THE HIMACHAL PRADESH MINOR CANALS ACT, 1976

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THE HIMACHAL PRADESH MINOR CANALS ACT, 1976 (ACT NO. 42 OF 1976)[1]

(Received the assent of the President of India on the 11th November, 1976 and was published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 29th November, 1976, pp. 1943-1977).

An Act to make better provision for the control and management of minor canals and to provide for the levy of water charges thereon in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-seventh Year of the Republic of India as follows:-

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the Himachal Pradesh Minor Canals Act, 1976.

(2) It shall extend to the whole of Himachal Pradesh.

(3)It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint in this behalf.

2. Operation of this Act.- (1) The provisions of this Act shall apply to the extent and in the manner hereinafter provided to every canal specified in either Schedule-I or Schedule-II, as the case may be.

(2) At any time after the commencement of this Act, the State Government may, from time to time, by notification,-

(a) include any canal under either Schedule-I or Schedule-II, as the case may be, or transfer a canal from one Schedule to the other Schedule, and thereupon the provisions of this Act applicable to canals included under such Schedule, or such of the said provisions as the State Government may direct shall apply to such canal ; or

1. For Statement of Reasons see Rajpatra, Himachal Pradesh (Extra-ordinary), dated 1st September, 1976, p. 1646.

(b) exclude from the operation of this Act any canal included under either Schedule I or Schedule II :

Provided that no canal shall be included under Schedule I, unless -

(a) it is owned in whole or in part by the Government ; or

(b) is at the commencement of this Act, managed by the Government or by any local authority ; or

(c) is situated partly within and partly without the territories to which this Act extends ; or

(d) has been included under Schedule II and is transferred to Schedule I by direction of the State Government :

Provided further that only private kuhls affecting more than one beneficiary and covering an area not less than twenty acres shall be included in Schedule II .

3. Definitions.- In this Act, unless there is something repugnant in the subject or context-

(i) "beneficiary" means in respect of any canal, any person for the time being deriving, or who is to derive, benefit, directly or indirectly, from such canal;

(ii) "canal" means any canal, natural or artificial channel or line of natural drainage or any reservoir, dam or embankment, well, tubewell and lift irrigation arrangements constructed, maintained or controlled for the supply or storage of water or the protection of land from flood or sand, and includes any water-course or subsidiary works as defined in this section ;

(iii) "Collector" means the Collector of a District and includes any officer appointed or authorised by the Government under this Act to exercise all or any of the powers of a Collector;

(iv) "Commissioner" means any officer appointed under this Act to exercise all or any of the powers of a Commissioner;

(v) "construction" or "construct" includes any alteration which would materially extend the area irrigable by a canal or any other alteration of material importance or the renewal of a canal after disuse for six years, but does not include the re-excavation of a canal-head which has been temporarily abandoned owing to change in the river, the excavation of a new head necessitated by a change in the river or a change of water-courses to render existing irrigation more efficient;

(vi) "creek" means any channel of a river other than the main channel through which the water of the river would, unless

obstructed by deposit of silt, naturally flow at some period of the year ;

(vii) "district" means a district as fixed for revenue purposes ;

(viii) "Government" or "State Government" means the Government of Himachal Pradesh;

(ix) "irrigator" means, in respect of any land which is irrigated directly from a canal, any person for the time being deriving benefit by such irrigation and includes a landowner or any other person having interest in such land ;

(x) "labour" includes labourers, cattle and appliances necessary for the execution of the work for which labour is to be supplied ;

(xi) "local authority" means a municipal committee, municipal corporation, small town committee,

(xii) "mill" means any contrivance whereby the water power of any canal is used for grinding, sawing or pressing, or for driving or working machinery or for any driving or working machinery or for any other similar purpose and includes all subsidiary works and structures connected with any such contrivance except the canal itself ;

(xv) "prescribed" means prescribed by rules made under this Act;

(xvi) "record-of-rights" and "Revenue Officer" have the meanings assigned to them respectively in the Himachal Pradesh Land Revenue Act, 1954 (6 of 1954) ;

(xvii) "subsidiary works" means all works required for the control or maintenance of the supply to a canal or for the maintenance of a canal in proper condition or for the regulation of the irrigation therefrom or for the prevention of floods or for the provisions of proper drainage, in connection with such irrigation, and includes also the land required for such work ;

(xviii) “water-course" means any channel which is supplied with water from a canal and which is maintained at the cost of the irrigators, and includes all subsidiary works connected

with such channel except the sluice or outlet through which water is supplied to such channel ;

(xix) "landowner" shall have the same meaning as assigned to it in the Himachal Pradesh Land Revenue Act, 1954 (6 of 1954); and

(xx) "water rate", means the charge made for canal water.

CHAPTER II

CONSTRUCTION OF CANALS

4. Prohibition against construction of canals without permission.- When the State Government has notified in this behalf any

natural channel, lake or other collection of water, no person shall, without permission previously obtained in the manner prescribed in the section next following, construct a canal intended to be fed from any such channel, lake or other collection of water : Provided that nothing in this section shall apply to the construction of a water-course from an existing canal or to the construction of wells.

5. Application for permission and procedure thereon.- (1) Any person, desiring to construct a canal intended to be fed from any source of supply which has been notified by the State Government under section 4, may apply, in writing, to the Collector for the permission referred to in that section.

(2) Every application under sub-section (1) shall be in such form, and shall contain such particulars, as the State Government may prescribe in that behalf.

6. Power of Collector to construct canal from notified source of supply.- (1) When a source of supply has been notified by the State Government under section 4 and the Collector considers that the construction of a canal to be fed therefrom will be advantageous, he shall give notice by general proclamation, to all persons interested, of his intention to construct such canal or allow construction of such canal.

(2) If no objection to the construction of such canal shall have been preferred within a period to be specified in the notice under sub-section (1), or if any such objection has been preferred within the said period, but has been finally over-ruled, the Collector may proceed to construct such canal.

(3) The provisions of sections 44 and 57 shall apply to all proceedings of the Collector under sub-section (1) of this section and under the preceding section, and power conferred upon the Collector by this and the preceding sections shall be exercised subject to such sanction as the Government may prescribe and in accordance with the rules made by the Government.

7. Power to prohibit the unauthorised construction of and to close unauthorised canals.- (1) If any person, without the permission necessary under sections 4 and 5 of this Act or contrary to any of the conditions of such permission, commences to construct or proceeds with the construction of any

canal, the Collector may, at any time, by order in writing, prohibit such person, and, by general proclamation, all other persons from continuing the construction thereof:

Provided that, unless in the case of a construction which would materially extend the area irrigable by a canal, no such order or proclamation, as the case may be, shall be made or issued in respect of any canal which, at the time, when it is proposed to make or issue such order or proclamation, has been used for irrigation without interruption,

other than such as was due to natural causes beyond the control of the person aforesaid.

(2) If any person, shall, at any time after the commencement of this Act construct a canal without the permission necessary under sections 4 and 5 of this Act, the Collector may, with the previous sanction of the Government, close it and shut off the supply of water thereto and may further, by order in writing, prohibit such person, and by general proclamation all other persons from maintaining, repairing or renewing such canal or continuing to use the water thereof.

CHAPTER III

PROVISIONS APPLICABLE TO CANALS UNDER SCHEDULE-I

8. This chapter is applicable only to canals under Schedule I.- Except as the Government may otherwise direct under section 63, the provisions of this chapter shall apply only to canals for the time being included under Schedule-I.

9. General powers of Collector.- (1) Notwithstanding the existence of any rights in or over a canal or water-course, the Collector may-

(a) exercise all powers of control, management and direction for the efficient maintenance and working of such canal or for the due distribution of the water thereof ; and

(b) whenever and so long as any water-course, sluice or outlet is not maintained in proper customary repair, or any water-course sluice or outlet through which water is supplied to any persons or in the case of a sluice or outlet, to any water-course or any person, is subjected to wilful damage or wrongful enlargement, stop the supply of water to such water-course, sluice or outlet to any person.

(2) No claim shall be enforceable against the Government for compensation in respect of loss caused by any order passed under sub-section (1) but any person suffering loss by reason of any order passed under sub-section (1) (a), the Collector shall award compensation under section 49 to such person in respect of the diminution of his right.

(3) No right to the use of the water of canal shall be, or be deemed to have been, acquired under the Limitation Act, 1963 (36 of 1963), nor shall the State Government be bound to supply any person with water.

10. Power of the State Government to suspend or extinguish rights in or over any Scheduled canal on payment of compensation.- (1) The Government may, at any time, suspend or extinguish any right to which any person is entitled in or over any canal if the exercise of

such rights is prejudicial to the interests of other irrigators or to the good management improvement or extension of the canal.

(2) In every such case, the State Government shall cause to be paid to the person whose right is suspended or extinguished, compensation to be assessed by the Collector under section 49. In assessing compensation for the purposes of this section, the Collector shall also have regard to the character of the right, the period during which it has been enjoyed and the damage likely to be occasioned by its suspension or extinction.

11. Power to enter and survey etc.- The Collector or other person acting under the general or special orders of the Collector may enter upon any lands adjacent to any canal, or through which any canal is proposed to be made, and undertake surveys or levels thereon and dig and bore into the sub-soil; and make and set up suitable land-marks, level-marks and water gauges ; and to do all other acts necessary for the proper prosecution of any inquiry relating to any existing or projected canal under the charge of the said Collector ;

Power to clear land.- and, where otherwise such inquiry cannot be completed, the Collector or such other person may cut down and clear away any part of any standing crop, fence or jungle ;

Power to inspect and regulate water supply.- and may also enter upon any land, building or water-course on account of which any water rate is chargeable, or has been remitted either in whole or in part or included in the land revenue thereof, for the purpose of inspecting or regulating the use of the water supplied, or of measuring the land irrigated thereby or chargeable with the water rate, and of doing all things necessary for the proper regulation and management of such canal;

Notice of intended entry into house.- provided that if such Collector or person proposes to enter into any building or enclosed court or garden attached to a dwelling house not supplied with water flowing from any canal, he shall previously give the occupier of such building, court or garden at least seven day's notice in writing of his intention to do so ;

Compensation for damage caused by entry.- and in every case of entry under this section, the Collector shall, upon application made to him in this behalf, assess and pay compensation for any damage which may be occasioned by any proceeding under this section.

12. Power to enter for repairs and to prevent accidents.- (1) In case of any accident happening or being apprehended to a canal, the Collector or any person acting under his general or special orders in this behalf may enter upon any land adjacent to such canal, and may execute all works which may be necessary for the purpose of repairing or preventing such accident.

(2) Compensation for damage to lands.- In every case under sub-section (1), the Collector shall, upon application made to him in this behalf, assess and pay compensation under section 49 for any damage which may be occasioned by any proceeding under this section.

13. Power to occupy land adjacent to canal for depositing soil from canal and to excavate earth for repairs to and construction of the banks and compensation for damage.- (1) The Collector, or any person acting under his general or special orders in this behalf, may, within such distance from the canal, as the Government may, by rule, determine, occupy land adjacent to any canal for the purpose of-

(a) depositing upon it soil excavated from the canal , or

(b) excavating from it earth for repairs to the banks, and construction of the canal.

(2) The Collector shall, upon an application made to him in this behalf, assess and pay compensation for any damage which may be occasioned by any proceeding under this section.

(3) The owner of any land which has been occupied after the comment of this Act for any purpose under sub-section (1) and has remained in such occupation for period exceeding three years may require that such land shall be permanently acquired in accordance with the provisions of section 41.

14. Supply of water through intervening water-course.- (1) Whenever an application is made to a Collector for supply of water from a canal, and it appears to him expedient that such supply should be given and that it should be conveyed through some existing water-course, he shall give notice to persons responsible for the maintenance of such water-course to show cause, on the day not less than fourteen days from the date of such notice, why the said supply should not be so conveyed and, after making such inquiry as he deems fit, the Collector shall determine whether and on what conditions, the said supply shall be conveyed through such water-course.

(2) The applicant shall not be entitled to use such water-course as aforesaid until he has paid the expenses of any alteration of such water-course necessary in order to his being supplied through it, and also such share of the initial cost of construction of such water-course as the Collector may determine. Such applicant shall also be liable for his share of the cost of maintenance of such water-course so long as he uses it.

15. Application for construction of new water-course.- Any person desiring the construction of a new water-course may apply in writing to the Collector stating-

(i) that he has endeavoured unsuccessfully to acquire, from the owners of the land through which he desires such

water-course to pass, a right to occupy so much of the land as will be needed for such water course ;

(ii) that he desires the Collector, on his behalf and at his cost, to do all things necessary for acquiring such rights ; and

(iii) that he is able and willing to defray all cost involved in acquisition such right and constructing such water-course.

16. Procedure of Collector thereupon.- If the Collector considers-

(i) that the construction of such water-course is expedient, and

(ii) that the statements in the application are true, he shall call upon the applicant to make such deposit as the Collector considers necessary to defray the cost of the preliminary proceedings, and the amount of any compensation which he considers likely to become due under section 19 ; and upon such deposit being made, he shall cause inquiry to be made into the most suitable alignment of the said water-course and shall mark out the land which, in his opinion, it will be necessary to occupy for the construction thereof, and shall forthwith publish a notice in every village through which the water-course is proposed to be taken, that so much of such land as belongs to such village has been so marked out.

17. Application for transfer of existing water-course.-(1) Any person, desiring that an existing water-course should be transferred from its present owner to himself, may apply in writing to the Collector stating-

(i) that he has endeavoured unsuccessfully to procure such transfer from the owner of such water-course ;

(ii) that he desires the Collector, on his behalf and at his cost, to do all things necessary for procuring such transfer ; and

(iii) that he is able and willing to defray the cost of such transfer.

(2) *Procedure thereupon*.- If the Collector considers-

(a) that the said transfer is necessary for the better management of the irrigation from such water-course; and

(b) that the statements in the application are true, he shall call upon the applicant to make such deposit as the Collector considers necessary to defray the cost of the preliminary proceedings and the amount of any compensation that may become due under the provisions of section 19 in respect of such transfer; and, upon such deposit being made, he shall publish a notice of the application in every village affected.

18. Inquiry into and determination of objection to construction or transfer of water-courses.- (1) When within thirty days from the publication of a notice under section 16 or section 17, as the case may be, any person interested in the land or water-course to which the notice refers, applies to the Collector as aforesaid, stating his objection to the construction or transfer for which application has been made, the Collector shall give notice to the other persons interested that, on a day to be named in such

notice or any subsequent day to which the proceedings may be adjourned, he will proceed to inquire into the matter in dispute or into the validity of such objections, as the case may be.

(2) Upon the day so named or any such subsequent day as aforesaid the Collector shall proceed to hear and determine the dispute or the objection as the case may be.

19. Expenses to be paid by applicant for construction or transfer of water-course before receiving occupation.- (1) No applicant under section 15 or 17, as the case may be, shall be placed in occupation of such land or water-course until he has paid to the person named by the Collector such amount as the Collector determines to be due as compensation for the land or water-course so occupied or transferred, and for any damage caused by the marking out or occupation of such land, together with all expenses incidental to such occupation or transfer.

(2) *Procedure in fixing compensation*.- Compensation to be made under this section shall be assessed as provided in section 49 but the Collector may, if the person to be compensated so desires, award such compensation in the form of rent charge payable in respect of the land or water-course occupied or transferred.

(3) *Recovery of compensation and expenses*.- If such compensation and expenses are not paid when demanded by the person entitled to receive the same, the amount may be recovered by the Collector as arrears of land revenue, and shall, when recovered, be paid by him to the person entitled to receive the same.

20. Conditions binding on applicant placed in possession.- (1) When any such applicant has duly complied with the conditions laid down in section 19, he shall be placed in possession of the land or water-course as aforesaid, and the following rules and conditions shall thereafter be binding on him and his representatives in interest :-

(a) in all cases-

First-all works necessary for the passage across such water-course existing previous to its construction and of the drainage intercepted by it, and for affording proper communication across it for the convenience of the neighbouring lands, shall be constructed by the applicant,

and be maintained by him or his representatives in interest to the satisfaction of the Collector ;

Second-land occupied for a water-course under the provisions of section 16 shall be used only for the purposes of such water-course;

Third- the proposed water-course shall be completed to the satisfaction of the Collector within one year after the applicant is placed in occupation of the land;

(b) in cases in which land is occupied or a water-course is transferred on the terms of a rent charge-

Fourth- the applicant or his representatives in interest shall, so long as he occupied such land or water-course, pay rent for the same at such rate and on such days as are determined by the Collector when the applicant is placed in occupation ;

Fifth- if the right to occupy the land ceases owing to a breach of any of these rules, the liability to pay the said rent shall continue until the applicant or his representative in interest has restored the land to its original condition or until he has paid, by way of compensation for any injury done to the said land, such amount and to such person as the Collector determines;

Sixth- the Collector may, on the application of the person entitled to receive such rent or compensation, determine the amount of rent due or assess the amount of such compensation and if any such rent or compensation be not paid by the applicant or his representatives in interest, the Collector may recover the amount with interest thereon at the rate of 12 per cent per annum from the date on which it became due as arrears of land revenue and shall pay the same when recovered, to the person to whom it is due.

(2) If any of the rules and conditions, prescribed by this section are not complied with, or if any water-course constructed or transferred under this Act is disused for three years continuously, the right of the applicant or of his representatives in interest to occupy such land or water-course shall cease absolutely.

21. Construction of outlets from canals by Collector.- The Collector may construct or repair or alter a sluice or outlet to regulate the supply of water from a canal to any water-course.

22. Power to convert several water-courses running for a long distance side by side into one water course.- (1) In cases where there are water-courses running side by side, or so situated as to interfere with

the economical use or proper management of the water supply, the Collector, if applied to for that purpose, or on his own motion, may require the owners to make arrangements to his satisfaction to unite the water-courses or to substitute for them such system as may have been approved by him.

(2) If the owners fail within such time as the Collector may fix to comply with any order passed by him under sub-section (1), the Collector may himself execute the work and recover the cost of such work from the owners in such proportion as he may decide.

(3) Whenever a water-course has been reconstructed or a new system substituted under sub-section (1) or sub-section (2), the Collector may fix the

shares in which the water shall be enjoyed by the persons entitled to use the water-course.

23. Procedure applicable to occupation for extensions and alterations.- The procedure hereinbefore provided for the occupation of land for the construction of water-course shall be applicable to the occupation of land for any extension or alteration of a water-course and for the deposit of soil from water-course clearances.

24. Costs of executing works under section 22 by whom payable.- In every case under section 22, the cost of executing or completing the works shall be payable by such person or persons deriving benefit from the water-course as the Collector may, in each case, determine.

25. Cost to be borne by the owners of the land benefited.- (1) The Government on receipt of demand in writing may, by notification, direct that a canal shall be constructed from a river, stream, creek or another canal for the irrigation of land in an estate or estates to be mentioned in the notification and that the cost of such construction shall be borne in whole or in part by the owners of the land to be benefited from the canal.

(2) *Provisions of this Act to apply to the new canals*.- The provisions of this Act in regards to the construction, repairs, maintenance and management of canals included in Schedule I shall apply to the new canals constructed in pursuance of the Government notification issued under sub-section (1).

26. Power of Collector upon issue of notification under section 25.- Upon the issue of notification under section 25, the Collector may, from time to time, by general or special order-

(a) determine the amount to be deposited in advance by each irrigator as his share of cost of such construction to be borne by him ;

(b) recover the amount so determined from any person who fails to comply with an order passed under this section ; and

(c) fund all costs so recovered and expend them on the construction of any of the canals to which notification applies or subject to the provisions, if any, of the record-of-rights specified in section 27 on any other purpose connected with the well being thereof.

27. Power to prepare record for canal.- (1) The Collector shall, whenever the State Government may, by special order or by the rules made under the authority of this Act, so direct, prepare or revise for any canal a record showing all or any of the following matters, namely :-

(a) the custom or rule of irrigation ;

(b) the rights to water and the conditions on which such rights are enjoyed ;

(c) the rights as to the erection, repair, reconstruction and working of mills, and the conditions on which such rights are enjoyed ; and

(d) such other matters as the Government may, by rule, prescribe in this behalf.

(2) Entries in the record so prepared or revised shall be relevant as evidence in any dispute as to the matters recorded and shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor:

Provided that no such entry shall be so construed as to limit any of the powers conferred on the Government by this Act.

(3) When a record showing all or any of the matters enumerated in sub-section (1) has been framed at any settlement of the land revenue already sanctioned by the Government and has been attested by the revenue officer such record shall be deemed to have been made under this section.

(4) Every person interested shall be bound to furnish to the Collector, or to any person acting under the directions of the Collector, all information necessary for the correct preparation of a record under this section.

(5) The provisions of Chapter IV of the Himachal Pradesh Land Revenue Act, 1954 (6 of 1954), shall, so far as may be, apply to the preparation and revision of every such record.

WATER RATES

28. Levy of water rates.- (1) Subject to the terms of any agreement made by it with the owners or irrigators, the Government may, by notification, direct that a rate or rates shall be levied for the use of water of a canal in an authorised manner. Such rate or rates shall be

determined keeping due regard to the maintenance and operation charges for the system and the cost of collection of the water rates.

(2) The Government may, by notification, direct that in addition to or in lieu of the rate or rates above-mentioned, the land revenue for the time being assessed on the land receiving canal water shall be enhanced in consequence of the change of class of the land from unirrigated to irrigated :

Provided that the new rate of assessment shall not exceed that fixed at the time of settlement for irrigated lands of the same class in the same village or in its vicinity:

Provided further that the Government may allow such lands to continue to be assessed at the rate or rates at which they were assessed immediately before they became irrigated, for a number of harvests to be fixed by the Government.

(3) The Government may, by notification, also impose a special rate to water obtained or used without authority or in an unauthorised manner.

(4) The rate or rates imposed under sub-section (1) or sub-section (2) or sub-section (3) shall be leviable from such persons deriving benefit from the water as the Government may, by general or special rule, direct.

(5) Subject to the terms of any such agreement as aforesaid, the proceeds of any rate or rates levied under this section shall be disposed of in such manner as the Government may, by general or special rule, direct.

(6) In the event of failure of crop to the extent of 10% or more due to the reason beyond the control of the farmer, he shall be entitled to remission of rates in proportion to the failure of that crop :

Provided that decision of the Collector regarding the extent of failure of the crop shall be final.

29. Liability when person using unauthorisedly cannot be identified.- If water supplied through a water-course be used in an un-authorised manner, and if the person by whose act or neglect such use has occurred cannot be identified, the person on whose land such water has flowed, if such land has derived benefit therefrom or if such person cannot be identified, or if such land has not derived benefit therefrom, all the persons chargeable in respect of the water supplied through such water-course, shall be liable, or jointly liable, as the case may be, to the charges made for such use.

30. Penalty when water runs to waste.- If water supplied through a water-course, be suffered to run to waste, and if, after inquiry by the Collector, the person through whose act or neglect such water was suffered to run to waste cannot be discovered, all the persons

chargeable in respect of the water supplied through such water-course shall be jointly liable for the charges made in respect of the water so wasted.

31. Charges recoverable in addition to penalties.- (1) All charges for the unauthorised use or for waste of water may be recovered in addition to any penalties which may be prescribed on account of such use or waste.

(2) All questions under section 29 and section 30 shall be decided by the Collector.

CHAPTER IV

PROVISIONS APPLICABLE TO CANALS INCLUDED UNDER SCHEDULE II

32. This chapter is applicable only to canals under Schedule II.- (1) Except as the Government may otherwise direct under section 63, the provisions of this chapter shall apply only to canals for the time being included under Schedule II.

(2) *Appointment of Manager*.- Where there are numerous share-holders in the ownership of canal or where it is difficult to ascertain the persons who are share-holders, or the extent of the interest of the share-holders, or any of them, the Collector may, if there is no proper manager or representative, require, by a proclamation or notice in writing,

the share-holders to nominate, within a given period, a fit person as manager of the canal and their representative, and, upon their failure to do so, may himself appoint any person to be the manager of such canal and the representative of the share-holders, and the person so appointed may thereupon do all acts and things which the share-holders, or any of them might lawfully do in regard to the management of such canal, and all bonafide acts and things so done by him shall be binding upon every person who possesses any share in the ownership of such canal.

33. Power of the State Government to apply the provisions of section 27 to any canal.- The State Government may, by notification, declare all or any of the provisions of section 27 (as to the preparation and revision of records) to be applicable to any canal, and upon any such declaration being made, such provisions shall, as far as may be, apply accordingly.

34. Power to assume control or management or both of a canal.- (1) It shall be lawful for the Government by notification to assume the control or management, or both of any canal-

(a) if the owner of such canal consents thereto, and subject to the condition (if any) on which such consent may in any case be given;

(b) if, after inquiry, the Government is satisfied that the control or management exercised by or on behalf of the

owner is such as causes grave injury to the property or health of persons owning lands in the vicinity ; and

(c) in the event of any wilful and continuous breach of orders issued under section 37 of this Act.

(2) When the control or management or both of any canal is assumed under the provisions of sub-section (1), the Government may exercise all or any of the rights and powers in regard thereto which, but for such assumption, the owner might lawfully have exercised and may delegate such powers or any of them to any person, but the Government shall, in the absence of any decree or agreement to the contrary, be liable to account, from time to time, to such owner for the income and expenditure thereof and may, at any time restore the canal to the owner.

35. Right of owner upon such assumption to demand that the canal shall be acquired by the Government.- When the control, or management, or both, of a canal shall be assumed by the Government under clause (b) or clause (c) of sub-section (1) of section 34, and such control or management shall have continued for a period exceeding six years, the owner thereof may by notice in writing delivered to the Collector, require that the Government shall acquire such canal.

36. Power to acquire canal on demand of owner.- On receipt of notice under section 35, the State Government shall by notification, declare that the said canal will be acquired after a day to be named in the said

notification, not being earlier than three months from the date thereof, and after the issue of such notification, the Collector shall proceed to acquire the said canal under the provisions of the Land Acquisition Act, 1894 (1 of 1894).

37. Power to fix the limits of irrigation and water rates and to regulate the distribution of water.- The State Government may after inquiry through the Collector in respect of any canal, issue orders as to all or any of the following things, namely :-

(a) fixing the limits within which land may be irrigated from such canal;

(b) fixing, as it may deem equitable, the amount and character of the water rates leviable by the owner, and the conditions on which such rates are to be paid, suspended, remitted or refunded; and

(c) regulating the supply and distribution of the water to and from such canal :

Provided that if any land which has been continuously irrigated from the canal for three years, previously, is deprived of irrigation, or the income of the canal owner from such canal is materially reduced by reasons of any order passed under this section, the owners of such land

or the canal owner shall be paid by the Government or by such persons as the Government may determine, such compensation as the Collector may consider reasonable:

Provided further that if the canal owner has, in the opinion of the Government, exercised his powers as such in an arbitrary or inequitable manner, he shall not be entitled to compensation under this section.

CHAPTER V

PROVISIONS APPLICABLE TO ALL CANALS

38. This chapter is applicable to all canals.- Save as otherwise hereinafter expressly provided, the provisions of this chapter shall be applicable to all canals whether included under Schedule I or under Schedule II.

39. Consent or decision of the owner how to be determined.- (1) Whenever, in respect of any canal, any question arises which has, under this Act or the rules made thereunder, to be determined by the request, consent or decision of the owner, and the ownership of such canal is vested in more persons than one who are unable to agree to such request, consent or decision it shall be lawful for the Collector to act on behalf of the owners in any such matter, and the request, consent or decision of the Collector in any such case shall be binding upon every person who possesses any share in the ownership of such canal.

(2) In every such case as aforesaid, the Collector shall give due consideration to the wishes of the shareholder or shareholders who possess the larger interest and when the question is one whether the Government

shall be required to take any action, the wishes of such shareholder or shareholders shall prevail and be accepted by the Collector.

40. Settlement of disputes.- (1) Save as provided in the preceding section, whenever a dispute arises between two or more persons in regard to their mutual rights and liabilities in respect of the ownership, construction, use or maintenance of a canal or water-course, and any such person applies in writing to the Collector stating the matter in dispute, the Collector shall give notice to the other person or persons interested that on a day to be named in such notice or any such day to which the proceedings may be adjourned, he will proceed to inquire into the matter in dispute.

(2) Upon the day so named or any such subsequent day as aforesaid, the Collector shall proceed to hear and determine the dispute in the following manner, that is to say,-

(a) if the dispute relates to the ownership of a canal or mutual rights of owners in the use of the water of such canal or the construction or maintenance of a canal or the payment of any share of the costs of such construction or

maintenance or the distribution of the supply of water from a canal the Collector shall proceed as a revenue court under the provisions of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (8 of 1974) and the provisions of that Act regarding appeals, revision and reviews shall be applicable ;

(b) if the dispute relates to a water-course, the Collector shall hear and determine the case as a Revenue Officer and shall make such order thereon as to him seems fit, and such order shall, unless set aside on appeal to the Financial Commissioner, be conclusive as to use or distribution of water for any crop sown or growing at the date of such order. The order of the Financial Commissioner on appeal shall in every case be final.

41. Acquisition of land for canals.- (1) Any person who has obtained the permission of the Government to Construct a canal or who owns a canal may apply in writing to the Collector to acquire any land required for the purposes of such canal.

(2) If the Collector is of the opinion that the application should be granted, he shall submit it, with his recommendation, for the orders of the Government.

(3) If, in the opinion of the Government, the application should, whether in whole or in part, be granted, it may declare that the land is required for a public purpose within the meaning of the Land Acquisition Act, 1894 (1 of 1894) and direct the necessary action to be taken thereunder.

42. Power to acquire canals by consent or otherwise.- Whenever it appears to the Government expedient in the public interest to acquire any

canal, the State Government may acquire the said canal under the provisions of the Land Acquisition Act, 1894 (1 of 1894).

43. Power to regulate flow of water in rivers, creeks, natural channels or lines of natural drainage and to prohibit therein or order removal therefrom of obstructions.- The Government may, by notification published in the Official Gazette, regulate the flow of water in any river, creek, natural channel or line of natural drainage, whether by the construction or removal of works or otherwise, and whenever it appears to the Government after inquiry through the Collector that the supply of water to a canal or the cultivation of any land or the public health or public convenience is likely to be injuriously affected by the obstruction of any river, creek, natural channel or line of natural drainage it may, by notification published as aforesaid, prohibit within the limits to be defined by such notification the formation of such

obstruction or may, within such limits, order the removal, or the modification of, such obstruction.

44. Power to remove obstruction after publication of notification and payment of compensation.- (1) The Collector may, after such publication, issue an order to the person causing or having control over any such obstruction to remove or modify the same within a time to be fixed in the order.

(2) The Collector may himself remove or modify the obstruction -

(a) if the person to whom the order under sub-section (1) was issued fails to comply with that order within the time so fixed ; and

(b) in any case where the obstruction is not caused or controlled by any person.

(3) The Collector shall determine from whom the cost of removing or modifying the obstruction shall be recovered, and the amount of compensation due to any person injuriously affected by the removal or modification of the obstruction and the persons by whom such compensation shall be payable :

Provided that no compensation shall be awarded for an advantage obtained by an arbitrary or inequitable course of action.

45. Power of the Collector to regulate flow of water and prohibit or remove obstructions.- When the Government has, by notification as provided in section 43, taken power to regulate the flow of water in any river, creek or natural channel or line of natural drainage, it may authorise the Collector to exercise such powers on its behalf in accordance with such rules as it may prescribe. A Collector so authorised may in the execution of such rules exercise all the powers conferred upon him by section 44 and his authority shall include the power to take such action as the Government is empowered by section 43 to take after inquiry through the Collector. Such authority may, on every occasion, be exercised without the publication of any further notification in the Official Gazette.

46. Power as to the construction and the maintenance of works in respect of canals under Schedule II.- (1) The Collector may, at any time, order the beneficiary of any canal included under Schedule II to-

(a) repair and maintain, in a proper state, all or any embankments, protective works, reservoirs, channels, water-courses, sluices, outlets and other works connected with the canal ;

(b) construct, repair and maintain, in a proper state, a suitable bridge, culvert, or similar work at any place across, under or over the canal, for the purpose of providing

communication with any public road or thoroughfare which was in use before the canal was made;

(c) construct, repair and maintain, in a proper state, suitable works for the passage of the water of the canal across, under or over any public road or thoroughfare or any canal or drainage or channel which was in use before the canal was made ;

(d) construct, repair and maintain, in a proper state suitable regulator at or near the head of the canal, where for want of such regulator, an excessive supply of water may enter the canal or cause damage to it, or any crops, lands, roads, or property in the neighbourhood.

(2) Every order under sub-section (1) shall be in writing and shall specify a reasonable time within which the works or repairs mentioned therein shall be completely executed.

(3) If any order made under this section is not obeyed, to the satisfaction of the Collector, within the time therein specified, the Collector may himself execute or complete the execution of, or cause to be executed or completed, all works or repairs specified in the order and recover the cost thereof from the beneficiary as provided in section 51.

47. Power as to construction and maintenance of works in respect of canals under Schedule I.- In the case of canals included under Schedule I, the Collector may-

(a) call upon the beneficiary to discharge any of the liabilities specified in sub- section (1) of section 46 which the Government may have declared to attach to the beneficiary from such canal or group of canals ; or

(b) himself arrange for the performance of such acts and recover cost as provided in section 51.

48. Power to take possession and to construct works in cases of emergency.- (1) If any new work is immediately required to prevent serious detriment to the utility of a canal then notwithstanding anything contained in the Land Acquisition Act, 1894 (1 of 1894), the Collector after obtaining a certificate from the Chief Engineer, or an officer of equivalent technical

competency especially empowered in this behalf by the State Government, to the effect that the situation demands urgent acquisition of a particular land/ lands for construction of the said work, may take immediate possession of such land and for the said purpose.

(2) After the Collector has taken possession of any land under sub-section (1), he shall immediately proceed to acquire the same in the prescribed manner. (3) In the event of sudden and serious damage or urgent risk to canal or to property situated in the immediate

neighbourhood thereof, or to irrigation carried therefrom or to the public traffic, the Collector may, after giving previous notice, execute or cause to be executed, such works as he may think necessary in order to remedy or prevent such damage or risk.

49. Assessment of compensation.- In assessing the amount of compensation to be paid under any section of this Act, other than sections 11, 13, 20, 37 and 44 the Collector shall proceed under the provisions of the Land Acquisition Act, 1894 (1 of 1894), and the provisions of that Act regarding inquiries and awards by the Collector, reference to the Civil Courts and procedure thereon, apportionment of compensation, payment and appeals shall, as far as may be, be applicable to all proceedings under this section.

50. Compensation for a right of user or in the form of supply of water.- With the consent of the parties, the Collector may, when assessing the amount of compensation to be paid, direct, in the case of any acquisition of land, that the property in such land shall remain with the owner subject to a right of user so long as the land is required for the purpose of the canal or water-course, compensation being awarded for the right of user only, or in the case of an acquisition of canal, or of land for the purposes of a canal, that the compensation shall take the

form in whole or in part, of a right to supply of water from the canal which has been acquired or for the purposes for which land has been acquired.

51. Apportionment and recovery of the cost of land acquired or works executed.- (1) When any land is acquired under the provisions of section 41 or when any work is executed by or under the order of the Collector under the provisions of section 44, section 46, section 47 or section 48, the cost of acquiring such land or of executing such work, as the case may be, shall be recoverable -

(a) if the canal is included under Schedule II, from the owner thereof; or

(b) if the canal is included under Schedule I, from the irrigators or such of them as are, in the opinion of the Collector, benefited or likely to be benefited by the acquisition or equitably liable for the whole or any part of the cost of executing the work or from the proceeds of any water rate levied under section 28 ; and

(c) if such appropriation is not contrary to the provisions of the record-of-rights specified in section 27 of this Act, from the fund referred to in section 26 of this Act.

(2) When the cost of acquiring any land or of executing any work is under the provisions of sub-section (1) recoverable from the owner of any canal or from the irrigators therefrom or any of them it shall be lawful for the Collector to apportion such cost as he may deem equitable among all or any of the persons liable for the whole or any portion therof and such apportionment shall be final.

(3) When the cost of acquiring such land has been paid, such land, if acquired in full, proprietary rights, shall become the property of the canal owner.

52. Power to regulate mills.- The Government may, by general or special order, prohibit or regulate construction of new, and regulate the use of existing mills upon canals, and appropriation of the water of canals for working mills.

53. Application of sections 14 to 17 of the Himachal Pradesh Land Revenue Act, 1954.- Except in so far as a contrary intention is expressed, sections 14 to 17 (both inclusive) of the Himachal Pradesh Land Revenue Act, 1954 (6 of 1954) shall apply to all proceedings under this Act.

54. Exclusion of jurisdiction of civil court except under th Land Acquisition Act.- Save as provided in section 49, no civil court shall have jurisdiction in any matter which a revenue officer, revenue court or any other authority is empowered by this Act to dispose of, or take cognizance of the matter in which the Government, any revenue

officer, revenue court, or other authority exercises any powers vested in it or him by or under this Act.

55. Power to appoint officers to perform functions and to exercise powers under this Act.- (1) The Government may appoint any person or any class of officials to perform any functions or to exercise any powers under this Act or the rules made thereunder conferred on or vested in the Collector, Commissioner, Financial Commissioner or such Government.

(2) Such appointment may be made in respect of any canal or of all or any of the canals situated within any specified local area.

(3) In all matters connected with this Act, the Government, shall have and exercise over the Financial Commissioner, the Commissioner, and the Collector and the Financial Commissioner shall have and exercise over the Commissioner, and the Collector and the Commissioner, shall have and exercise over the Collector, the same authority and control as it or they respectively have and exercise over them in the general and revenue administration.

56. Power of Collector in certain proceedings under this Act.- For the purposes of every enquiry made and proceedings taken under this Act, the Collector, or any other revenue officer, authorised by him in this behalf, or any other officer authorised by the Government shall have power to summon and enforce the attendance of, and examine parties and witnesses and compel the production of documents, and, for all or any of these purposes, may exercise all or any of the powers conferred on a civil court by

the Code of Civil Procedure, 1908 (5 of 1908), and every such inquiry shall for the purposes of the Indian Penal Code, 1860 (45 of 1860), be deemed to be judicial proceedings.

57. Permission to owners and parties interested in any canal to object in certain cases.- In all cases under section 6, 10, 20, 22, 24, 29, 30, 32, 34, 36, 37, 39, 40, 43, 44, 46, 47 and 51 of this Act, the owners and other parties interested in the canal shall be given an opportunity of appearing before the Collector and of showing cause to the contrary.

58. Mode of serving notice and making proclamation.- Every summons, notice, proclamation and other process issued under this Act, shall, as far as may be, be served or made in the manner provided in that behalf in sections 21, 22 and 23 of the Himachal Pradesh Land Revenue Act, 1954, (6 of 1954).

59. Bar of compensation where not expressly allowed.- Save as otherwise expressly provided in this Act, no person shall be entitled to recover any compensation for anything at any time done, or in good faith intended to be done, in exercise of any power conferred by this Act, or by the rules made thereunder.

60. Protection of persons acting under this Act.- No suit, prosecution or other legal proceedings shall lie against any person for anything done, or in good faith intended to be done, in exercise of any power conferred by this Act, or by the rules made thereunder.

61. State Government to be party to certain suits and proceedings.- (1) In any suit or proceedings in which any entry made in any record prepared under section 27 or section 33 is directly or indirectly called in question, the court shall, before the final settlement of issues, give notice of the suit or proceedings to the Collector, and, if moved to do so by the Collector, shall make the Government a party to the same.

(2) Bar of other suits against the Government.- Save as provided in sub-section (1), no suit shall lie against the Government in respect of anything done by the Collector or by any person acting under the orders of the State Government in exercise of any power by this Act, conferred on such Collector or the Government.

62. Power to recover water-dues and other charges by revenue process.- All water-dues, water-rates and other payments at any time due by or to be collected from any person under any provision of this Act or under any agreement entered into by the owners of the canal with the person irrigating from it and all arrears of such water-dues, water-rates or other payments shall be recoverable as if the same were arrears of land revenue.

63. Powers as regards canals, rivers or creeks situated partly within or partly without the limits of Himachal Pradesh.- Any or all of the powers exerciseable by the Government under this Act, in respect of any canal, river or creek may be exercised by the Government in the case of any canal, river or creek which is, or may at any time, be situated partly within

and partly without the limits of Himachal Pradesh, and in respect of so much of any such canal, river or creek as is within these limits and in the case of any such canal, river or creek, the Government may, by notification and notwithstanding the provisions of section 2, declare what sections of this Act shall be applicable thereto.

64. Powers exercisable in cases of urgency with regard to canals situated beyond Himachal Pradesh.- In respect of any canal situated beyond the limits of Himachal Pradesh, the Government may, by notification published in the Official Gazette, declare that the powers exercisable by a Collector under section 48, may, under the circumstances therein specified be exercised by the Collector or other authorised officers within the limits of Himachal Pradesh for all or any of the purposes of such canal.

65. Offences under this Act.- Whoever, without proper authority and voluntarily, does any of the following acts, that is to say :-

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

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

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

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

(5) corrupts or fouls the water of any canal so as to render it less fit for the purposes for which it is ordinarily used ;

(6) destroyes or removes any level mark of water gauge fixed by the authority of a public servant ;

(7) passes or causes animals or vehicles to pass on or across any of the works, banks or channels of a canal contrary to rules made under this Act after he has been desired to desist therefrom ;

(8) disobeys any order or proclamation issued under this Act, or commits any breach of any rule made thereunder - shall be liable, on conviction before a judicial magistrate to fine not exceeding one thousand rupees or to imprisonment not exceeding one month or to both.

66. Power to arrest without a warrant.- Any person-in-charge of or employed upon a canal managed by a public servant or by a local body, including a gram panchayat, may remove from the lands or buildings belonging thereto, may take into custody without a warrant and take forthwith before a magistrate, or to the nearest police station, to be dealt with

according to law, any person who, within his view, commits any of the following offences :-

(1) wilfully damages or obstructs any canal ;

(2) without proper authority interferes with the supply of or flow of water in or from any canal or in any river or stream, so as to endanger, damage or render less useful any canal.

67. Definition of canal for purposes of sections 65 and 66.- In sections 65 and 66, the word "canal" shall (unless there be something repugnant in the subject or context) be deemed to include also all lands

occupied for the purposes of canal and all buildings, machinery, fences, gates, and other erections, trees, crops, plantations or other produce upon such lands.

68. Power to make rules.- (1) The Government may, by notification, make rules1, consistent with this Act, regulating any matter in regard to which any power is, by this Act, conferred upon the Government, or upon any officer of the Government and generally to carry out the purposes of this Act.

(2) Without prejudice to the generality of the power conferred by sub-section (1), rules made under this Act, may provide for the levy of a rate imposed upon land in consideration of its protection from sand or flood.

(4) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is o laid or the sessions aforesaid, the Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

69. Repeal and savings.- (1) The Himachal Pradesh Minor Canals Act, 1955 (14 of 1955), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966, and the Punjab Minor Canals Act, 1905 (3 of 1905) and the Punjab State Tubewell Act, 1954 (21 of 1954) as in force in the areas transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966), shall stand repealed:

Provided that anything done or any action taken or any proceedings commenced or continued under the said Acts shall be deemed to have been

1. Rules framed vide Notification No. 4-4/69-PW-B, dated 4/8th November, 1977 and was published in R.H.P.(Extra-ordinary) dated 12.12.1977 at pages 1147-1160.

done, taken, commenced or continued under the corresponding provisions of this Act.

(2) The Himachal Pradesh Minor Canals Ordinance, 1976 (3 of 1976) is hereby repealed. Notwithstanding such repeal anything done or any action taken under aforesaid Ordinance shall be deemed to have been done or taken under this Act, as if this Act, had commenced on the 7th April, 1976.

SCHEDULE I

Sr. No.	Name of Scheme	Tehsil
1.	2.	3
SHIMLA DISTRICT		
1.	Chaknol kuhl ..	Kotkh
2.	Jaltar Kuhl ..	-do-
3.	Bagra Kuhl ..	-do-
4.	Panli Kuhl	-do-
5.	Paleurla Kuhl ..	-do-
6.	Karasa Kuhl ..	Rohru
7.	Ganda Nawar Kuhl ..	-do-
8.	Ranol Kuhl ..	-do-
9.	Masli Kuhl ..	-do-
10.	Annu Bass Kuhl ..	-do-
11.	Kupri Kuhl ..	-do-
12.	Hatkoti Kuhl ..	-do-
13.	Kui Kuhl ..	-do-
14.	Rantari Kuhl ..	-do-
15.	Parth Kuhl ..	-do-
16.	Guma Kuhl ..	-do-
17.	Naula Kuhl ..	Kuma
18.	Chauhan Kuhl ..	-do-
19.	Chabir Kuhl ..	-do-
20.	Ursoo Kuhl ..	-do-
21.	Kepu Kuhl ..	-do-
22.	Khekar Kuhl .. -	do-
23.	Pianoo Kuhl ..	-do-
24.	Teshion Kuhl ..	-do-
25.	Nohna Rewalli Kuhl ..	-do-

26.	Knot Kofta Kuhl ..	-do-
27.	Nirath Kuhl ..	Rampur
28.	Nirsoo Kuhl .. -	do-
29.	Ropri Narola Kuhl ..	-do-
30.	Hargaon Kuhl ..	Kasumpti
31.	Shoya Garch Kuhl ..	-do-
32.	Shali Dhar Deothi Kuhl ..	-do-
33.	Ghamaroo Kuhl ..	Jubbal
34.	Sachruru Kuhl ..	Suni

35.	Suni Kuhl	..	Suni
36.	Tikri Kuhl	..	Theog
37.	Shariana Kuhl	..	-do-
38.	Cheog Kuhl	..	-do-
39.	Sainj Kuhl	..	-do-
40.	Parala Kuhl	..	-do-
41.	Nar Kuhl	..	Chopal
42.	Bash Kuhl	..	-do-
43.	Khekhar Kuhl	..	-do-

SIRMOUR DISTRICT

1.	Jarag Kuhl	..	Renuk
2.	Chulli Kuhl	..	-do-
3.	Kinthla Sain Dhar Kuhl	..	-do-
4.	Gulja Gawan Dhar Kuhl	..	-do-
5.	Hune Village Kuhl	..	-do-
6.	Charana Kuhl	..	-do-
7.	Benog Kuhl	..	-do-
8.	Dhabar Majra Dugi Kuhl	..	-do-
9.	Randli Kuhl	..	-do-
10.	Jannu Koti Kuhl	..	-do-
11.	4" dia. pipe line for Bhawai	..	-do-
12.	Dhar Taran Kuhl	..	-do-
13.	Nahara Kuhl	..	-do-
14.	Amboya Kuhl	..	Paonta
15.	Kalwala Kuhl	..	-do-
16.	Dondli Kuhl	..	-do-
17.	Dhangli Kuhl	..	-do-

18.	Santaun Kuhl	..	-do-
19.	Bhud Kuhl	..	-do-
20.	Rampur Giri Canal	..	-do-
21.	Majra Batta Scheme (Canal)	..	-do-
22.	Giri Puruwal Canal	..	-do-
23.	Lift Irrigation Bata Mandi	..	-do-
24.	Lift Irrigation Satiwala	..	-do-
25.	Lift Irrigation Behral	..	-do-
26.	Lift Irrigation Upper Behral	..	-do-
27.	Lift Irrigation Kalawar	..	-do-
28.	Lift Irrigation Ghutanpur	..	-do-
29.	Lift Irrigation for village Bhagani Stage-I	..	-do-
30.	Lift Irrigation Patlian	..	-do-

31.	Balanta Kuhl	..	Pachhad
32.	Lakhot Kuhl	..	-do-
33.	Padhab Kuhl	..	-do-
34.	Lana Kotla Kuhl	..	-do-
35.	Son Kuhl	..	-do-
36.	Dabar Kuhl	..	-do-
37.	Dewaria Kuhl	..	-do-
38.	Dewaria Dasuna Kuhl	..	-do-
39.	Rajon Kuhl	..	-do-
40.	Anji Kuhl	..	-do-
41.	Jinot Kuhl	..	-do-
42.	Sitar Kuhl	..	-do-
43.	Saron Kuhl	..	-do-
44.	Nahara Kuhl	..	-do-
45.	Chakrion Kuhl	..	-do-
46.	Thorniwar Kuhl	..	-do-
47.	Lana Khard Kuhl	..	-do-
48.	Nahan Dhar Kuhl No. I	..	-do-
49.	Nahan Dhar Kuhl No. II.	..	-do-
50.	Kulth Kuhl	..	-do-
51.	Jehar Kuhl No. I	..	-do-
52.	Candal Kuhl	..	-do-
53.	Dewaria Nadhop Kuhl	..	-do-

54.	Kheri Salyar Kuhl	..	-do-
55.	Karganoo Kuhl	..	-do-
56.	Jehar Kuhl No. 2	..	-do-
57.	Kotli Kuhl	..	-do-
58.	Amorin Kuhl	..	Nahan
59.	Dandi-wala Kuhl	..	-do-
60.	Deokai Kuhl	..	-do-
61.	Sakrdi Kuhl	..	-do-
62.	Kanyon Kuhl	..	-do-
63.	Weir Well as Sita Kira Kuhl	..	-do-
64.	Chakli Kuhl	..	-do-
65.	Salani Noginand Kuhl	..	-do-
66.	Bikram Bagh Kuhl	..	-do-
67.	Pipal-Ka-Moja Kuhl	..	-do-
68.	Baram Papri Kuhl	..	-do-
69.	Amita Kuhl	..	-do-
70.	Kiari Kuhl	..	-do-

71.	Chowaria Kuhl ..	-do-
72.	Dabhah Kuhl ..	-do-
73.	Bhawai Kuhl ..	-do-
74.	Gohar Batal Kuhl ..	-do-
75.	Sari Sarla Kuhl ..	-do-
76.	Suni Bhaghar Kuhl ..	-do-
77.	Bharot Kuhl ..	-do-
78.	Jabli Kuhl ..	-do-
79.	Kot Beja Kuhl ..	-do-
80.	Chakli Khilan Kuhl ..	-do-
81.	Lift Irrigation Scheme Konthron ..	-do-
82.	Lift Irrigation Scheme Manthapal ..	-do-
83.	Lift Irrigation Scheme Nagal ..	-do-
84.	Lift Irrigation Scheme Khera ..	-do-

SOLAN DISTRICT

1.	Raj Kuhl ..	Nalagarh
2.	Ram Kuhl ..	-do-
3.	L.I.S. for village Kanduwal in Tehsil .. Nalagarh ..	-do-

4.	L.I.S. for village Baddi/ Sitalpur in Tehsil .. Nalagarh ..	-do-
5.	L.I.S. for village Dasso Majra in Tehsil .. Nalagarh ..	-do-
6.	L.I.S. for village L/Kalyanpur in Tehsil Nalagarh ..	-do-
7.	L.I.S. for village Nanowal in Tehsil Nalagarh ..	-do-
8.	L.I.S. for village Salewal in Tehsil Nalagarh ..	-do-
9.	L.I.S. for village Chunri in Tehsil Nalagarh ..	-do-
10.	L.I.S. for village Nahar Singh Mandiarpur ..	-do-
11.	Nagaun Kuhl ..	Arki
12.	Gohal Kuhl ..	-do-
13.	Suni Bughar Kuhl ..	-do-
14.	Seri Sarla Kuhl ..	-do-
15.	Gohar Batal Kuhl ..	-do-
16.	Kot Beja Kuhl ..	Solan
17.	Dharot Kuhl ..	-do-
18.	Gabli Kuhl ..	-do-

MANDI DISTRICT:

1.	Jhmet Kuhl .. Sundernagar	

2.	Janam Kuhl ..	-do-
3.	Maha Devi Kuhl ..	-do-
4.	Jai Devi Kuhl ..	-do-
5.	Slaper Kuhl ..	-do-
6.	Klaud Kuhl ..	-do-
7.	Dehar Kuhl ..	-do-
8.	Dhanot Kuhl ..	Sarkaghat
9.	Dheboi Kuhl ..	-do-
10.	Improvement and Remodelling of Tana Kuhl ..	-do-
11	Khudla Kuhl ..	-do-
12.	Thana Kuhl ..	-do-
13.	Paonta Kuhl ..	-do-
14.	Tannu and Tang Kuhl ..	Jogindernagar
15.	Hydro Kuhl ..	-do-
16.	Kas Kuhl ..	-do-
17.	Ropa Pudar Kuhl ..	-do-

18.	Pali Kuhl ..	-do-
19.	Janam Jogi Kuhl ..	-do-
20.	Kohta Sapru Kuhl ..	-do-
21.	Awar Kuhl ..	-do-
22.	Manoh Majharnnu Kuhl ..	-do-
23.	Banon Kuhl ..	-do-
24.	Jhim Jhma Kuhl ..	-do-
25.	Kalyan Kuhl ..	-do-
26.	Ladruin Kuhl ..	-do-
27.	Narala Kuhl ..	-do-
28.	Dehlu Kuhl ..	-do-
29.	Dherola Benon Kuhl ..	-do-
30.	Ahju Kuhl ..	-do-
31.	Drahal Kuhl ..	-do-
32.	Chawhan Kuhl ..	Sadar Mandi
33.	Pipe line in village Panjai ..	-do-
34.	Bassu Kuhl ..	-do-
35.	Gird and Ganpanti Kuhl..	-do-
36.	Karnodi Kuhl ..	-do-
37.	Upper Lahardi Kuhl ..	-do-
38.	Moora Masit Kuhl ..	-do-
39.	Dhar Kuhl ..	-do-

40.	Balh Chalarag Kuhl ..	-do-
41.	Upper Bhangoo Kuhl ..	-do-
42.	Chatru Kuhl ..	-do-
43.	Kensa Kuhl ..	-do-
44.	Dodar Kuhl ..	-do-
45.	Towan Flood Protection ..	-do-
46.	Janed Kuhl ..	-do-
47.	Nagchalla Lift Scheme ..	-do-
48.	Lift Irrigation Scheme Nagwain Tikoli ..	-do-
49.	Lift Irrigation Scheme Nagwain Takoli ..	-do-
50.	Pipe Line village Panjgana ..	Karsog
51.	Improvement of Kandol Kuhl .. Chachiot	
52.	Nagwani Kuhl ..	-do-
53.	Sainj Kuhl ..	-do-

54.	Chail Kuhl ..	-do-
55.	Baga Kuhl ..	-do-

KULU DISTRICT

1.	L.I.S. Bhuntar ..	Kulu

BILASPUR DISTRICT

1.	Chandpur Canal Stage-I ..	Sadar Bilaspur
2.	Kasol Kuhl ..	Ghumarwin
3.	Ladda Bajwin Kuhl ..	-do-
4.	Talai Duslehra Kuhl ..	-do-
5.	Bajon Kuhl ..	-do-
6.	Chaklu (Chinini) Kuhl ..	-do-
7.	Chuli Kuhl ..	-do-
8.	Satora Kuhl ..	-do-
9.	Dubrah Kuhl ..	-do-
10.	Guza Gandhor Kuhl ..	-do-
11.	Kandiawala Kuhl ..	-do-
12.	Kiari Kuhl ..	-do-
13.	Suni Bhughat ..	-do-
14.	Gohar Batal Kuhl ..	-do-
15.	Seri Sarla Kuhl ..	-do-
16.	Sakrori Kuhl ..	-do-
17.	Suni Kuhl ..	-do-
18.	Rukmani Barora Kuhl ..	-do-

19.	Improvement of Auhar Kuhl ..	-do-
20.	Malorihi Smog Kuhl ..	-do-
21.	Lift Irrigation Scheme Sunhani ..	-do-
22.	Lift Irrigation Scheme Bhallu ..	-do-
23.	Lift Irrigation Scheme Dasslehra ..	-do-
24.	Lift Irrigation Scheme Dabhla ..	-do-
25.	Lift Irrigation Scheme Bhadrog ..	-do-
26.	Lift Irrigation Scheme Ghumarwin ..	-do-
27.	Lift Irrigation Scheme Parnal ..	-do-
28.	Lift Irrigation Scheme Meri Kathala ..	-do-
29.	Lift Irrigation Scheme Domahra ..	-do-

KANGRA DISTRICT:

1.	Lower Baijnath Kuhl ..	Pala

2.	Thakurdwara Kuhl ..	Nurpur
3.	L.I.S. Jaisinghpur ..	Palampur
4.	L.I.S. Harsi ..	-do-
5.	L.I.S. Thural ..	-do-
6.	Tubewell Bhanehar Canal ..	Nurpur
7.	L.I.S. for village Tika Har ..	-do-
8.	L.I.S. Kutherhar ..	-do-
9.	-do- Anuhli ..	-do-
10.	-do- Sukahar ..	-do-
11.	-do- Jawali ..	-do-
12.	-do- Chuharpur ..	-do-
13.	L.I.S. for village Har ..	-do-
14.	-do- Bassa Waziran ..	-do-
15.	-do- Saliali Hydram ..	-do-
16.	-do- Bharoli ..	Dehra
17.	-do- Kuhn ..	-do-

UNA DISTRICT

1.	L.I.S. for village Jankaur ..	Una
2.	-do- Basal ..	-do-
3.	-do- Tiuri ..	-do-
4.	-do- Churru ..	-do-
5.	-do- Karluhi ..	-do-
6.	-do- Andora ..	Amb
7.	-do- Palkwah ..	Una
8.	-do- Oal ..	Amb
9.	-do- Bhadrauri ..	-do-
10.	-do- Shivbari ..	-do-

11.	-do- Gagret ..	-do-
12.	-do- Badaun ..	-do-

TUBEWELLS :

13.	Tubewell No. 1 in village Kaloh ..	Amb
14.	-do- No. 2 in village Kaloh ..	-do-
15.	-do- No. 3 in village Badoh ..	-do-
16.	-do- No. 4 in village Badoh ..	-do-
17.	-do- No. 5 in village Tatera ..	-do-
18.	-do- No. 6 in village Tatera ..	-do-

19.	-do- No. 7 in village Mova Sindian ..	-do-
20.	-do- No. 8 in village Mova Sindian ..	-do-
21.	-do- No. 9 in village Kuthera Jaswalan ..	-do-
22.	-do- No. 10 in village Kuthera Jaswalan ..	-do-
23.	-do- No. 11 in village Loharli ..	-do-
24.	-do- No. 12 in village Loharli ..	-do-
25.	-do- No. 13 in village Keori ..	-do-

CHAMBA DISTRICT

1.	Lower Chowari Kuhl ..	Bhattiy
2.	Upper Most Chowari Kuhl ..	-do-
3.	Upper Chowari Kuhl .. -do-	
4.	Dhirriara ..	-do-
5.	Dhurmala Seontha Kuhl ..	-do-
6.	Nani Khad Kuhl ..	-do-
7.	Duka Kuhl ..	-do-
8.	Chatrarie Kuhl ..	Bhattiy
9.	Khaggol Seontha Kuhl ..	-do-
10.	Mail Kuhl ..	-do-
11.	Lower Smot Kuhl .. -	do-
12.	Upper Smot Kuhl ..	-do-
13.	Bilpura Kuhl ..	-do-
14.	Laholi Khad Ralyama Kuhl ..	-do-
15.	Kharagat Kuhl ..	-do-
16.	Bhajjol Trimbal Kuhl .. -do-	
17.	Cheol Kuhl ..	-do-
18.	Thalail Kuhl ..	-do-
19.	Ran Kuhl ..	-do-
20.	Lower Mila Kuhl ..	-do-
21.	Bharian Kuhl ..	Chamb
22.	Mangla Kuhl ..	-do-
23.	Kakian Kuhl ..	-do-

24.	Kiree Kuhl	..	-do-
25.	Dulara Kuhl	..	-do-
26.	Tangral Kuhl	..	-do-
27.	Bhadrun Kuhl	..	-do-
28.	Lower Bhanota Kuhl	..	-do-

29.	Sahu Kuhl	..	-do-
30.	Rajondu Kuhl	..	-do-
31.	Saram Kuhl	..	-do-
32.	Palaur Kuhl	..	-do-
33.	Nagoli Khad Pandol Kuhl	..	-do-
34.	Imp. of Kail Kuhl	..	-do-
35.	Khar Nallah Dhundiara Kuhl	..	-do-
36.	Saworla Kuhl	..	-do-
37.	Sari Salaga Kuhl	..	-do-
38.	Upper Bhanota Kuhl	..	-do-
39.	Silla Khad Sarol	..	-do-
40.	Mandol Kuhl	..	-do-
41.	Bhadram Kuhl	..	-do-
42.	Khajiala Khad Kuhl	..	-do-
43.	Khera Khad Jalla Khui Kuhl	..	Bharmour
44.	Khemi Crima Kuhl	..	-do-
45.	Mehla Tipri Kuhl	..	-do-
46.	Bakni Kuhl	..	Bhattiyat
47.	Neki Kuhl	..	-do-
48.	Bharoo-Re-Kakian Kuhl	..	-do-
49.	Agoli Khul	..	-do-
50.	Sher Kuhl	..	-do-
51.	Tundi Kuhl	..	-do-
52.	Balana Kuhl	..	-do-
53.	Chakki-Khad Raipur Kuhl	..	-do-
54.	Bainskha Kuhl	..	Sadar
55.	Saran Salaudri Jund Kuhl	..	-do-
56.	Patned Kuhl, Behli Kuhl	..	-do-
57.	Sarol Kuhl	..	-do-
58.	Maroord Kuhl	..	-do-
59.	Rohini Kuhl	..	-do-
60.	Mangalore Kuhl	..	-do-
61.	Sarahan Kuhl	..	-do-
62.	Saroli Kuhl	..	-do-
63.	Khured Khad Masson Kuhl	..	-do-

64.	Upper Baniker Kuhl ..	-do-

65.	Salan Pari Nalal Judh Kuhl ..	-do-
66.	Patned Khad Behali Kuhl ..	-do-
67.	Salandi Nalal Kuhl ..	-do-

KINNAUR DISTRICT

1.	Jani Kuhl ..	Kalpa
2.	Pooh Kuhl ..	-do-
3.	Permesering Kuhl ..	-do-
4.	Boktu Kuhl . .	-do-
5.	Pangi Kuhl ..	-do-

HAMIRPUR DISTRICT

1.	L.I.S. for village Rail ..	Hamirpur
2.	L.I.S. for village Paur ..	-do-
3.	L.I.S. for village Ambtar ..	-do-
4.	L.I.S. for village Nadaun (Hydrams) ..	-do-
5.	L.I.S. for village Chamukha ..	-do-
