list and other water users' list of the Water Users' Association have been prepared in accordance with the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhinium, 1999 (Act 23 of 1999), and a copy of the said lists together with the lists of amendments have been published and will be available for inspection at my office.

Place

Date.....

Authorised Officer,

Designation

.....District.

FORM-I

[See sub-rule (5) (i) of rule 4]

DECLARATION

I..... son of Shri..... resident at Door
No..... of..... village.....
aged about..... years hold lands as follows :

1406(69)

मध्यप्रदेश राजपत्र, दिनांक 18 अगस्त 1999

Survey No.	Extent in Ha.	Village	Territorial Constituency No.
(1)	(2)	(3)	(4)

I declare that I intended to vote in Territorial Constituency No

Place.....

(Signature.....)

Date

TO,

The Authorised Officer,

.....Water Users' Area

.....Tehsil

..... District

I, the Authorised officer for the.....WUA, do hereby allot.....

Territorial constituency to Shrifor the following reasons :

1. Based on the applicants request
2. Based on the extent of land held.
3. Others

Authorised Officer

Acknowledgement

Received an application form for exercise of option to territorial Constituency in WUA from Shri

Authorised Officer

FORM "J"
[See section 5(1)]

In exercise of the powers conferred by sub-section (1) of section 5 of the Madhya Pradesh

Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhniyam, 1999, (Act 23 of 1999) the

Government hereby delineate the distributory areas.

Sl. No.	Name of the Project Committee	Location of the Off-Take Sluice	Names of the DC	Name of the Tehsil	Name of the District
(1)	(2)	(3)	(4)	(5)	(6)

1158(71) मध्यप्रदेश राजपत्र, दिनांक 18 अगस्त 1999

FORM "L"
[See rule 8 (2)]

RECALL NOTICE

The undersigned persons constitute one third of the total number of voters/members of the General Body of the Water Uses Association/Distributory Committee/Project Committee, situated in.....Tehsil/Tehsils..... District. We have lost confidence in the President/Member Managing Committee/Chairperson of the said Water Users' Association/Distributory Committee/Project Committee. We propose to recall him.

Accordingly it is requested to call for a meeting of the following voters/Members of the General Body of the said..... Water Users' Association/Distributory Committee/Project Committee under sub-rule (4) of rule 8 of the Madhya Pradesh Sinchai Prabandhan Me Krishikon Ki Bhagidari Adhiniyam, 1999 (Act 23 of 1999) rules, and to move the motion for recall and conduct voting for the purpose of passing a resolution there at.

Date

Sl. No.	Name.	Village	Sl.No. in voters list	Signature
(1)	(2)	(3)	(4)	(5)

TO.
The Authorised/Nominated Officer,
Tehsil/Office of the Collector and
District Magistrate.....District

FORM "M"
[See rule 8 (3)]
VERIFICATION.

I being the authorised Officer/Nominated Officer has received the Recall notice for the purpose of recalling the President/Member of the Managing Committee Chairperson of the..... Water users' Association/Distributory Committee/Project Committee situated in..... Tehsil/Tehsils/ District has Verified the signature of the persons subscribe to the recall Notice with the concerned voters lists/lists of the concerned General Bodies and found their names given therein to be correct and genuine. Accordingly I proceed to take further action in the matter.

Authorised Nominated Officer,

Station.....

District.....

By order and in the name of the Governor of Madhya Pradesh,
V.S. VERMA, Secy.