NOTIFICATION

Water Resources Department,
Manralaya, Mumbai 400 032.
Dated the 08/06/ 2006.

Maharas-htra Manage-ment of Irrigation Systems by Farmers Act, 2005.

No. MIS 1006/(275/06)/IM(P) .- In exercise of the powers conferred by sub-section *(1)* read with sub-section *(2)* of section 76 of the Maharashtra Management of Irrigation Systems by Farmers Act, 2005 (Mah. XXIII of 2005), and of all other powers enabling it in that behalf, the Government of Maharashtra is hereby pleased to make the following Rules, namely :-

CHAPTER I
PRELIMINARY

1. *Short title and commencement.- (1)* These rules may be called the Maharashtra Management of Irrigation Systems By Farmers Rules, 2006.

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

(a)"Act" means the Maharashtra Management of Irrigation Systems by Farmers Act, 2005(Mah. XXIII of 2005);

(b) "Annexure" means the Annexures appended with these rules;

(c) "Election Officer" means an officer appointed by the Appropriate Authority for the conduct of election of the Directors of the Water Users' Association;

(d) "Form" means, the forms appended with these rules;

(e) the expressions "land holders and occupiers of land" shall have the meaning respectively assigned to them in the Maharashtra Land Revenue Code, 1966(Mah. XLI of 1966);

(f) "section"means a section of the Act.

(g) Words and expressions used in these rules but not defined herein, shall have the meanings respectively assigned to them in the Act.

CHAPTER II
DELINEATION OF AREA AND WATER USERS' ASSOCIATION

3. *Delineation of areas.*- The Canal Officer for delineating the area of operation of the Water Users' Association at Minor Level, Distributory Level Association, Canal Level Association, Project Level Association and Lift Irrigation Water Users' Association shall follow the guidelines specified in **Annexure-1.**

4.*Alteration of areas of Water Users' Association.- (1)* Notification under section 5, making amalgamation, division or in any way altering the boundaries of the Water Users' Association at all levels shall not be issued by the Appropriate Authority unless, a fifteen days public notice calling objections and suggestions regarding such amalgamation, division or alteration from the Water Users' Association and holders or occupiers of the lands likely to be affected thereby, is displayed on the notice board

of the office of the concerned Canal Officer and also at the prominent public places in the area of operation of the concerned Water Users' Association; and the objections andsuggestions so received are duly considered by the Appropriate Authority.

5. *Registration of Water Users' Association at Minor Level.-(1)* After the area of operation of the Water Users' Association at Minor Level has been delineated under section 6, the holders and occupiers of the land so delineated shall form a Water Users' Association. As soon as the Association is formed, the concerned Canal Officer shall, on verification and identification of the membership of the Water Users' Association call a first General Meeting of all the members so identified by giving proper prior publicity by way of displaying the notice of the said meeting at prominent public places in the area of operation of the Water Users' Association.

(2) The notice of the meeting under sub-rule *(1)* shall be displayed at least seven days prior to the actual date of the meeting.

(3) Such meeting shall be presided over by the concerned Canal Officer and the Canal Officer shall inform all the members present therein about the registration of the Water Users' Association. The members present in the meeting shall decide the suitable name for the said Water Users' Association by passing a resolution with majority. The Canal Officer shall enter the said name of the Water Users' Association in the register to be maintained at the office of the Canal Officer in the format specified in

Form-I to **Annexure-1.**

(4) The Canal Officer shall display at the prominent places in the area of operation of the Water Users' Association, the name of the Association, its registration number, the date of registration and the area of operation of the Water Users' Association.

(5) A register of Water Users' Association shall also be maintained in **Form-I** to **Annexure-1**, at the project level by the concerned Canal Officer and also at the River Basin Agency Level by the officer designated in this behalf. A list of duly constituted Water Users' Association shall also be maintained by the Maharashtra Water Resources Regulatory Authority and the Water Resources Department of the Government.

(6) If, in any area of operation of a Water Users' Association at Minor Level no such Water Users' Association is constituted, the Appropriate Authority shall entrust the functions of such Water Users' Association to any Government agency or Co-operative society or any other Water Users' Association by order in the *Official Gazette,* tillsuch Association is constituted and functioned. However, in no case such functions shall be entrusted for a period exceeding one year:

Provided that, the Appropriate Authority before issuing any such order of entrusting such functions shall ascertain the willingness of such agency or Co-operative Society or, as the case may be, an Association.

(7*)* The provisions of sub-rules *(1), (2), (3), (4)* and *(5)* shall, *mutatis mutandis,* applyfor the registration of the Distributory Level Association, Canal Level Association, Project Level Association and Lift Irrigation Water Users' Association.

6.*Managing Committee of Water Users' Association at Minor Level*.- *(1)* The Managing Committee of the Water Users' Association at Minor Level shall consists of,-

(a) nine Directors elected by the members of the said Water Users' Association having area of operation less than five hundred hectares of culturable command area;

(b) twelve Directors elected by the members of the said Water Users' Association having area of operation more than five hundred hectares of culturable command area:

Provided that, from amongst the elected Directors in each clauses *(a)* and *(b)* there shall be not less than one woman Director each from the Head, Middle and Tail reach territorial constituencies of the concerned Water Users' Association:

Provided further that, in the remaining Directors in clause *(a)* there shall betwo Directors, from each Head, Middle and Tail reach territorial constituencies and in clause *(b)* there shall be three Directors from each Head, Middle and Tail reach territorial constituencies; however, any member of the concerned Water User's Association irrespective of his caste or gender shall be eligible for election of the Director subject to the fulfillment of other required qualification;

(c) the concerned Sectional Engineer or Junior Engineer or Assistant Engineer (Grade-II), as the case may be, under whose jurisdiction the area of operation of the Water Users' Association lies shall be the *ex-officio* Director of the Managing Committee of that Water Users' Association, but he is not entitled to vote.

(d) the Secretary having qualifications prescribed in rule 9.

(2) The provisions of sub-rule *(1)* shall *mutatismutandis*, apply constitution of the Distributary Level Association, Canal Level Association, Project Level Association and the Lift Irrigation Water Users' Association.

7. *Election of Directors of Managing Committee of Water Users' Association at Minor Level*.- *(1)* The Canal Officer shall make arrangements for conduct of elections of the Directors of the Managing Committee of the concerned Water Users' Association at Minor Level including for securing the assistance of various Government agencies as and when required. The procedure for conducting the elections is as specified in **Annexure-2**.

(2) For holding elections of the Managing Committee the area of operation of the Water Users' Association shall be sub-divided into three exclusive areas, such as, Head Reach Area, Middle Reach Area and Tail Reach Area which constitute individually as the territorial constituencies for the purpose of elections. The members belonging to these three reaches shall constitute the Head, Middle and Tail reach territorial constituencies for election purposes. The member who has completed eighteen years of age is entitled to vote and the member who has not completed eighteen years of age his guardian shall be eligible to participate in the process of election on behalf of the minor member subject to the provision that a single person shall enjoy only one vote.

(3) In the event of non-representation of the Scheduled castes or Scheduled Tribes in the elected Directors of the Managing Committee, the elected Directors shall call for the applications for filling up of two additional posts of Directors from amongst the eligible Scheduled Castes or Scheduled Tribes members residing within the area of operation of the Water Users' Association :

Provided that, if there is no availability of a member of the Scheduled Caste or Scheduled Tribe in the entire area of operation of the Water Users' Association then there shall be no nomination to the post of Director and the post shall remain vacant till availability of a Scheduled Caste or Scheduled Tribe member.

(4) In the event of non-representation of woman member on any post of Director reserved for the woman member, the elected Directors of the Managing Committee shall call for the applications for filling such post of Director from amongst the eligible women members residing in the territorial constituency to be represented :

Provided that, if no application is received from amy woman member in the given territorial constituency then the said post of

Director reserved for women shall be filled by calling applications from amongst the women members residing in other territorial constituencies of the said Water Users' association : Provided further that, if no application is received from any women member as provided in the first proviso, the post reserved for women shall be filled by nomination of any member by applying the procedure laid down for filling of vacancies in rule 21.

(5) The applications under sub-rules *(3)* and *(4)* shall be called within a period of seven days from the date of the election of the Chairperson of the Managing Committee of the said Water User's Association. Upon receipt of such applications, the Managing Committee shall convene a meeting within a period of three days from the last date fixed for receiptof the applications.

In such meeting the elected Directors of the Managing Committee shall nominate the Scheduled Castes or Scheduled Tribes or women Directors, as the case may be, from amongst the applicants by majority vote.

(6) Nominated Directors shall have all the rights of the elected Directors except right to vote in the election of Chairperson and right to contest the election for the post of Chairperson of the Water User's Association.

(7) The Election Officer shall call for the applications for the post of two or as the case may be, three Directors, each from Head, Middle and Tail reach territorial constituencies and one post of Director each from Head, Middle, Tail reach territorial constituencies from women members as mentioned in sub-rule *(1)* of rule 6.

(8) For contesting the election from Head or Middle or Tail territorial reach constituency, the member shall be from the particular reach only. Where a landholder or occupier holds or occupies a land situated in the area of operation of more than one territorial reach constituency of the Water Users' Association, such member shall be eligible to contest the election for the post of Director from only one territorial constituency opted by him in the nomination paper submitted to the Election Officer in

Form-VI to **Annexure-2.**

(9) The procedure for the conduct of election of the Managing Committee of the Water Users' Association shall be as specified in **Annexure-2**. While conducting such elections the Canal Officer shall follow the orders or directions issued by the Water Resurces Department, from time to time, for fair and free elections.

(10) The expenditure on account of holding the very first election to the Managing Committee of the Water Users' Association shall be borne by the State Government. If the election of all the Directors of the Managing Committee of any Water Users' Association is unanimous then the amount equal to an approximate probable expenditure on account of the process of election, shall be paid to the concerned Water Users' Association as a grant from the Government. Such amount of approximate expenditure shall be decided by the Appropriate Authority and it shall be final. However, the expenditure for holding subsequent elections shall be borne by the concerned Water Users' Association.

(11) Where due to exceptional circumstances such as scarcity, drought, flood, fire or any other natural calamity or any election programme of the State Legislature or the Parliament or a local authority coinciding with the election programme of any Water Users' Association or such other reasons as, in the opinion of the Appropriate Authority are exceptional and it is not in the public interest to hold elections to any Water Users' Association, the Appropriate Authority may, for reasons to be recorded in writing, by general or special order, postpone the election of any Water Users' Association, for a period not exceeding one year.

(12) The Canal Officer may pending election and constitution of a Managing Committee appoint an *Ad-hoc* Managing Committee having the same structure as provided in rule 6 and the tenure of such *Ad-hoc* Managing Committee in any case shall not exceed one irrigation year.

(13) The provisions of sub-rules *(1)* to *(12)* shall *mutatis mutandis*, apply to the elections of the Managing Committee of the Distributory Level Association, Canal Level Association, Project Level Association and the Lift Irrigation Water Users' Association.

8. *Election of Chairperson of Water Users'Association at Minor Level.-(1)* The Canal Officer shall make arrangements for conduct of elections of the Chairperson of the concerned Water Users' Association at Minor Level including for securing the assistance of various Government agencies as and when required. The procedure of conducting the elections is as specified in **Annexure-2**.

(2) After the elections of Directors of Managing Committee of the Water Users' Association at Minor Level, the first meeting of the Managing Committee shall be held within a period of thirty days

from the declaration of the results. The Chairperson of the Water Users' Association shall be elected by the simple majority from amongst the elected Directors either by show of hands or through secret ballots as decided initially by the Canal Officer. *(3)* The tenure of the Chairperson shall be for a period of two years from the date of election as Chairperson and the office of Chairperson shall be rotated in the cyclic order as amongst Tail, Middle and Head territorial reaches in the manner that, the first Chairperson shall be elected from the Tail reach and then the subsequent Chairperson shall be elected from Middle and thereafter Head territorial reaches:

Provided that, out of first two tenures if a woman Director of Managing Committee has not been elected as Chairperson then unless there is no elected woman Director the third tenure of Chairperson shall be exclusively reserved for woman Director of Managing Committee.

(4) The provisions of sub-rules *(1)* to *(3)* shall *mutatis mutandis*, apply to the elections of the Chairperson of the Distributory Level Association, Canal Level Association, Project Level Association and the Lift Irrigation Water Users' Association.

9. *Appointment, Service Conditions, Qualifications and Pay and Allowances payable to Secretary.-(1)* The Secretary of the Water Users' Association at Minor Level shall be appointed by the Managing Committee by the Water Users' Association on contract basis for at least one full irrigation year initially. After completion of the period of one year, if, the performance of the Secretary so appointed is found to be satisfactory, the Managing Committee may extend his contract period by renewing the contract for a period as the Managing Committee thinks fit.

(2) The terms and conditions of the service for the post of Secretary shall be fixed by the Managing Committee.

(3)(a) A person with following qualifications may be appointed as a Secretary who,-

(i) having passed the Secondary School Certificate Examination;

(ii) having age not more than 65 years;

(iii) having adequate knowledge of Marathi language;

(b) A preference shall be given to a person,-

(i) who has previous experience of working in any Co-operative society or Water Users' Association in rural areas; and

(ii) who has obtain a training from the Water and Land Management Institute or alike institution.

(iii) who is a retired Teacher or retired Government servant or ex-serviceman.

(4) The pay and allowances of the Secretary shall be fixed by the Managing Committee of the Water Users' Association considering the area of operation and responsibilities required to be discharged by the Secretary. The pay and allowances so fixed shall

be paid exclusively by the concerned Water Users' Association and the Government shall not in any way responsible for such payments or for any other liability as such.

(5) The Secretary shall reside within the area of the concerned Water Users' Association, and he shall execute a indemnity bond with the concerned Water Users' Association for financial responsibility.

(6) The provisions of sub-rules *(1), (2), (3), (4)* and *(5)* shall, *mutatismutandis*, apply to the Secretary of the Distributory Level Association, Canal Level Association, Project Level Association and the Lift Irrigation Water Users' Association.

10. *Procedure for recall.*- The members of the Water Users' Association at any level who desire to move a motion of recall against any Director of a Managing Committee of the Water Users' Association shall give notice thereof in

Form-XI to **Annexure-2**, to the concerned Canal Officer. The Canal Officer shall follow the procedure as specified in Part VII of **Annexure-2**.

11. *Constitution of Sub-Committees.- (1)* As provided in section 20, the Managing Committee of a Water Users' Association at Minor Level may constitute Sub-Committees comprising of minimum three members each for carrying out different functions vested in such Water Users' Association particularly taking into consideration the aspects of agriculture, water management, animal husbandary and dairy development.

(2) The members of such Sub-Committees shall be nominated by the Managing Committee of a Water Users' Association either from its Directors or from amongst the General Body members and if necessary, the professionals from outside.

(3) The Chairperson of each Sub-Committee shall also be appointed by the Managing Committee from amongst the members of the Sub-Committee.

(4) The role of such Sub-Committee shall be advisory in nature and its advice shall be in the form of the recommendations. The Managing Committee is empowered to take the final decision on the recommendations of such Sub-Committee.

(5) The provisions of sub-rules *(1), (2), (3)* and *(4)* shall, *mutatismutandis*, apply to the Sub-Committees of the Distributory Level Association, Canal Level Association, Project Level Association and the Lift Irrigation Water Users' Association.

12. *Agreement***.-** *(1)* There shall be an Agreement between the Water Users' Association and the Upper Level Water Users' Association or the Canal Officer, in the format specified by the Appropriate Authority:

Provided that, except the Water Users' Association at Minor Level, all the upper Level Water Users' Association shall have to furnish a bank guarantee equivalent to fifty per cent. of the annual water charges as a security deposit.

(2) Such Agreement shall be valid till it is cancelled by the concerned parties to the Agreement or their legal successors and it can be modified at any time by mutual consent of the parties to the Agreement.

(3) The note of such Agreement shall kept by the Water Resources Department in the format specified in **Form-A**.

13. *Participation in Repairs and Renovation Works.-* The participation of the Water Users' Association in repairs and renovation works shall be as determined by the Government from time-to-time.

14. *Flow Measurement, its record and periodioc evaluation of flow measuring device.-* The procedure for accurate flow measurement, its proper record, periodic evaluation of measuring devices and ascertaining the volume of water for a period in which measuring device is out of order shall be as specified in **Annexure-3**.

15. *Freedom of recyling irrigation water and use of ground water.-(1)* The Water User's Association at all levels shall take all possible measures to keep ground water table in its area of operation within 3 meters from ground level, to avoid the incidents of salinity and water logging. The Water User's Association shall duly promote the use of ground water to meet these objectives.

(2) In order to ensure equity of water supply within a project and to protect environment the Appropriate Authority shall, whenever and wherever found necessary, impose any of the following restrictions on the use of ground water.-

(a) Horizontal or lateral bores shall not be taken.

(b) The depth of the bore holes or dug wells shall be as specified by the Appropriate Authority.

(c) The Water Users' Association shall utilize ground water in its area of operation only. However, the Appropriate Authority may permit the use of ground water beyond the area of operation of Water Users' Association only for valid purposes as approved by the Appropriate Authority.

16. *Power to levy charges for supply of water and minimum charges to Water Users' Association.*- The Appropriate Authority shall have the power to levy the rates for supply of water and the minimum charges to the Water Users' Association as determined from time to time by the Maharashtra Water Resources Regulatory Authority.

17. *Recoveryof previous dues of water rates.*- The Water Users' Association at all levels shall be allowed to keep with them such percentage of the recovered amount of previous dues as decided by the Government, from time to time.

18. *Supply of Water as per entitlement.*- The applicable water entitlement as decided by the Maharashtra Water Resources Regulatory Authority (MWRRA) or the River Basin Agency (RBA) shall be supplied from time to time as per the Agreement to the Water Users' Association at appropriate level. It shall be the responsibility of the Canal Officer to monitor and ensure that every member of the Water Users' Association receives the quantum of water as per applicable water entitlement.

19. *Generalpowers of Office Bearers and Secretary of Water Users Association.*-Unless otherwise provided in the Act or rules made thereunder, any Director or the Secretary specifically empowered in that behalf by the Managing Committee shall discharge the functions of the Water Users' Association to achieve the objectives of the Act**.**

20. *Removal of encroachments.*- If there are any encroachments in the area of operation of Water Users' Association, the concerned Water Users' Association at any level shall take the following steps to remove the encroachments,-

(1) Discuss and accordingly take decision about the encroachment in the meeting of the Managing Committee.

(2) As per the decision taken by the Management Committee, the Water Users' Association shall make efforts to remove the said encroachment.

(3) In case of a failure to remove the encroachment, the Managing Committee shall inform the concerned Canal Officer in writing about the decision and efforts taken by the Committee for removal of encroachment.

(4) Help the concerned Canal Officer in carrying out the survey and preparing official report about the encroachment.

(5) Assist the concerned Canal Officer in removing the encroachment as per the directions issued by the Government from time to time.

21.*Filling up of vacancies.*- Vacancy arising for the post of Director of Managing Committee on account of death, resignation, recall, disqualification or by any other reason, shall be filled by the Managing Committee by nomination of any of the eligible member of the concerned Water Users' Association. Such nomination shall be done within a period of forty-five days from the date of arising of such vacancy. Normally, the nomination shall be done through unanimous resolution passed in the meeting of the Management Committee. If, unanimous decision regarding filling of such vacancy is not reached, the decision shall be taken by the majority of the Directors present and voting by show of hands or by voice vote.

22. *Other Accounts, Records and Documents.*- The books of accounts and other records maintained by the Water Users' Association at all levels shall be open for information to all the members of such Association free of cost during working hours on any working day at the office of the Water Users' Association. However, if a copy of any document is required by any member, the same shall be made available by the concerned Water Users' Association on written demand and on payment of a fee as stipulated by the Managing Committee, from time-to-time.

23. *Dissolution of Managing Committee of Water Users' Association and transitional arrangements.*-Before dissolving the defaulting Water Users' Association at any level, the following steps shall be taken by the concerned Appropriate Authority:- *(i)* Issue a show cause notice indicating the lapses or defaults made by the Water Users' Association;

(ii) Provide necessary guidance and counseling for improving the performance of the defaulter Water Users' Association in respect of the lapses or defaults notified; *(iii)* Monitor the performance of the Water Users' Association for six months from the date of issue of such show cause notice;

(iv) If no improvement in the performance of the Water Users' Association to the satisfaction of the Appropriate Authority is observed, even after the steps mentioned

above are taken, the Appropriate Authority shall, in consultation with the next Upper Level Water Users' Association or Canal Officer, as the case may be, dissolve such defaulting Water Users' Association.

(v) For the purpose of dissolution of the Management Committee, the following shall be the Appropriate Authority:-

Projcts	Appropriate Authority
A. For major and medium projects-	
(i) Project Level Association.	Government on the recommendation of the Chief Engineer.
(ii) Canal Level Association.	Chief Engineer on the recommendation of the Superintending Engineer.
(iii) Distributory Level Association	Superintending Engineer on the recommendation of the Executive Engineer.
B. For Minor Projects-	
Project Level Association and Minor Level Association.	Superintending Engineer on the recommendations of the Executive Engineer.

(vi) Even after reconstitution of the Managing Committee under sub-section *(1)* of section 37, the Managing Committee so reconstituted does not function, the Appropriate Authority, in consultation with the next Upper Level Water Users' Association, after giving reasonable opportunity of being heard, may dissolve such reconstituted Managing Committee and may arrange to handover the management of such Water Users' Association to the next Upper Lever Water Users' Association or to the concerned Canal Officer as the case may be.

CHAPTER- III
LIFT IRRIGATION WATER USERS' ASSOCIATION

24. *Delineation of area of operation of Lift Irrigation Water Users' Association.- (1)* Subject to the provisions of rule 3, in the delineated area of a Lift Irrigation Water Users' Association on reservoir or Kolhapur Type Weir or barrage or river or canal or

storage tank, the following shall be deemed to be the members of the concerned Lift Irrigation Water Users' Association:-

(a) All the owners of the existing Individual Lift Irrigation Schemes.

(b) All members of the existing co-operative Lift Irrigation Schemes.

(c) All members of the existing Lift Irrigation Schemes jointly owned by the landholders or occupiers.

(2) Sanctions to all Lift Irrigation Schemes under the Act shall be given as per the guidelines issued by the Water Resources Department of the Government from time-to-time.

(3) In case of the Lift Irrigation Water Users' Association, linkages with the Upper Level Associations shall be as follows :-

Sr.	Category	Linkage No
1	Individuals having Lift Irrigation from Canal.	To be included as members of nearby Water Users' Association at minor level. sanctions
2	Lift Irrigation Water Users' Association on canal.	To be included in the respective Canal Level Association. Members of Managing Committee of such Lift Irrigation Water Users' Association on canal shall be members of General Body of respective Canal Level Association.
3	Lift Irrigation Water Users' Association on reservoir.	To be included in the respective Project Level Association. Members of Managing Committee of Lift Irrigation Water Users' Association on reservoir shall be members of General Body of respective Project Level Association.
4	Lift Irrigation Water Users' Association on Kolhapur Type	To be included in the respective Project Level Association. Members

	weirs on rivers in the of Managing Committee of Lift Irrigation Water Users' Association on	command area of an irrigation project. river in the command area shall be members of General Body of respective Project Level Association.
5	Lift Irrigation Water Users' Association on rivers from dam to pick up weir. of Managing Committee of Lift Irrigation Water	To be included in the respective Project Level Association. Members Users' Association on rivers from dam to pick up weir shall be members of General Body of respective Project Level Association.
6	Lift Irrigation Water Users' Association on Kolhapur Type weirs on rivers (with Users' Association, then those Lift Irrigation	(a) If a Kolhapur Type weir has got number of Lift Irrigation Water back up reservoir). Water Users' Association shall first be included in Lift Irrigation Water Users' Association at Kolhapur Type weir level. (b)Lift Irrigation Water Users' Association at Kolhapur Type weir levels, shall be included in the respective Project Level Association (c)Members of Managing Committee of lower level Lift Irrigation Water Users' Association shall be the members of General Body of respective Upper Level associations.
7	Lift Irrigation Water Users' Association on Kolhapur Type weirs	(a) If a Kolhapur Type weir has got number of Lift Irrigation Water

on rivers (without Users' Association, then those Lift Irrigation Association shall first be included in Lift Irrigation Association at Kolhapur weir level.	back up reservoirs). Water Users' Water Users' Type
	(b) Members of Managing Committee of lower level Lift Irrigation Water Users' Association shall be the members of General Body of respective Upper Level associations.

(4) If, the Lift Irrigation Water Users' Association are found to be under-utilizing (actual utilization is less than seventy per cent.) its applicable water entitlement, for a period of not less than five consecutive years, then the Canal Officer not below rank of an Executive Engineer shall, after giving a reasonable opportunity of being heard to the concerned Lift Irrigation Water Users' Association, cause to get the water entitlement of the Lift Irrigation Water Users' Association revised. The delineated area of that Lift Irrigation Water Users' Association shall, for aforesaid reason, be also liable for revision.

25. *Supply of Electricity to Lift Irrigation Water Users' Association.- (1)* The Canal Officer, duly empowered in this behalf, shall after holding a meeting with the Chairpersons or representatives of the Lift Irrigation Water Users' Association decide the area-wise and season-wise schedule of period for lifting of water. The Lift Irrigation Water Users' Association and the individual lift owners shall strictly observe this schedule.

(2) Electric connections shall be provided to the Lift Irrigation Water Users' Association or the individual lift owners only on an order of the Canal Officer, not below the rank of an Executive Engineer, duly empowered in this regard.

(3) If, any Lift Irrigation Water Users' Association or Individual Lift Owner violate any provisions of this rule, such electric connection of the Lift Irrigation Scheme shall be taken away or cut off by the Maharashtra State Electricity Board or the electricity provider on an order to that effect made by the Canal Officer :

Provided that, before passing any such order the Canal Officer shall give a reasonable opportunity of being heard to such Lift Irrigation Water Users' Association or individual lift owner, as the case may be.

(4) Any Order of the Canal Officer under sub-rule *(3)* shall be binding on the Maharashtra State Electricity Board or the Electricity Provider and it shall enforce the same forthwith.

26. *Determining Water rates for Lift Irrigation Water Users' Association.*- The Appropriate Authority shall determine the water rates on volumetric basis for Lift Irrigation Water Users' Association and shall notify the same. These rates shall be reviewed and revised periodically as and when the Appropriate Authority may deem fit to do so.

CHAPTER– IV
ANNUAL IRRIGATION STATUS REPORT, TRI-PARTITE AGREEMENT AND OTHER FUNCTIONS OF APPROPRIATE AUTHORITY

27. *Annual Irrigation Status Report.*- To enable the Government to publish the Annual Irrigation Status Report, the Canal Officer shall collect and compile the relevant information from the concerned Water Users' Association. The Water Users' Association shall furnish requisite information in time and in the format specified in **Annexure-4** or in the format asked for by the concerned Canal Officer.

28. *Tri-partite Agreement.*- The Water Users' Association for giving its water quota, by consent of all its members may enter into an annual tri-partite agreement between the Water Users' Association, Canal Officer and private bodies or company. All the parties to the agreement can enter into a new agreement at the end of every year with their mutual consent. As far as possible while entering into such agreement, the following factors shall be observed:-

(1) Consent of all the members of the Water Users' Association in the form of a resolution of its General Body shall be necessary for entering into the tri-partite agreement, and for its renewal or modifications, if any.

(2) The draft of tri-partite agreement shall be prepared by the concerned Canal Officer and shall be consented to and finalised by all the parties to the tri-partite agreement. The original draft or the modified or renewed draft of the tri-partite agreement shall be prepared by the parties concerned giving due thought to the Water Users' Association, water use entitlement, soil-crop-climate in the area of operation of the Water Users' Association and other relevant socio-economic aspects of irrigated agriculture.

(3) The Canal Officer as a representative of the Appropriate Authority shall be responsibleto check

whether the agreement is as per the provisions of the Act and the rules thereunder and also to safeguard and protect the Canal System and Government property.

(4) The terms and conditions regarding services to be provided by the private body or the company to the Water Users' Association shall be the sole responsibility of such private body or the company and the Water Users' Association. The Canal Officer and the Appropriate Authority shall not in any way responsible for such services or for any compensation or any such matter related to the tri-partite agreement.

(5) The tri-partite agreement shall be valid only in the area of operation of the Water Users' Association and it shall exclusively be related to the irrigated agriculture only.

(6) Disputes or conflicts, which may arise in respect of the tri-partite agreement, shall be resolved as per the provisions made in the agreement itself.

(7) The original copies of tri-partite agreement shall be kept with each of the parties to the Agreement. Copy of such agreement shall be made available to the concerned members of the Water Users Association on written demand and on advance paymentof fee as fixed by a Canal Officer, from time to time.

29. *Other functions of the Appropriate Authority and Canal Officer.*- In addition to any other functions, powers and duties the Appropriate Authority and Canal Officer shall have the following other functions,-

(a) to determine and notify by the Appropriate Authority the Applicable Water Entitlement for Water Users' Association at all levels by following the guidelines specified in **Annexure-5;**

(b) based on Applicable Water Entitlement determined by the Appropriate Authority in normal or deficit or surplus year, it shall be the responsibility of the Canal Officer to notify the Applicable Water Entitlement and to ensure the supply of water as per the Applicable Water Entitlement on bulk basis measured volumetrically to the Water Users' Association at all levels at agreed intervals every year;

(c) to carry out the procedure by the Canal Officer for recall of a Director of a Managing Committee of a Water Users' Association at any level under section 19; *(d)* to enter into an agreement by the Canal Officer with the Water Users' Association ;

(e) to perform the functions of the Managing Committee by the Canal Officer during pendency of the reconstitution of the Managing Committee under section 37;
(f) to monitor and ensure efficient functioning of the Competent Authority in providing assistance and technical

guidance to the Water Users' Association;

(g) to resolve dispute or differences arising between the members of the Managing Committee of a Project Level Association or between two or more Project Level Associations by the Canal Officer under sub-section *(2)* of section 63 ;

(h) to entertain the appeals by the Canal Officer, filed by any person aggrieved by any decision made or order passed by any Managing Committee of a Project Level Water Users' Association under sub-section *(2)* of section 64;

(i) to issue after assessment in a prescribed manner, the bill by the Canal Officer for water supplied to the Water Users' Association and to recover the same ;

(j) to help in preparation of operation plan and annual maintenance plans ;

(k) to get estimates prepared for the repair works identified for execution as per the guidelines of the Water Resources Department of the Government ;

(l) to check that no alteration or change is made by the Water Users' Association in the canal system, with reference to the approved hydraulic parameters without the permission of the Canal Officer not below the rank of an Executive Engineer;

(m) to provide technical details of the system to the Chairperson of the Water Users' Association by the Canal Officer ;

(n) to advise for water regulation, based on the demand and supplies available with suggestion of improvements for seasonal variations ;

(o) to guide for preparation of water budgeting of the Water Users' Association;

(p) to help in training the members and other persons nominated by the Water Users' Association for efficient discharge of their duties by the Canal Officer;

(q) to follow the guidelines issued by the Water Resources Department to accomplish the objectives of the Water Users' Association, from time to time.

30. *Bill and Receipt of Water Charges.*- The bill and receipts of water charges for water supplied to the Water Users' Association at any level shall be in the format specified in **Forms-B** and C, respectively.

31. *Parameter for evaluating the performance of Water Users' Associations at Minor Level for initiating formation of Water Users' Association at Upper Level.*- Following parameters are to be used for evaluating the performance of Water Users' Association at Minor Level for deciding the Schedule of constitution of Water Users' Association at Upper Level. The procedure for constitution of the next Water Users' Association at Upper Level shall not be commenced

unless, not less than fifty per cent. of the total number of the Water Users' Association in the area of operation of Water Users' Association at Upper Level, have satisfactorily complied with the parameters enlisted below,- **A. Functional parameters:**

(1) Whether there is elected Managing Committee for the Water Users' Association.

(2) Whether two General Body meetings have been conducted preferably before the commencement of the irrigation season in any Irrigation year.

B. **Financial parameters:**

(1) Whether the Water User's Association has opened its account in the Bank as provided in section 57.

(2) Whether the Water User's Association has maintained its various accounts in **Forms-D** and **E,** respectively, and ledgers in **Form-F** properly.

(3) Whether the Water User's Association has started collection of water charges as per the Water Bill specified in **Form-G** from its members so also issued Receipt therefor in **Form-H** and promptly remitted it in its Bank account.

(4) Whether the Water Users' Association has issued proper Receipts in

Form-I, maintained a Cash Book in **Form-J** and also maintained a Payment Register in respect of the payments made in **Form-K** and Dead-Stock Register in **Form-L.**

(5) Whether the Water User's Association has started remitting the water charges against the bills received from the Canal Officer.

C. Administrative parameters:

(1) Whether the Water User's Association has appointed its Secretary.

(2) Whether the record of its members within the area of operation i.e., Registration Book for members in

Form-M and a Pass Book in **Form-N** has been correctly maintained and updated.

(3) Whether various books of key records listed below as provided by the Water Resources Department of the Government are maintained,-

(i) A register of members of the Water Users' Association, containing the names of the members, details of their holding of lands in the area of operation of the Water Users' Association and their water entitlements in the normal year.

(ii) A copy of the Act, and the rules made thereunder duly modified up-to-date.

(iii) A map of the area of operation of the Water Users' Association alongwith a map of the structure and canal systems.

(iv) A statement of assets and liabilities.

(v) A register of the proceedings of the General Body meetings.

(vi) A register of the proceedings of the Management Committee meetings.

(vii) A register of the proceedings of the elections and recall of the Directors of the Managing Committee.

(viii) Books of account showing receipt and payments alongwith money receipt book, cheque register, voucher files and the like.

(ix) Books of account of all purchases and sales of goods by the Water Users' Association.

(x) Register of measurement books, level field books, work orders and the like.

(xi) Copies of the audit reports and inquiry reports.

(xii) Water Accounts.

(xiii) A map showing boundaries of the land acquired by the Government of Maharashtra for the purpose of construction of water conveyance system (Canal and Structures.) and other allied activities.

(xiv) Register of wells, tube-wells situated within the area of jurisdiction of Water Users' Association.

(xv) Irrigation log-book.

(xvi) Water charges recovery register.

(xvii) Register of work executed by the Water Users' Association.

(xviii) Register of area irrigated.

(xix) Annual financial budget as specified in **Annexure-6**.

(xx) Complaint register.

CHAPTER-V
MEETINGS OF GENERAL BODY

32. *Meet ings of General Body*.- *(1)* The General Body of the Water Users' Association shall, at least meet immediately before commencement of each irrigation season. Every meeting of the General Body shall be presided over and regulated by the Chairperson and in his absence, by such one of the members present of the Managing Committee as may be chosen in such meeting to be Chairperson for the occasion.

(2) A Chairperson, may, on his own motion, or on the written requisition signed by not less than ten per cent. of the total members of the Water Users' Association at Minor Level having a right to vote or fifty per cent. of the members of the Water Users' Association at Upper Level having a right to vote, call the meeting of the General Body.

(3) A General Body meeting may also be held on receipt of a direction in that regard from the Appropriate Authority empowered for the dissolution of the Managing Committee of the Water Users' Association under rule 23 or by the next Water Users' Association at Upper Level. **33.** *Quorum.- (1)* At all the meetings of the General Body, the quorum shall be ten per cent. of the total number of members for Water Users' Association at Minor Level and fifty per cent. of total number of the Water Users' Association at Upper Level and all resolutions shall be carried by a majority of the members present and voting.

(2) If there is no quorum for the meeting, the meeting shall be adjourned and be convened again on a date after seven days of the original meeting at the same place and time.

(3) For the adjourned General Body meeting, no quorum is required and resolution shall be carried by a majority of the members present and voting.

(4) At a General Body meeting, the items specified in the agenda shall be discussed and no other subjects will be discussed without the permission of the Chairperson. **34.** *Minutes of Meeting.*- Every proceeding of the General Body meeting shall be recorded in the minute book maintained for the purpose and authenticated by the Chairperson or the person who has presided over the meeting, as the case may be. A copy of the minutes shall be sent to the higher level of the Water Users' Association and the Competent Authority.

CHAPTER- VI
FUNDS, BUDGET AND AUDITS.

35. *Utilization of Funds.- (1)* All funds received by a Water Users' Association in accordance with the

provisions of the Act and all sums accruing to it under the provisions of any law for the time being in force shall be credited forthwith to the Banks mentioned in section 57 and the funds shall be utilized to fulfill the objects of the Water Users' Association.

(2) The estimate of the probable expenditure on various items for the next financial year shall be prepared and got approved in the Annual General Meeting before the commencement of the said financial year.

(3) The expenditure upto rupees one thousand can only be made with the prior written permission of the Chairperson. Any expenditure more than rupees one thousand shall be approved in advance in the meeting of the Managing Committee. The procedure of calling quotations or tenders shall be followed for the purchases or execution of works. The procedure shall ensure transparency, competition and workable rates.

(4) The Water Users' Association may allow its Secretary to keep a cash in hand not exceeding rupees one thousand for meeting current expenditure.

(5) The Managing Committee shall ensure that the expenditure on inauguration and other functions, office building and decoration, transport, furniture, meetings, photographs, publication of annual reports and on any such matters shall be minimum, so that the maximum amount can be utilised on actual maintenance, repairs and management.

(6) All the payments more than rupees one thousand shall be made by Cheque.

(7) The Water Users' Association shall lay down the procedure for collection of water charges from their members taking into consideration the Government dues for supply of water as well as operating expenses of the Water Users' Association.

(8) Water Users' Association shall not create any debts or raise loans which are disproportionate to the assets of the Water Users' Association. Short-term loans, however, can be taken by the Water Users' Association to meet its objects, with the prior approval of the Managing Committee. Debts or loans shall not be raised by Water Users' Association against the Government assets handed over to the Water Users' Association for use.

36. *Budget***.-***(1)* In every financial year, the Managing Committee of a Water Users' Association shall prepare a draft budget in the format specified in the format specified in **Annexure-6** in respect of next financial year. The budget shall be placed before the meeting of the General Body to be held by the 15th of March every year.

(2) A brief note explaining the following shall be accompanied to the draft budget,-

(a) Remarks from latest Audit Report and its compliance.

(b) Budget proposals and their justifications.

(3) The draft budget with explanatory note as required under sub-rule *(2)* shall be made available in the office of the Water Users' Association at least one week before the day fixed for General Body meeting.

(4) The draft budget shall be approved by the General Body with necessary changes, if any.

37.*Reserve Fund.*- Every Water Users' Association shall create a Reserve Fund as required under section 58 . Ten per cent. of water charges collected by the Water Users' Association and ten per cent. of profit accrued to the Water Users' Association shall be deposited every year in the account maintained separately for this purpose. Generally, it is expected that the accrued reserve fund shall be utilized for special or emergency repairs of the physical system in the jurisdiction of the Water Users' Association whenever required as approved by the Managing Committee.

38. *Financial Audit.-(1)* At the end of each financial year, and not later than three months after the commencement of the new financial year, the Water Users' Association shall cause its accounts to be audited in the following manner,-

(i) The Managing Committee shall, appoint an Auditor who has adequate experience in normal auditing work in the case of the Water Users' Association at Minor Level and Project Level Association of minor irrigation projects. In the case of Distributory Level Association, Canal Level Association and Project Level Association of Major and Medium Projects, the Managing Committee shall appoint a Chartered Accountant as an auditor for auditing the accounts. For this purpose, the Canal Officer not below the rank of Superintending Engineer shall invite applications from desirous and competent Chartered Accountants to work as Auditors for the Water Users' Association and prepare a panel of such duly selected Chartered Accountants. The Water Users' Association shall appoint one of the Chartered Accountants included in the such panel.

(ii) The Auditor so appointed by the Water Users' Association shall take all steps necessary to scrutinize the accounts of receipts and expenditure, within thirty days of his appointment and furnish the audit report along with the statement of accounts and balance sheet to the Chairperson of the concerned Water Users' Association before the 31st July of every year.

(iii) The Managing Committee of a Water Users' Association shall take note of the Audit Report and prepare audit rectification report, if necessary, which shall be submitted to the Auditors within one month of its receipt.

(iv) The audit report shall be submitted to the General Body in its meeting before the 30th September of every year. The General Body will take note of the audit report.

(v) The Managing Committee of a Water Users' Association shall furnish the "Action Taken Report" to the General Body, as well as to concerned Canal Officer and Water Users' Association at Upper Level on all matters as pointed out in the audit report and the Managing Committee shall implement the decisions of the General Body in this regard.

(vi) The financial year of the Water Users' Association shall commence from 1st April to 31st March. *(2)* The Secretary of the Water Users' Association shall be responsible for maintaining, safe keeping and custody of all the financial documents such as cash book, ledgers, and such other documents and shall sign the necessary documents on behalf of the Water Users' Association as and when authorized by the Management Committee of the said Water Users' Association.

(3) The Audit under section 59 shall include in addition to the other matters the examination and verification of the following items, namely :-

(i) Overdues of debts, if any.

(ii) Cash balance and securities and valuation of the assets and liabilities of the Water Users' Association.

(iii) Whether loan and advances and debts made by the Water Users' Association on the basis of security have been properly secured and the terms on which such loans and advances are made or debts are incurred are not prejudicial to the interest of the Water Users' Association and its members.

(iv) Whether the Water Users' Association has properly utilized the financial assistance, if any, granted by the Appropriate Authority or financial institutions, for the purpose for which such assistance was granted.

(v) Whether the Water Users' Association is properly carrying out its objects and obligations towards its members.

(4) The Canal Officer or the person authorized shall, for the purpose of audit, at all times have access to all the books, accounts, documents, papers, securities, cash and other properties belonging to, or in the custody of the concerned Water Users' Association and may summon any

person in possession or responsible for the custody of any such books, accounts, and such other documents to produce the same at the headquarters of the Water Users' Association.

CHAPTER-VII
CONFLICT RESOLUTION

39.*Settlement of disputes.- (1)* The member of the Water Users Association at Minor Level having a dispute or differences with the constitution, management, powers or functions of the Water Users' Association shall submit an application within a period of fifteen days from the date of occurrence of such a dispute or differences, stating therein the particulars of the dispute along with a fees of rupees ten payable to the Water Users' Association concerned in person during the office hours or forward the same through post to the Managing Committee of the Water Users' Association at Minor Level. The Managing Committee of the Water Users' Association shall dispose of the said application within a period of forty-five days from the date of receipt of the same, provided that, the individual or the Association against whom the application has been made shall be given a reasonable opportunity of being heard.

(2) The person who is a member of the Water Users' Association at Minor Level and who has a dispute or differences with the Managing Committee of Water Users' Association at Minor Level or a Managing Committee of the Water Users' Association at Minor Level who is having a dispute or difference with the other Water Users' Association at Minor Level shall submit an application within a period of fifteen days from the date of occurrence of such a dispute, stating therein the particulars of the dispute, during the office hours or forward the same through post to the Distributory Level Association or to the Sub-Divisional level Canal Officer, if the Distributory Level Association does not exist. The applicant shall pay a fees of rupees ten to the Distributory Level Association or the Sub-Divisional level Canal Officer, as the case may be, alongwith the application. The Distributory Level Association or the Canal Officer shall be disposed of the application within a period of forty-five days from the date of receipt of the same, provided that, the Managing Committee of the Water Users' Association against whom the application has been made, shall be given a reasonable opportunity of being heard.

(3) The Water Users' Association at Minor Level who is having a dispute or differences with the Managing Committee of the Distributory Level Association, or the Distributory Level Association who is having a dispute or a differences with the other Distributory Level Association

shall submit an application within a period of fifteen days from the date of occurrence of such a dispute, stating therein the particulars of the dispute, either in person during the office hours or forward the same through post to the Canal Level Association or to the Executive Engineer concerned if the Distributory Level Association does not exist. The applicant shall pay a fees of rupees ten to the Canal Level Association or to the Executive Engineer concerned, as the case may be, alongwith the application. The Managing Committee of the Canal Level Association or the Executive Engineer concerned shall disposed of such application within a period of forty-five days from the date of receipt of the same, provided that, the Managing Committee of the Distributory Level Association against whom the application has been made shall be given a reasonable opportunity of being heard.

(4) The Distributory Level Association who is having a dispute with the Managing Committee of the Canal Level Association, or the Canal Level Association who is having a dispute with the other Canal Level Association shall submit an application within a period of fifteen days from the date of occurrence of such a dispute, stating therein the particulars of the dispute, either in person during the office hours or forward the same through post to the Project Level Association or to the concerned Superintending Engineer if the Project Level Association does not exist. The applicant shall pay a fees of rupees ten to the Project Level Association or to the Superintending Engineer concerned, as the case may be, alongwith the application. The Project Level Association or the Superintendent Engineer concerned shall disposed of such an application within a period of forty-five days from the date of receipt of the same, provided that, the Managing Committee of Canal Level Association against whom the appliciation has been made shall be given a reasonable opportunity of being heard.

(5) The Canal Level Association who is having a dispute or differences with the Managing Committee of the Project Level Association, or the Project Level Association who is having a dispute with the other Project Level Association shall submit an application within a period of fifteen days from the date of occurrence of such a dispute stating therein the particulars of the dispute either in person during the office hours or forward the same through post to the Chief Engineer. The Chief Engineer shall dispose of the said application within a period of forty-five days from the date of receipt of the same, provided that, the Managing Committee of the Project Level Association against whom the application has been made shall be given a reasonable opportunity of being heard.

(6) The Project Level Association who is having a dispute or differences with the Appropriate Authority shall submit an application within a period of fifteen days from the date of occurrence of such dispute stating therein the particulars of the dispute to the Maharashtra Water Resources Regulatory Authority in person during the office hours or forward the same through post. The prescribed authority shall disposed of such application within a period of forty-five days from the date of receipt the same, provided that, a reasonable opportunity shall be given to the Chief Engineer of being heard. The decision of the said Authority shall be final :

(7) Notwithstanding anything contained in sub-rule *(1)* to *(6),* the Authority to whom dispute has been preferred may for sufficient reasons to be recorded in writing condone the delay in filing the application of dispute beyond fifteen days.

40.*Appeals.- (1)* Every order passed by the Managing Committee of the Water Users' Association at Minor Level shall be appealable to the Managing Committee of the Distributory Level Association or to the Sub-Divisional level Canal Officer, if the Distributory Level Association does not exist.

(2) Every order passed by the Managing Committee of the Distributory Level Association or by the Sub-Divisional level Canal Officer shall be appealable to the Managing Committee of the Canal Level Association or to the concerned Executive Engineer if the Canal Level Association does not exist.

(3) Every order passed by the Managing Committee of Canal Level Association or by the Executive Engineer shall be appealable to the Project Level Association or to the concerned Superintending Engineer if the Project Level Association does not exist.

(4) Every order passed by the Managing Committee of a Project Level Association or by the concerned Superintending Engineer shall be appealable to the Chief Engineer.

(5) All appeals preferred under the Act or under sub-rules *(1)* to *(5)* shall be in writing signed by the appellant alongwith a fee of rupees ten payable to the Appellant Authority.

Such appeal may be delivered at the office of the Appellate Authority by the appellant in person during the office hours or forward the same through post. Provided that, the individual or the Water Users' Association against whom an appeal has been lodged shall be given a reasonable opportunity of being heard.

(6) All the relevant record in respect of the conflict resolution shall be maintained properly in the office of the

concerned Water Users' Association and in the office of the concerned Canal Officer.

CHAPTER - VIII

GENERAL PROVISIONS

41. *Participation of Water Users' Association in execution of on-going projects.*- With the primary object of formation of the Water Users' Association, the following procedure may be adopted for the participation of the Water Users' Association at Minor Level in the execution of the work of distribution systems having capacity not exceeding one cubic meter per second,-

(a) The command plan of proposed distribution system showing alignment of distributory, minors, sub-minors, field channels, location and level of all structures on the channels, command area boundaries of all channels, village boundaries, natural drains, *gaothans*, alongwith prescribed water use entitlement, shall be displayed in the office of the concerned Canal Officer at least for the period of fifteen days for study by the farmers and offering their comments or suggestions and also be published by the concerned Canal Officer through the leading newspaper in that area. (b)The Canal Officer shall call the meeting of all probable beneficiaries and explain the proposal to them.

(c) Any suggestions or comments on the proposed distribution system shall be submitted by the probable beneficiaries to the concerned Canal Officer within a period of thirty days. If necessary, beneficiaries may seek the advice of the experts.

(d) All the suggestions or comments received shall be discussed in the meeting of farmers called for this purpose and appropriate decisions shall be taken in this meeting and kept on record. In case of disagreement, the decision given by the concerned Superintending Engineer or Executive Engineer, as the case may be, shall be final.

(e) Plans and estimates may be revised, if necessary, based on the decisions taken in the said meeting.

(f) After finalizing the proposal, the Canal Officer shall initiate and complete the process of formation of Water Users' Association.

(g) The execution of the work may start by following the usual procedure adopted in the Water Resources Department.

(h) A Committee of all Chairpersons of the concerned Water Users' Association at Minor Level shall be formed to inspect the work going on and offer its comments or suggestions in writing to the concerned Canal Officer. The Canal Officer, after examining the comments or suggestions take appropriate actions duly communicating the same to the Committee. The performance testing of the

system shall be carried out in the presence of the Committee of all Chairpersons and defects noticed, if any, shall be rectified to the satisfaction of the Committee.

(i) The completed system, after testing, shall be handed over to the concerned Water Users' Association.

ANNEXURE-1

(*See* rule 3)

Guidelines for Delineation of area of Water Users' Association.

1.Delineation of area of operation.- The Canal Officer shall follow the "From whole to part" approach for planning the overall process of delineation of area of operation of the Water Users' Association (hereinafter referred to as "delineation") in the project based on the following criteria namely:-

(1) **Development of Command Area :** Command area notified under section 3 of the Maharashtra Irrigation Act, 1976 (Mah. XXXVIII of 1976) should be considered first for the delineation. Delineation should be completed in the remaining part of the command area as soon as the canal system is notified under section 3 of the Maharashtra Irrigation Act, 1976.

Explanation.-(i)Area under all types of irrigation *viz*. flow, lift, percolation (including wells), etc. is expected to be notified first under section 3 of the Maharashtra Irrigation Act, 1976. If it is found that the area is not so notified the command notification is to be issued immediately.

(ii) Utmost care may be taken before delineation of Water Users' Association (flow) to denotify, if necessary, following from the command of flow irrigation,-

(a) area encroached upon by approved non-agricultural activities,

(b) lift irrigation (renotify area under lift irrigation separately).

(2) **Availability of Water**: The Canal Officer shall take a critical review of availability of water for irrigation (both lift and flow) at project level and workout a prescribed unit of water entitlement for the project as a whole after giving due thought to the basin or sub-basin level macro issues related to allocation of water for irrigation and non- irrigation with particular reference to section 11, 12, 13, 14 and 22 of Maharashtra Water Resources Regulatory Authority Act, 2005.

(3) **Availability of Funds:** Before issuing any notification of delineation of the areas the Appropriate Authority or the case may be, a Canal Officer shall ascertain that he has got required funds for the expenditure towards Rehabilitation.

2. **Steps for systematic and systemic delineation.-**(1) For the purpose of systematic and systemic delineation of the areas a latest or updated command map of the concerned project should contain the following details:-

(a) Chainage wise location of -

(i) all offtakes,

(ii)

all measuring devices, (iii) all Cross Regulator cum escapes,

(iv) all Kolhapur Type Weirs,

(v) lifting points of all individual lifts and all lift irrigation schemes (including those on reservoir, river, canal etc.).

(b) Command areas (with survey numbers or gat numbers) of-
(i) all Direct Outlets, Minors, Distributories, Branch Canals, Canals,
(ii) all Kolhapur Type Weirs,
(iii) all individual lift irrigation and lift irrigation schemes,
(iv)existing Water Users' Associations (both flow and lift).

(c) Administrative boundaries of sections, Sub-Divisions, Divisions etc.

(d) Village, Tahsil and District boundaries.

(e) Parts of command areas (both flow & lift) which are-
(i)fully developed and under regular irrigation,
(ii)problematic and not under regular irrigation,
(iii) being developed.

(2) An Updated command map of the project with details as mentioned in para 2(1) shall be used by the Canal Officer for delineation. Schematic diagrams (Diagram-1 for lift irrigation and diagram-2 for flow plus lift partially) may be used as guidelines for delineation. The Canal Officer shallpreparea plan for delineation of all Water Users' Associations at all levels and all types of lift irrigation. Water Users' Associations on the said map together as one comprehensive exercise for complete project based on basic principles given in para 3. Notification of Water Users' Association and Lift Irrigation Water Users' Association as planned may be issued in batches or in a phased manner based on administrative convenience (*i.e.* first of the Water Users' Associations and the Lift Irrigation Water Users' Associations at Minor Level and then the Distributory Level Association, the Canal Level Association and the Project Level Association considering the provisions of sub-section (1) of section 53 of the Act.

3. Basic principles of delineation.-(1) Area of operation of Water Users' Associations at Minor Level may be maximum upto 1000 hectares (in terms of Culturable Command Area), and shall, as far as possible, be a contiguous block of land identified on hydraulic basis. In exceptional cases, the area of operation may be increased after stating the reasons therefor in writing.

(2) Area of operation may comprise any of the following-
(i) area under one (small) distributory level,
(ii)area under one (large) minor level only,
(iii) area under more than one (small) neighbouring or adjacent Minors,
(iv)area under one Minor and neighbouring or adjacent direct outlets,
(v)area under one Minor and neighbouring or adjacent area under individual lift irrigation,
(vi) area under one (large) Lift Irrigation Scheme,
(vii) area under more than one (small) neighbouring or adjacent Lift Irrigation Scheme,
(ix) area under group of neighbouring or adjacent individual lift irrigation,
(x)area under one Minor Irrigation Scheme.

Note: Contiguous block of land means neighbouring or adjacent blocks of land separated only by natural drainage and / or some minor topographical feature. Area of operation of some other Water Users' Associations should not get sandwiched in the area of operation of any other Water Users' Associations.

(3) Every distributory and canal may have separate Distributory Level Association and Canal Level Association, respectively. However, depending upon the size of the project, the number of distributories and administrative convenience, the Distributory Level Association or the Canal Level Association or both can be skipped if so permitted by the Appropriate Authority. The Water Users' Associations at Minor Level, the Lift Irrigation Water Users' Associations and the Project Level Associaition are, however, necessary. In case of a minor project, depending upon its Culturable Command Area and number of villages, the Water Users' Associations at Minor Level can itself be treated as a Project Level Association if so permitted by the Appropriate Authority.

(4) Delineation and consequent notification of the Water Users' Associations which are already in existence may also be got completed immediately under the provision of this Act and Rules made thereunder.

4. The procedure of notification regarding delineation of Water Users' Associations Minor Level.-

(1) The Canal Officer, appointed and empowered under the provisions of the Act shall issue notification in proforma appended with this Annexure in the *Official Gazette*, to delineate the command area of the Water Users' Associations at Minor Level based on the above mentioned guidelines. Every Water Users' Association shall have distinct names.

(2) The Canal Officer, may either *suo-moto*, or on an application made to him, for the reasons to be recorded in writing revise or rectify the delineation published by notification in the *Official Gazette*.

(3) The certified copy of the updated map and the list of the landholders or occupiers of the area of operation of the Water Users' Association showing all the details as specified in

Form-II to **Annexure-1,** shall be displayed on the notice board of the offices of the concerned village *panchayat* Irrigation Section, Sub-Division and Division on the next day of the publication of the notification of delineation in the *Official Gazette*.

(4) Updated maps of area of operation of Water Users' Associations:

Following details shall be shown on the updated map (preferably to the scale of 1 : 2000 to 1 : 4000) of area of operation of Water Users' Associations,-

(i) Name of the Project, Village, Tahsil, District and River Sub-Basin.

(ii) Reach of parent channel (canal, branch-canal, distributory, minor on which the Water Users' Associations is situated).

(iii)Location, chainage, number and capacity (i.e. designated discharge in both Liter Per Second and Cusec) of Head Regulator.

(iv) Alignment of minor with type and location of structures thereon.

(v) Boundaries of Government acquired land and Government structures thereon; Area (in hectares) of Government acquired land; Types and numbers of the Government structures.

(vi) Boundaries of area of operation of Water Users' Associations specifying bordering features (village boundary, another Water Users' Associations, etc.).

(vii) Gat Numbers or Survey Numbers and their sub-parts with areas in hectares as per the latest officially obtained revenue record.

(viii) Alignment and name (if any) of all natural streams and existing structures thereon.

(ix) Alignment of all artificially constructed drains with existing structures thereon.

(x) Head, middle and tail reaches of the Water Users' Associations command (Full chak to be in one reach only)

The Head, Middle and Tail reaches shall be delineated using the following criteria:

(a)The Culturable Command Area of each Head, Middle and Tail reach shall be approximately 1/3rd of the total Culturable Command Area of Water Users' Associations.

(b)While delineating the constituencies of Head, Middle and Tail reaches, the command of any one outlet must not get divided into two or three constituencies.

(c)Firstly the Head reach and then the Tail reach constituency shall be identified and the remaining area will automatically get identified as Middle reach which shall be the Middle reach constituency

(xi) All dug wells and bore wells used for irrigation and non-irrigation purposes.

(xii) All water storage structures, such as KT weirs, *bandharas*, percolation tanks, *nalla* bunds, village tanks, underground *bandharas*, etc

(xiii) Intake point, source and area of all existing and / or proposed lift irrigation (excluding area on wells) schemes in the area of operation of Water Users' Associations.

(xv) Name, designation and office of the notifying officer.

(xvi) Certificate of the notifying officer stating that "This map is as per the requirement of clause (a) of sub-section 2 of section 6 of the Act, and it is

hereby certified that the details shown on this map are as per the available records".

(xvii) Any subsequent alterations in the map under the provisions of this Act with particular reference to section 5 and or order of the Appellate Officer shall be duly shown with the relevant details associated with such alterations.

Note: Above mentioned details shall be shown, *mutatis mutandis*, on the updated maps of the area of operation of Distributory Level Association, Canal Level Association and Project Level Association.

(5) Updated list of holders and occupiers of the land:

Updated list of holders and / or occupiers of the lands shall be prepared in

Form-II to **Annexure-1** which shall be based on the written information given by the holders and / or occupiers of the lands.

Note: Updated lists of the Distributor Level Association, the Canal Level Association and the Project Level Association shall be as per specified in **Forms-III, IV** and **V** to **Annexure-1**, respectively.

(6)The fees for obtaining a copy of the said notification shall be as decided by Government, from time to time.

(7)After publication of the said notification regarding delineation, the concerned Canal Officer shall also notify in the leading local news paper in the vicinity of the area of operation about the delineated area of the Water Users'v Associations to draw public attention towards the said notification.

Sr.

No.

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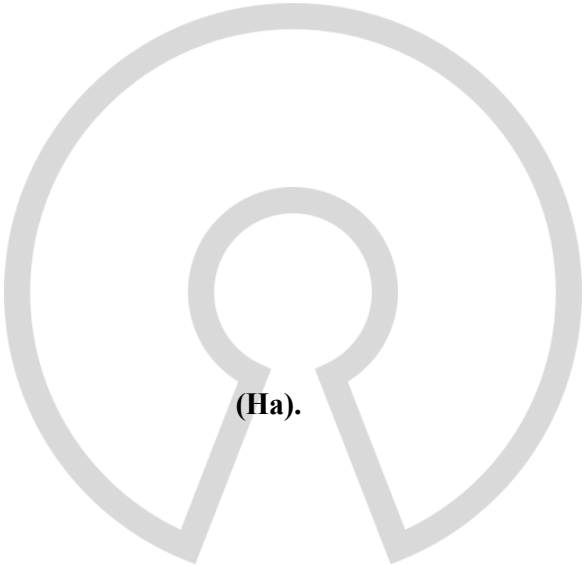
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ANNEXURE -1
(*See* ANNEXURE-1, para 4(5))

List of Water Users' Association at Minor Level included in Distributory Laevel ~~A~~ssociation .

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Project : _____ Region : _____
Project Category : _____ Corporation :_____
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River Subbasin : _____
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ANNEXURE-I

(*See* rule 3 and ANNEXURE-1, para 4(5))

List of Distributory Laevel Association included in Canal Level Association (C.L.A.)

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Canal :---------- Circle :---------- Region of State

(LPS) (cusec) (Cumec)

Project : _____ Region : _____

Project Category : _____ Corporation :_____

Prescribed Unit Water Entitlement of

FORM – V

(*See* rule 3 and ANNEXURE-1, para 4(5))

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Project Category : _____ Region : _____ Region of State _____
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Sanctioned Water Use Entitlement
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ANNEXURE-2.

Conduct of Elections
(*See* rule7(1), (8) and (9) and rule 8(1))
PART – I

Appointment of Competent Authority, Election Officer, Assistant Election Officer and their duties

1. Control over election.- *(1)* Election of Directors of the Managing Committee of the Water Users' Associations under the Act shall be held under the general superintendence and control of the Canal Officer or officers duly appointed by notification in the *Official Gazette*. For the purposes of the elections under this Act, the said Canal Officers shall be deemed to be an Election Officer.

Form-I to **Annexure-2** while conducting the elections.

2. Appointment of Assistant Election Officers and their duties.-*(1)* The Election Officer may appoint one or more persons as Assistant Election Officers to assist the Election Officer in the performance of his functions of elections :

Provided that, every such person shall be an officer of State Government.

(2) Every Assistant Election Officer shall, subject to the control of the Election Officer, be competent to perform all or any of the functions of the Election Officer: Provided that, no Assistant Election Officer shall perform any of the functions of the Election Officer, which relate to the scrutiny of nomination papers unless the Election Officer is unavoidably prevented from performing the said functions.

(3) It shall be the general duty of the Election Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided under these rules or orders made thereunder.

PART - II
Voter List

3. Preparation of voters list. - (1) The concerned Canal Officer shall prepare territorial reach wise lists for Head, Middle and Tail reaches of the members who are the holders and occupiers of the land and have completed 18 years of age. Such territorial reach-wise lists prepared in

Form-II to **Annexure-2** shall be referred to as an electoral roll of concerned Water Users' Associations. The Election Officer shall renew the electoral roll ninety days before the commencement of election procedure on the basis of Record of Rights.

(2) The Election Officer shall publish the roll prepared under sub-para (1) by displaying it on the notice board or boards of the concerned office or offices of the Water Resources Department, village *panchayat* and Water Users' Association alongwith a notice inviting objections within a period of three days from the date of display of the said notice.

4. Forms of claims and objections.- (1) Any person, whose name is not entered in electoral roll or is entered at an incorrect place or in an incorrect manner or with incorrect particulars or any person whose name is entered in the roll and who objects to the inclusion of his own name or the name of any other person in that roll, may prefer a claim in

Form-III or objection for such inclusion in **Form-IV** to **Annexure-2**, or by sending it by post to the Office of the concerned Canal Officer. All objections or claims shall be received within a prescribed period, that is, three days and no claim or objection received after that period shall be entertained.

Form-III to **Annexure-2** and shall be signed by the person desiring his name to be included in the electoral roll.

(3) Every objection in **Form-IV** to the inclusion of name in the roll shall be preferred by the person whose name is already included in the roll of concerned Water Users' Association.

(4) Every objection in **Form-V** to a particular or particulars of entry in the roll shall be preferred by the person whose name is included in the voter list.

(5) Every such claim or objection, as the case may be, shall be accompanied by the certified documents on which the claimant or objector relies.

(6) No claim or objection shall be entertained unless a copy of such claim or objection has been submitted in the office of the concerned Canal Officer.

(7) Any claim or objection, which is not lodged within a specified period, or in the prescribed form and manner, shall be rejected.

5. Disposal of claims and objections.-(1) The Election Officer shall serve notice, -

(a) to the claimant for his claim;

(b) to the objector for his objections;

(c) to the concerned Canal Officer for submitting his report within a period of seven days of the receipt of the notice regarding the matter under dispute:

Provided that, it shall not be necessary to serve any such notice where the Election Officer on being satisfied as to the validity of the claim or objection and decides to allow it without further inquiry:

Provided further that, a list containing the names and addresses of the persons applying for inclusion *or* exclusion of their names shall be exhibited on the notice board of the office of the concerned Canal Officer, Water Users' Association and village *panchayat*.

(2) A notice under sub-para (1) shall be given either personally or by registered post or by affixing it to the person's residence or last known residence within the constituency or left in the office of the Canal Officer, if it is not necessary to serve the notice to the claimant.

(3) The Election Officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under sub-para (1) and shall consider the report of the concerned Canal Officer, if any, and record his decision thereon.

(4) At the hearing, the claimant or as the case may be, the objector and the person objected to and any other person who, in the opinion of the Election Officer is likely to be of assistance to him, shall be entitled to appear and be heard.

(5) The Election Officer may in his discretion:-

(a) require any claimant, objector or person objected to, to appear in person before him.

(b) require that the evidence tendered by any person shall be given on oath and administer an oath for the purpose or may require the evidence be tendered by filing affidavit duly attested.

(6) No person shall be represented by any legal practitioner in any proceeding under this para. The Election Officer shall also correct any clerical or printing errors which he may discover in the roll.

6. **Inclusion of names inadvertently omitted and deletion of names of dead electors and persons who are not entitled to be registered. -** If it appears to the Election Officer at any time before the final publication of the roll that owing to inadvertence or error or otherwise the names of any electors have been left out of the roll or the name of dead persons or of persons who are otherwise not entitled to be registered in that roll have been included in the roll and that remedial action should be taken under this rule, the Election Officer shall,-

(a) prepare a list of the names and other details of such electors;

(b) exhibit on the notice board of his office and office of the Water Users' Association a copy of the list together with a notice as to the time and place at which the question of deletion or inclusion of these names, as the case may be, from the roll shall be considered, and also publish the list and the notice in such other manner as he may think fit; and

(c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll or included in the roll, as the case may be.

7. Final publication of roll.- (1) The Election Officer shall thereafter,-

(a) prepare a list of amendments to carry out his decisions under paras 6 and 7 and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the roll; and

(b) publish the roll together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice at his office and may also publish it in the office of the concerned Water Users' Association in the same manner.

(2) On such publication the roll together with the list of amendments shall be the electoral roll of the Water Users' Associations.

8. Duration of electoral rolls,- Every electoral roll referred in sub-para (2) of para 8 shall continue to be in force until revised in accordance with para 10.

9. Revision of rolls.- (1) The roll for every Water Users' Associations shall be revised either intensively or summarily or partly intensively and partly summarily, as the Election Officer may direct with reference to the qualifying date, i.e. ninety days before the commencement of election procedure.

(2)Where the roll is to be revised intensively, it shall be prepared afresh and provisions of para 5, 6, 7 and 8 shall apply in relation to such revision as they apply in relation to the preparation of a roll for the first time.

(3) When the roll or any part thereof is to be revised summarily, the Election Officer shall cause to be prepared a list of amendments to the roll on the basis of such information as may be readily available and publish the roll together with the list of amendments in draft.

(4) Notwithstanding anything contained in sub-para (1), the Election Officer may at any time for reasons to be recorded in writing, direct a special revision of the electoral roll for any Water Users' Associations in such manner as it may deem fit:

Provided that, the electoral roll as in force at the time of the issue of any such direction, shall continue to be in force until the completion of the special revision so directed.

10. Interim alteration.- (1) If the Election Officer on his own motion or on the application made to him is satisfied after such inquiry as he thinks fit, that any entry in a electoral roll, -

(a) is erroneous or defective in any particular; or

(b) should be transposed to the electoral roll of another Water Users' Associations on the ground that the person concerned has exchanged his land; or

(c) should be deleted on the ground that the person concerned is not entitled to be registered in the roll; or

(d) should be deleted on the ground that the person concerned is dead or is not entitled to be registered in the roll, he shall subject to such general or special directions, if any, in this behalf, amend, transpose or delete the entry:

Provided that, before taking any action under this para on the ground that the person concerned is not entitled to be registered in the electoral roll of that constituency, the Election Officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him.

(2) Any person whose name is not included in the electoral roll of a Water Users' Associations, may apply to the Election Officer for inclusion of his name in that roll and the aforesaid officer, if satisfied that the applicant is entitled to be registered in such roll direct his name to be included therein.

(3) A list of persons applying under sub-para (1) or (2) shall be exhibited on the notice board of the Election Officer for a period of three clear days before making an order.

(4) No amendment, transposition, or deletion of any entry shall be made under sub-para (1) and no direction for the inclusion of a name in the electoral roll shall be given under sub-para (2) after the issue of the public notice for election under para 14 and until completion of elections.

(5) The Election Officer may cause to correct any clerical error in the electrol roll at any time.

(6) The electrol roll altered in accordance with this para shall be deemed to be the roll for the time being in force.

(7) The application referred to in sub-para (1) and (2) shall be in **Forms II, III** and **IV** to **Annexure-2,** respectively.

11. **Appeals**.- (1) An appeal shall lie to the Appellate Officer from an order made under para 5 or 10 by a Election Officer within a period of seven days from the date of order:

Provided that, an appeal shall not lie where a person desiring to appeal has not availed himself of his right to be heard by, or to make representation to, the Election Officer on the matter, which is the subject of appeal.

(2) Such appeal shall be.-

(a) in the form of memorandum signed by the applicant;

(b) accompanied by a copy of the order appealed and fee of rupees hundred shall be paid in the form of non-judicial stamps; and

(c) presented to the Appellate Officer or sent by registered post so as to reach him within the said period.

(3) The presentation of an appeal under this para shall not have the effect of staying or postponing any action to be taken by the Election Officer under para 7 or 9:

Provided that, order shall not be stayed in case where the subject of appeal is an order made under para 10.

(4) The Appellate Officer shall take decision within a period of three days from the date of receipt of the Memorandum regarding appeal in his office.

(5) Decision of the Appellate Officer shall be final, but in so far as it reverses or modifies the decision of the Election Officer, it shall take effect only from the date of decision in appeal.

12. Custody and preservation of rolls.- (1) After the roll for a constituency has been finally published the following papers shall be kept in the office of the Election Officer until the completion of the next intensive revision of that roll, -

(i) One complete copy of the electoral roll duly authenticated by the Election Officer**;**

(ii) All applications in regard to the preparation of draft electoral roll;

(iii) All manuscript copies prepared by the enumerating agencies and used for compiling the draft electoral roll;

(iv) All claims and objections to the draft electoral roll;

(v) All decisions passed on the claims and objections;

(vi) Papers relating to appeals under para 11; and

(vii) Applications under para 10.

(2) One complete copy of the roll for each Water Users' Associations duly authenticated by the Election Officer shall also be kept in the office of the Election Officer until the completion of the next intensive revision of that roll.

(3) The papers referred to in sub-para (1) shall, on the expiry of the period specified by the Election Officer, be disposed of in such manner as the Election Officer may direct.

(4) Copies of electoral rolls, until disposed of under sub-para (3) shall be made available for sale to the public at such price fixed by the Election Officer.

PART- III

Election of Directors of the Managing Committee of the Water Users' Association at Minor level

13. Notice and fixation of Election.- (1) The election of the Directors of Managing Committee of Water Users' Association shall be held on the day fixed by the Election Officer.

(2) The notice for conduct of election shall be given by the Election Officer to the members by one or more of the following modes:-

(a) by affixing at the notice board of Water Users' Association; or

(b) by affixing at the notice board of the concerned village *panchayat*; or

(c) by affixing on conspicuous place in the area of operation of Water Users' Associations as may be decided by the Election Officer;

(d) through local newspapers.

(3) The notice shall contain information regarding, -

(a) the number of the posts or vacancies for which election is being held;

(b) constituency from which the members are to be elected ;

(c) the day on which, the place at which and the time during which nomination papers are to be presented. Such date not be less than seven clear days before the date fixed for election; or if that day is a public holiday, the next succeeding day which is not a public holiday.

Explanation.- In this para "Public holiday" means any day, which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (Act XXVI of 1881), or any day, which has been notified by the Government to be a holiday for the Government Offices in the State; (d) the day on which, the place at which, and the time during which the nomination papers will be scrutinized;

(e) the day on which, and the time during which nomination may be withdrawn; and

(f) the day on which, the place at which, and the time during which the poll shall be taken.

14. Presentation of Nomination Papers.- (1) On or before the date appointed under sub-clause (c) of sub-para (3) of para 13, each candidate shall send by registered post with acknowledgement due or deliver in person to the Election Officer a nomination paper in

Form-VI to **Annexure-2** for the election of Director of Managing Committee. A nomination form shall be supplied by the Election Officer to a member on payment of stipulated fees.

(2) Every nomination paper shall be signed by the voter whose name is included in the voters list or roll prepared under these rules as proposer. The nomination paper shall also contain a declaration signed by the candidate proposed for election to the effect that he is willing to contest the election.

(3) Every nomination paper accompanied with the stipulated security amount shall be presented in person to the Election Officer, by the candidate himself or by his proposer, before the date and hour specified for nomination in notice referred to in sub-para (3) of para 13.

(4) On receipt of each nomination paper the Election Officer shall endorse thereon the serial number of the paper, the date and the hour at which the nomination paper is received by him and also immediately acknowledge the receipt of the nomination paper.

(5) A nomination paper which is not received on or before the date and hours appointed by the Election Officer in that behalf, shall be rejected.

(6) If the candidate is a defaulter in respect of the irrigation water charges, in that case thes nomination paper submitted by the candidate shall be rejected.

15. Scrutiny of nomination papers.- (1) On the date and the time appointed by the Election Officer for scrutiny of the nomination papers, the candidates and the proposers may present in the office of the Election Officer.

(2) The Election Officer shall allow all reasonable facilities to all the contesting candidates or their proposers to examine the nomination papers of all the candidates which have been received by him as aforesaid.

(3) The Election Officer shall scrutinize the nomination papers received by him and decide all objections that may arise as to do validity of any nomination and his decision thereon shall be final:

Provided that, in case of any objection is raised by the Election Officer or is made by any other person, the candidate concerned may be allowed time to rebute it not later than the next day, and the Election Officer shall record his decision on the very day or on the day the proceeding have been adjourned:

Provided further that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or of any other particulars relating to the candidate or his proposer as entered in the voter list prepared under these rules, if the identity of the candidate or proposer, as the case may be, is established otherwise beyond reasonable doubt.

(4) The Election Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection.

(5) The list of valid nominations containing the description similar to those contained in the nomination paper, both of the candidate and of the proposer shall be published in

Form-VII on the notice board of the office of the election officer on the same day on which the scrutiny is completed.

16. Withdrawal from Candidature.- (1) Any candidate may withdraw his candidature by notice in writing signed by him and delivered it to the Election Officer before the date fixed under clause (e) of sub-para (3) of para 13. A notice may be given

either by the candidate in person or by the proposer or election agent who has been authorised in this behalf in writing by the candidate:

Provided that. no notice of withdrawal shall be entertained after the day and hours fixed for such withdrawal. A notice of withdrwal of candidature once given shall be final. **17. Preparation of the list of contesting candidates.-** (1)Immediately after the expiry of the period within which candidates may be withdrawn under sub-para (1) of para 16, the Election Officer shall prepare a list of contesting candidates in

Form-VIII and shall publish it on the notice board of the office of the Election Officer. The list shall be prepared in such language or languages as the Election Officer may direct.

(2) The said list shall contain the names (in alphabetical order) and the addresses of the contesting candidates as given in the nomination papers.

18. Allotment of Symbols by Election Officer.- (1) If, there is only one candidate, for the election of a Director from any constituency for which election is to be held and his nomination has been accepted, the Election Officer shall forthwith declare him to be duly elected. If the number of the valid nominated candidates is more than one, the Election Officer shall specify the symbols that may be chosen by the candidates out of the following list, notified by the Election Officer:-

(i) Hand pump
(ii) Radio or TV
(iii) Pump set
(iv) Telephone
(v) Electric pole
(vi) Sword
(vii) Bus
(viii) Cycle
(ix) Umbrella
(x) Spade
(xi) Cart
(xii)Wrist-Watch
(xiii) Lock.

Note.- If the number of contesting candidate exceeds thirteen the Election Officer may allot any other symbol (other than symbol of any political party).

19. Publication of list of contesting candidates.- (1)Immediately after the allotment of symbol to the contesting candidates, the Election Officer shall prepare a list of contesting candidates for the election of Director of Managing Committee separately in

Form-IX to **Annexure-2,** giving the names of all contesting candidates and symbols allotted to them and display it on the notice board of his office and also arrange to display at public places of the area or polling station. The Election Officer shall, of such notice immediately after the preparation of the list and a copy of the list to each of the contesting candidates.

(2) If more contesting candidates then one have indicated their preference for the same symbol, the Election Officer shall decide by lot to which of such candidates the symbol will be allotted.

(3) Every candidate or his proposer shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the Election Officer.

20. Poll.- (1) If the number of candidates for any Water Users' Association or constituency, as the case may be, for which more than one valid nominations have been received, the Election Officer shall arrange for holding a poll on the date fixed for the purpose.

(2) The Election Officer shall arrange the ballot boxes or Electronic Voting Machines, ballot papers, copy of the list of voters and such other articles as may be necessary for the conduct of the election. The ballot box shall be such that ballot papers can be inserted therein but cannot be taken out therefrom without the box being unlocked.

(3) Any contesting candidate at an election may, by a letter to the Election Officer, appoint an agent to act as polling agent of such candidate at each polling station where polling is held. Such letter shall contain the consent in writing of the agent concerned.

(4) Immediately before the commencement of the poll, the Election Officer and in his absence, the Assistant Election Officer, shall show the empty ballot box to such persons as may be present at the time and shall then lock it and place his seal up on it in such manner as to prevent its being opened without breaking the seal. The candidate or his agent will be permitted to affix their own seals, if they so desire.

21. Form of ballot paper.- (1) Every ballot paper shall have a counterfoil attached thereto, and the said ballot paper and the counterfoil shall be in

Form-X to **Annexure-2**. (2) The names of the candidates shall be arranged on the ballot papers in the same order in which they appear in the list of contesting candidates prepared under sub-para (2) of para 18. If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

(3) The particulars on the ballot paper shall be in Marathi (in Devnagri) script.

(4) The ballot papers shall be serially numbered; the serial numbers being printed or written on the counterfoil and on the front of the ballot paper.

(5) The symbol allotted to the candidates under para 18 shall be shown alongside the name of the candidate on the ballot paper.

(6) The space allotted to each candidate on the ballot paper shall have the same dimensions.

(7) The line of the shaded area separating the space provided for different candidates shall be the same on the ballot paper.

22. Procedure for issue of ballot paper to a voter.- (1) No ballet paper shall be issued to any voter before the hour fixed for the commencement of the poll.

(2) No ballet paper shall be issued to any voter after the hour fixed for the closing of the poll except to those voters who are present at the Polling station at the time of the closing the poll. Such voters shall be allowed to record their votes if after the poll closes.

(3) For the election of Director of Managing Committee separate ballot paper shall be issued to every voter. Every ballot paper before it is issued to a voter and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the Election Officer may direct and every ballot paper before it is issued, shall be signed on its backside by the Election Officer.

(4) At the time of issuing a ballot paper to a voter, the Election Officer shall,- (a) record on its counterfoil the serial number of the voter in the list of the voters as entered in the marked copy of the List of Voters,

(b) obtain the signature or thumb impression of that voter on the said counterfoil; and

(c) mark the name of the voter in the marked copy of the list of voters to indicate that a ballot paper has been issued to him without recording therein the serial number of the ballot paper issued to that voter:

Provided that, no ballot paper shall be delivered to a voter unless he has put his signature or thumb impression on the counterfoil of that ballot paper;

(5) (a) Before issuing a ballot paper to a voter, the Election Officer shall cause a mark to be put on the left forefinger of the voter with indelible ink:

Provided that, where such a mark already exists on the left forefinger of the voter, it shall be deemed that he had cast his vote already at the election and shall not be given any ballot paper:

Provided further that, no ballot paper shall be given to a voter unless he has allowed a mark to be put on his left forefinger with indelible ink.

(b)Any reference in this para to the left forefinger of a voter shall, in the case where the voter has his left forefinger missing, be construed as a reference to any other finger on his left hand and shall, in the case where all the fingers of his left hands are missing,

to be construed as a reference to the forefinger or any other finger of his right hand, and shall, in the case where all his fingers of both the hands are missing, to be construed as reference to such extremity of his left or right arm as he possesses.

(6) It shall not be necessary for any election officer or Assistant Election Officer or any other officer to attest the thumb impression of the voter on the counterfoil.

(7) No person in the polling station shall note down the serial numbers of the ballot papers issued to a particular voter.

23. Voting- (1) Save as hereinafter provided, all voters voting at an election shall do so in person at the polling station provided for them and for that purpose observe the voting procedure here-in- after laid down.

(2) The voter on receiving the ballot paper shall forth with,- (a) Proceed to one of the voting compartments;

(b) make a mark on the ballot paper with the instrument supplied for the purpose on the symbol or the name of the candidate or in column of the candidate for whom he intends to vote;

(c) fold the ballot paper so as to conceal his vote;

(d) if required, show to the presiding officer the distinguishing mark on the backside of theballot paper;

(e) insert the folded ballot paper into the ballot box; and

(f) quit the polling station.

(3) Every voter shall vote without undue delay.

(4) No voter shall be allowed to enter a voting compartment when another voter is inside.

(5) If a voter to whom a ballot paper has been issued, refuses after warning given by the Election Officer, to observe the procedure as laid down in sub-para (2) the ballot paper issued to him shall whether he has recorded his vote thereon or not, be taken back from him by the Election Officer or Assistant Election Officer under the direction of the Election Officer.

(6) After the ballot paper has been taken back, the Election Officer shall record on its back, the words "Cancelled.- voting procedure violated" and put his signature below these words.

(7) All the ballot papers on which the words "Cancelled- voting procedure violated" are recorded shall be kept in a separate cover which shall bear on its face the words "Ballot papers- voting procedure violated".

(8) Without prejudice to any other penalty to which such voter, may be liable, the vote if any, recorded on such ballot paper shall not be counted.

24. **Assistance to voter**.- The Election Officer shall give such assistance as may be required by any voter who is by reason of infirmity or blindness or illiteracy unable to vote in the manner prescribed in para 23.

25.Identity of voter.- At any time before a ballot paper is delivered to a voter the Election Officer may on his own accord, if he has reason to doubt the identity of the voter or his right to vote at such polling station and shall, if so required by a candidate or polling

agent satisfy himself by putting to the voter such questions as he may deem necessary that such person if identical with the voter to whom such entry relates.

26.Closing of poll.- The Election Officer shall close a polling station at the hour fixed in that behalf under para 13 and shall not thereafter admit any voter into the polling station:

Provided that, all voters present at the polling station before it is closed shall be allowed to cast their votes.

27. Sealing of ballot boxes.- (1) As soon as practicable after the closure of the poll the Election Officer shall close the slit of the ballot box, and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal.

(2) The ballot box shall thereafter be sealed and secured.

(3) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed, sealed and secured as provided in sub-paras (1) and (2) before another ballot box is put in to use.

28. **Counting of votes-** (1) The ballot papers taken out of each ballot box shall be arranged in bundles. The counting of votes shall commence immediately after the polling is completed. Votes shall be counted by or under the supervision of the Election Officer. Each candidate and his authorized agent shall have a right to be present at the time of counting.

(2) The Election Officer or Assistant Election Officer shall,-

(i) reject a ballot paper :-

(a) if it bears any mark or writing by which the voter member who has voted can be identified; or

(b) if it does not bear the distinguishing mark: or

(c) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given.

(ii) The authority competent to reject a ballot paper shall be the Election Officer.

(3) Soon after the counting of votes is over, the Election Officer shall prepare and certify a statement setting forth :-

(a) the total number of ballot papers issued;

(b) the number of valid votes given to each candidate;

and.

(c) the number of ballot papers declared to be invalid or rejected.

29. Declaration of result.- On the basis of statement prepared under sub-para (3) of para 28 the candidates who have secured the largest number of valid votes shall be declared elected and their names shall be published on the notice board of polling station under the signatures of the Election Officer, and in case if equality of votes polled in favour of two or more candidates, lots shall be drawn in such manner as the Election Officer may decide to determine the name or names of the successful candidate or candidates. The result of the election declared by the Election Officer shall be supplied to the contesting candidate soon after the declaration of the result.

30. Custody and destruction of election papers- Upon completion of the counting and after the result has been declared, the Election Officer shall take custody of the ballot papers. The ballot papers and other records relating to the election shall be

secured in a container, which shall be affixed with the seal of the Election Officer and of the candidates who desire to affix their seals. All ballot papers and other election material so sealed and secured in a container shall be kept by the Election Officer in safe custody and retain the same for a period of three months from the date of the poll, and therafter be destroyed after the said period of three months, if no dispute relating to or in connection with that election arises.

PART IV

Election of Members of the Managing Committee of the Distributory Level Association

31. Procedure for Election.- (1) All the Water Users' Association at Minor Level, represented by the members of the Managing Committees of the Water Users' Associations at Minor Level. In the command area of Distributary Level Association shall constitute the General Body of the Distributary Level Association and the members of such General Body shall have right to vote and elect the Managing Committee of the

Distributary Level Association. The Directors of the Managing Committee shall be elected by the members of the General Body of Distributary Level Association from amongst themselves in a special meeting of the General Body of Distributary Level Association.

(2) The meeting of members of the General Body of the Distributary Level Association shall be held at the date, time and place fixed by the Election Officer and shall be presided over by the Election Officer. In this meeting, the procedure of voting (viz. Show of hands / voice vote / secret ballot) shall be decided initially by the Presiding Officer.

(3) The Election Officer shall display the reach-wise voter list for the purpose of the election and exhibit it on the notice board of the place fixed for election under sub-para (1), along with the notice for election. The notice shall also be displayed at the office of the Canal Officer concerned.

(4) The election shall be held and concluded in a one single day. The programme for election shall be as follows:

(i)	Receipt of Nominations	10.00 AM to 11.00 AM
(ii)	Scrutiny of nominations and publication of final list of nominations	11.00 AM to 12.00 noon.
(iii)	Withdrawal of nominations	12.30 PM to 1.30 PM
(iv)	Publication of final list of contesting candidates	2.00 P.M
(v)	Elections in the event of contest	3.00 PM to 5.00 PM
(vi)	Counting and declaration of results	Immediately after the poll

(5) If the categorywise numbers of contesting candidates for the post of Directors of Managing Committee are more than the members to be elected, poll shall be conducted. If the categorywise number of validly nominated candidates are equal or less than the

number of members to be elected, the Election Officer shall forthwith declare such candidate as duly elected.

(6) The provisions of paras 13 to 30 of PART-III shall apply, *mutatismutandis*, to the election of Directors of Managing Committee of Distributory Level Association.

(7) In the event of the contest, the election shall be conducted by the procedure as decided in sub-para (2).

(8) At the end of the poll, the Election Officer shall arrange forthwith, the counting of votes polled for the contesting candidates for Directors of the Managing Committee and declare the candidates as elected on the basis of votes secured by them.

(9) In the event of there being an equality of votes between two or more candidates the Election Officer shall draw lots in the presence of the members and the candidates, whose name first drawn shall be placed declared to have been duly elected accordingly.

(10) Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it and send it to the Appropriate Authority. He shall also publish on the notice board of the office of the Distributary Level Association, result of election stating the names of persons elected as Directors of the Managing Committee of the Distributary Level Association and send a copy of such result to the Appropriate Authority as also be given to the candidate, who is declared elected as member of the Distributary Level Association.

(11) Not withstanding anything contained in these rules, the Election Officer may for sufficient reasons to be recorded in writing, may postpone the date of the special meeting convened under this rule and the next meeting shall be held on the day and time fixed by the Election Officer. However, such postponement of the election shall not exceed the period of one year.

PART V

Election of Members of Managing Committee of Canal Level Association (CLA)

32. Procedure for Election- (1) All the Distributary Level Associations, represented by the Directors of the Managing Committees of the Distributary Level Associations, under the area of operation of Canal Level Association shall constitute the General Body of Canal Level Association and have right to vote and elect the Managing Committee of the Canal level Association. The Directors of the Managing Committee of Canal Level Association shall be elected by the General Body of the Canal Level Association from amongst themselves in a special meeting of General Body of theb Canal Level Association.

(2) The meeting of members of the Canal Level Association shall be held at the date, time and place fixed by the Election Officer and shall be presided over by the Election Officer. In this meeting, the procedure of voting (raising of hands / voice vote / secret ballot) shall be decided initially by the Presiding Officer.

(3) The Election Officer shall display the reachwise Voter list for the purpose of the election and exhibit it on the notice board of the place fixed for election under sub-para (1) of para 3 of PART-II alongwith the notice for election. The notice shall also be displayed at the office of the Executive Engineer concerned.

(4) The election shall be held and concluded on a single day. The programme shall be as follows:

(i)	Receipt of Nominations	10.00 AM to 11.00 AM
(ii)	Scrutiny of nomination and publication of final list of nominations	11.00 AM to 12.00 noon.
(iii)	Withdrawal of nominations	12.30 PM to 1.30 PM
(iv)	Publication of final list of contesting candidates	2.00 P.M
(v)	Elections in the event of contest	3.00 PM to 5.00 PM
(vi)	Counting and declaration of the poll	Immediately after results

(5) If the categorywise numbers of contesting candidates for members of Managing Committee are more than the members to be elected, poll shall be conducted. If the categorywise number of validly nominated candidates are equal or less than the number of members to be elected, the Election Officer shall forthwith declare such candidate as duly elected.

(6) The provisions of para 13 to 30 of PART-III shall apply, *mutatismutandis*, to the election of members of the Managing Committee of Canal Level Association.

(7) In the event of the contest the election shall be conducted by the procedure as decided under sub-para (2).

(8) At the end of the poll, the Election Officer shall arrange forthwith, the counting of votes polled for the contesting candidates for members of the Managing Committee and declare the candidates as elected on the basis of votes secured by them.

(9) In the event of there being an equality of votes between two or more candidates the Election Officer shall draw lots in the presence of the members and the candidates, whose name first drawn shall be placed declared to have been duly elected accordingly.

(10) Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it and send it to the Competent Authority. He shall also publish on the notice board of the office of the Canal Level Association, the result of election stating the names of persons elected as members of the Managing Committee of the Canal Level Association and send a copy of such result to the Competent Authority concerned as also be given to the candidate, who is declared elected as member of the Canal Level Association.

(11)Notwithstanding anything contained in these rules, the Election Officer, for sufficient reasons to be recorded in writing, may postpone the date of the special meeting convened under this rule and the next meeting shall be held on the day and time fixed by the Election Officer. However, such postponement of the elections shall not exceed a period of one year.

PART VI

Election of Members of the Managing Committee of the Project Level Association (PLA)

33. Procedure for Election.- (1) All the Canal Level Associations and Lift Irrigation Water Users' Associations on reservoir within the Project, represented by Directors of their respective Managing Committees shall constitute the General Body of Project Level Association and shall have right to vote and elect the Managing Committee of the Project Level Association. The Directors of Managing Committee shall be elected by the General body of Project Level Association from amongst themselves in a special meeting of General body of Project Level Association.

(2) The meeting of members of Project Level Association shall be held at the date, time and place fixed by the Election Officer and shall be presided over by the Election Officer. In this meeting, the procedure of voting (show of hands / voice vote / secret ballot) shall be decided initially by the Presiding Officer.

(3) The Election Officer shall display reach wise the voters list for the purpose of the election and exhibit it on the notice board of the place fixed for election under sub-para (1) of para 3 of PART-II alongwith the notice for election. The notice shall also be displayed at the office of the Appropriate Authority concerned.

(4) The election shall be held and concluded on a single day. The programme shall be as follows:

(i)	Receipt of Nominations	10.00 AM to 11.00 AM
(ii)	Scrutiny of nomination and publication of final list of nominations	11.00 AM to 12.00 noon.
(iii)	Withdrawal of nominations	12.30 P.M to 1.30 P.M
(iv)	Publication of final list of contesting candidates	2.00 PM
(v)	Elections in the event of contest	3.00 PM to 5.00 PM
(vi)	Counting and declaration of results	Immediately after the poll

(5) If the categorywise numbers of contesting candidates for members of Managing Committee are more than the number of vacancies to be filled in, poll shall be conducted. If the poll is not required, the Election Officer shall forthwith declare such candidate as duly elected.

(6) The provisions of para 13 to 30 of PART-III shall, *mutatismutandis*, apply to the election of members of the Managing Committee of the Project Level Association.

(7) In the event of the contest, the election shall be conducted by the procedure as decided in the sub-para (2).

(8) At the end of the poll, the Election Officer shall arrange forthwith, the counting of votes polled for the contesting candidates for members of the Managing Committee and declare the candidates as elected on the basis of votes secured by them.

(9) In the event of there being an equality of votes between two or more candidates, the Election Officer shall draw lots in the presence of the members and the candidates whose names are first drawn shall be placed above others and shall be declared to have been duly elected accordingly.

(10) Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it and send it to the Competent Authority. He shall also publish on the notice board of the office where election was held, the result of election stating the names of persons elected as members of the Managing Committee of the Project Level Association and send a copy of such result to the Competent Authority concerned as also be given to the candidate, who is declared elected as member of the Project Level Association.

(11) Notwithstanding anything contained in these rules, the Election Officer may for sufficient reasons to be recorded in writing, may postpone the date of the special meeting convened under these rules and the next meeting for the purpose shall be held on the day and time fixed by the Election Officer. However, such postponement of the elections shall not exceed a period of one year.

PART – VII

Rules for Recall of Director of Managing Committee

34. Recall .- (1) The notice for recall in respect of a Director of the Managing Committee of any Water Users' Association shall be addressed to the concerned Canal Officer.

Form-XI to **Annexure-2**, shall be accompanied with additional copies thereof, and the Canal Officer shall send one copy to the concerned Water Users' Association, one each to the Distributory Level Association, Project Level Association, Canal Level Association, and Lift Irrigation Water Users' Association and the Water Resources Department where the members desire to move the motion of recall against more than one Managing Director, they shall give separate notice for each Director proposed to be recalled.

(3) The Canal Officer who is also the Election Officer for the Water Users' Associations shall, immediately on receipt of a notice under para 1, satisfy himself that the notice has been given by not less than one half of the total number of the members of the concerned Water Users' Association who are entitled to vote at any meeting of the Water Users' Association and then convene a special meeting for the purpose within a period of seven days from the date of receipt of such notice and such meeting shall be presided over by the Election Officer :

Provided that, no such motion of recall against any office bearers shall be allowed within a two years from the date of assumption of office by such office bearer :

Provided further that, the members who are defaulters in respect of water charges shallnot be allowed to sign the recall motion.

(4) If the motion referred of no-confidence is carried with the support of more than two-third of the members present and voting the motion shall be deemed to have been passed.

(5) All Members of the concerned Water Users' Association shall be allowed to vote to recall the Directors from the reserved category. However, only the members from a particular reach shall be allowed to recall the Directors from that respective reach only.

(6) The Election Officer shall record the proceedings of such meeting.

(7) The concerned Election Officer on receipt of proceeding of meeting will pass order for removal of the person from the office against whom motion is carried and will initiate appropriate action for filling of the vacancy so caused.

(8)Immediately after removing of the Managing Director, the Canal Officer can communicate to the the Water Users' Associations at all levels and the the Water Resources Department, the names of all the members of the Water Users' Association who are present at a meeting, the decision taken on motion and the number of votes in favour of, or against, the motion.

FORM-1

ANNEXURE-2

Elections programme of Water Users' Associations

(*See* rule7 and ANNEXURE-2, para 1(2))

Sr. No.	Activity	Day*
	Part-A	
1	Preparation of Voter list (VL)	1 – 10
2	Displaying VL with notice inviting objections	11
3	Receiving objections	12 – 14
4	Disposal of claims	
	• Issuing notices [Rule 5 (1)]	20
	• Displaying lists as under Rules 5 and 6	21 – 23
	• Holding summary enquiry	30
5	Publishing draft electoral roll	37
6	Period of Appeal on draft roll	44
7	Decision of Appellate Officer	45 – 47
8	Final publication of Roll	50
	Part-B	
9	Notice of Election	1
10	Receipt of nomination upto	8
11	Scrutiny of nominations and Publication of valid nominations	9
12	Withdrawal of nominations	13
13	Publication of list of contesting candidates with symbols	14
14	Period for – • Preparation of Election by Election Officer (Printing ballot papers, etc.) • Canvassing	15 – 23
15	Elections (Polls) and even counting and results, if possible.	24
16	If counting is not possible on same day then it may be done on next day	*24* / 25

* Day(s) from the commencement of procedure.

FORM-II

ANNEXURE-2

Proforma for Voter List/roll

(*See* ANNEXURE-2, para 3(1)and 10(7))

Name of Water Users' Association :

Sr. No.	Full Name.	Sex M / F	Date of Birth.	Age as on .	Village	Surve y No/ Gat No.	Cat-ego-ry.	Territo r-ial Reach Head/ Middle /	Remarks.

FORM-III

ANNEXURE-II

CLAIM APPLICATION FOR INCLUSION OF NAME IN THE ELECTORAL ROLL.

(*See* ANNEXURE-2, para 4 (1) 4(2) and 10(7))

To,

The Election Officer,

.....…….. Water Users' Association.

1

Sir,

I request that my name be included in the electoral roll of ..... (Name of Water User Association)

1. Name (in full) :.....

2. Father's / mother's / husband's name .....

3. Particulars of my place of residence are .....

(a) Galli: :..... (b) Town/Village : ..... (c) Post Office : .....

(d) Tahsil:

4. Particulars of land holding: :.....

(a) Name of the Irrigation Scheme .....

Canal _____, Distributory _____, Minor _____, Outlet _____

(b) Name of the Village .....

(c) Survey No :.....,.....

(d) Gat No.: :.....

(e) Area (in hectares) :.....

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

(i) I am a citizen of India:

(ii) My age on the first day of January .....is.....years and.....months.

(iii) I am landholder / occupier of this Water Users Association at the particulars given or above.

Place : Signature or Thumb Impression

Date : of Claimant.

FORM-IV
ANNEXURE-
II

OBJECTION AGAINST INCLUSION OF NAME

(See ANNEXURE-2, para 4 (1) 4 (3) and 10(7))

To
The Election Officer,
……..Water Users'
Association.

Sir,

I object against inclusion of the name of Shri / Smt. ……..... in the electoral roll at serial No. ..... of .....Water User Association 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 Users' Association as follows

Name (in Full) ----------
Father's/mother's/husband's name ----------
Serial No. ----------

Signature/Thumb Impression of
Objector

(Full Postal Address)

Date:

FORM-V

ANNEXURE-II

APPLICATION FOR OBJECTION TO ENTRIES IN THE ELECTORAL ROLL

(*See* ANNEXURE-2, para 4 (4))

To,

The Election Officer,

……. Water Users' Association.

I……...…… Son / Daughter / Wife of

……. a voter of the …….....… Water Users' Association do object to the following entries in the electoral roll.

Sr.No.	Present entry which has been objected.	Corrected entry to be inserted.

Place :

Date : (Signature or Thumb impression of the Objector)

FORM-VI
ANNEXURE-2
NOMINATION PAPER
(See rule 7(8) ANNEXURE-2 (Para 14 (1))

SC	ST	General

Sr. No. ----------

To,
The Election Officer,

(pre-printed)
Serial number of

(Name of the Water Users' Association)

nomination form.
(as received during election)

I wish to contest the election for the following post and furnish my personal details hereunder.

Name of the post contesting : Director / Chairperson [Please put tick (√) mark]

Irrigation System : ---------- (Name of Irrigation system)

Water Users' Association: ---------- (Name of the WUA)

Territorial Reach of Water Users' Association: (Head / Middle / Tail)

Category : SC ST GENERAL

Town / Village ---------- Tahsil ---------- District ----------

1. Personal particulars:

(a) Full name : Shri/Smt/Kum ----------

(b) Father/Husband name : Shri ----------

(c) Serial No. in the voters list

(d) W

SC	ST	General

hether belongs to Category (please put tick √ mark)

(e) Age : _____ years.s

(f) G

ender (please put tick √ mark) :

Male	Female

(g) Total extent of land : (i) Owned ____ hectares.

(ii) Leased _____hectares.

(h) Occupation : _____

(i) Educational qualification : _____

(j) Address of contesting candidate :

House No. ---------- Street No. ----------

Town/village ---------- Tahsil ----------

District ----------

2. Details of the proposer :

(a) Full name : Shri/Smt/Kum ----------

(b) Father/Husband name : Shri ----------

(c) Serial No. in the voters list _____ (proposer)

I hereby propose Shri/Smt/Kum ---------- as a candidate for the office of the Director / Chairperson of Managing Committee of ---------- ---------- Water Users' Association.

Signature or Thumb Impression ---------- ---- (proposer)

3. Declaration as to choice of symbol :

I do hereby declare that the symbols which I have chosen for my election are shown below in the order of my preference.

(1) .....

(2) .....

(3) .....

Signature or Thumb Impression .....

(contesting candidate)

4. Declaration (by the contesting candidate) :

I solemnly affirm and state as follows:

1. I am a registered voter in the current voters list at serial number ..... and that my proposer is also a registered voter in the current voters list at serial number .....
2. I am ..... years (in words .....) old as on the date of this nomination
3. I am not a village servant or an officer or a 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 Government.
4. I was not convicted by a criminal Court for any offence involving moral turpitude committed under any law for the time being in force.
5. I am with a sound mind and I am not an applicant to be adjudicated as an insolvent or an undischarged insolvent.
6. I am not a defaulter of land revenue or water tax or charges payable either to the Government or to the Water Users' Association.
7. I am not interested in a subsisting contract made with, or any work being done for, a Municipal Council or Corporation or the *PanchayatSamiti* or a *ZillaParishad* or any State or Central Government or the Water Users' Association.
8. I was not removed from any post of office bearer in the Water Users' Association previously by the Appropriate Authority.
9. I am eligible for contesting election and I am not disqualified under any of the provisions of Section 33 of the Maharashtra Management of Irrigation Systems by Farmers Act, 2005.
10. I do not have more than twochildren in violation of the provisions of subsection *(5)* of Section 33 of the Maharashtra Management of Irrigation Systems by Farmers Act, 2005.
11. I hereby opt to contest the elections of Water Users' Association and reach mentioned and declare that I shall not contest elections of similar type of Water Users' Association elsewhere.

The above particulars furnished by me are true to the best of my knowledge and if they are found to be incorrect at any time during my tenure, I am liable for removal from the post or posts I hold in the Water Users' Association and I shall be debarred from contesting for any post in Water Users' Association for six years from the date of the order.

Station :

Date : Signature or Thumb Impression .....

(contesting candidate)

Witnesses : Witnesses:

Signature ..... Signature .....

Full name ..... Full name .....

Address ..... Address .....

5. Receipt for Nomination Paper and Notice of Scrutiny:

(To be handed over to the person presenting the Nomination paper)

Serial Number of Nomination Paper ..... The Nomination Paper of Shri / Smt. ..... a candidate for the election from the ..... constituency of ..... Water Users' Association was delivered to me at my office at ..... (hours) on ..... (date) by ..... candidate / proposer of candidate.

All nomination papers will be taken up for scrutiny at ..... (hour) on ..... (date) at .....

Place :

Date : Signature of Election Officer.

FORM-VII

ANNEXURE-2

LIST OF VALID NOMINATIONS

(*See* ANNEXURE-2, para 15 (5))

Name of Water Users' Association .....

Name of the Territorial Reach (Head / Middle / Tail) .....

Election to Director, Managing Committee / Chairperson of Water Users' Association at Minor Level / Distributory Level Association / Canal Level Association / Project Level Association / Lift Irrigation Water Users' Association.

Sr. No. Allotted	Name of the Candidate	Category	Territorial Reach Head /Middle/ Tail	Sr. No. in voter list

Place :

Date : Election Officer.

ANNEXURE-2

LIST OF CONTESTING CANDIDATES

(*See* ANNEXURE-2, para 17 (1))

Name of Water Users' Association:

Election to Director, Managing Committee / Chairperson of Water Users Association at Minor Level /Distributory Level Association / Canal Level Association / Project Level Association / Lift Irrigation Water Users' Association.

Sr. No.	Name of the Candidate	Category	Territorial Reach Head/ Middle/ Tail	Sr.No. of Voter list.

Place :

Date : Election Officer.

FORM-IX

ANNEXURE-2

FINAL LIST OF CONTESTING CANDIDATES

(*See* ANNEXURE-2, para 19(1))

Name of Water Users' Association : …….

Election to Director, Managing Committee / Chairperson of Water Users Association at Minor Level/ Distributory Level Association / Canal Level Association / Project Level Association / Lift Irrigation Water Users' Association.

Sr. No.	Name of the Candidate	Category	Territorial Reach Head/Middle/ Tail	Sr.No. of Voter list	Symbol allotted/ assigned
1	2	3	4	5	6

Place :

Date : Election Officer.

FORM-X
ANNEXURE-2
BALLOT PAPER
(*See* ANNEXURE-2, para 21 (1))

No.....

COUNTER FOIL
BALLOT PAPER FOR ELECTION TO DIRECTOR OF MANAGING COMMITTEE / CHAIRPERSON OF.....

(Name and type of Water Users Association)

Sr.No. of the Voter : _____

Signature or Thumb Impression of Voter .....

.....

No.....

BALLOT PAPER FOR ELECTION TO CHAIRPERSON / DIRECTOR

…….....
(Name and type of Water Users' Association)

Name of the Candidate (in *Marathi* and in Alphabetical order in the box space)	**Symbol allotted**
1	
2	
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FORM-XI

ANNEXURE-2

letter accompanying Motion for Recall

(*See* rule 10 and ANNEXUREe-2, para 34(2))

Place : _____

Date : _____

To,

The Canal Officer / Election Officer
_____ Water Users' Association
_____ (Name)
(Place) _____

Subject : Motion for Recall of Director of Managing Committee of Water Users' Association.

Sir,

Whereas Shri / Smt. _____, Director of Managing Committee elected from _____ _____ (Name) Constituency of _____ (Place) Water Users' Association _____ has completed two years from the date of assumption of Office of the Director of Managing Committee of the said Water Users' Association,

Whereas, we the undersigned members of the _____ (Name) Water Users' Association_____ (Place) have paid the irrigation water charges and are not defaulters in any manner in respect of irrigation water charges;

And Whereas, we the undersigned members of said Water Users' Association have lost the faith in Shri / Smt. _____, Director of Managing Committee of the said Water Users' Association;

We the undersigned members of _____ (name) the Water Users' Association _____ (Place) herewith submit the motion for recall of Shri / Smt _____ Director of the Managing Committee of the said Water User's Association on _____, at _____ hours for further immediate lawful action.

We the undersigned members of _____ (name) Water Users' Association _____ (Place) also hereby authorize Shri / Smt. _____ to propose the said motion

And

Shri / Smt. _____ to second the said motion in the General Body Meeting specially convened for the purpose.

Encl: Said Motion.

Signatures:

Sr. No.	Name	Sr.No. in the territorial reach-wise voter list of Water Users' Association	Signatures or thumb impressions.

Accompaniment of Water Users' Association letter No.....dated the .....

Motion for Recall of Director of Managing Committee of Water Users' Association.

We the undersigned members of the _____ (name) Water Users' Association _____ (Place)_____ have lost the faith in Shri/Smt. _____ Director of the Managing Committee elected from _____ (Name) _____ Constituency of _____(Place) _____Water User's Association _____,for following specific reasons related to the functioning of the said Water Users' Association.

_____
_____
_____
_____
_____

Shri/Smt. _____ Director of Managing Committee of_____(name) Water Users' Association _____ (Place) may be recalled.

Encl: Said Motion.

Name and Signature of thumb Impressions of :

Proposer :

Seconder :

Place : Date :

	Name of the Sch	**e m**	**e :**	

	Category of Water Users' Association-a	Type of Water Users' Association		
	4		5	

1

FORM-A

(*See r*ule 12 (3))

Register of Agreements between Water User Association and Upper Level Water Users' Association / Canal Officer

Type of the Scheme:

Details of the Parties to the Agreement

Upper level Water Users' Associations Canal

Date of Officers' Date of

No. Sr.	Water Users' Address of Name and	Registration No.	Constitution of Water Users'

Name and Address of Water Users	Registration No. and date.	Category of Water

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Type of Users' Water Constitutio

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ANNEXURE-3

(*See* rule **14)**

Flow Measurement and its Record

(A) Flow Measurement and its Record:

(i) Copy of record drawing and discharge table of measuring devices shall officially be given to Water Users' Association and kept with Section Officer, Canal Inspector, Guage Karkoon of the Irrigation Department.

(ii) All the dimensions as well as control levels of measuring device as per design be checked before handing over the same to Water Users' Association. If there are any deviations or errors, the same should be rectified.

(iii) Ensure that the device is hydraulically functioning properly (e.g. formation of hydraulic jump, free flow condition, etc.)

(iv) Ensure that guage is accurate and readable.

(v) If measuring device consists of some moving components, they shall be maintained periodically (e.g. oiling, greasing, filling of ink, replacement of data sheets or pens, etc.)

(vi) In case of manual discharge measurements, the guage and discharge measurements shall be taken at least twice in a day (12 hours interval) in the presence of the representatives of the Water Resources Department and Water Users' Association and signed in conformity. The measurements may be recorded in the format as given in Statement-I appended with this Annexure.

(vii)In case of automatic measuring device, the result sheets shall be signed by both the agencies. As far as flow meters in pressure pipe lines are concerned, the measurements may be taken once in a day and signed by both the agencies.

(B) Periodic Evaluation of Measuring Devices:

(1) Evaluation of measuring devices in open channel:

The evaluation of measuring devices in open channel shall be done at least once in a year by the Canal Officer or his nominee. Following general procedure may be followed (The specific items to be included in evaluation will depend upon the type of measuring device):

(i) Obtain design drawing and discharge table.

(ii) Before releasing water, take actual dimensions of all components and control levels (e.g. Upstream Canal Bed Level, Downstream Canal Bed Level, hump level/sill level, level of zero of the guage etc.).

(iii) Note down condition of guage chamber (e.g. extent of silting, readability and accuracy of guage plate, functioning of connecting pipes etc.).

(iv) After releasing water observe the hydraulic performance (e.g. formation of hydraulic jump, free flow condition, etc.).

(v) Compare actual dimensions, levels and hydraulic performance with the designed one and if there are any variations or deviation, the same shall be rectified.

(vi) Ensure that discharge table is based on actual dimensions or levels or appropriate discharge coefficients.

(vii) In case of measuring devices provided with automatic recorders, the measurements should be verified with manual measurements (e.g.volume recorded by automatic recorder in a given period be verified by manual measurements). These automatic devices be calibrated periodically from the authorized agencies.

(viii) After evaluation if any deviations or errors are detected, the reasons for the same should be identified and remedial measures be suggested to bring back the device in proper working condition. This should be brought to the notice of the concerned Water Users' Association.

Thereafter the concerned Water Users' Association shall get the same repaired and set right at its own cost within a period of thirty days.

(2) Evaluation of Water meters in pressure pipelines:

As per section 47 of the Act, the responsibility of providing, installing and calibration of water meters for flow measurement in every water lifting device lies with the Lift Irrigation Water Users' Association. The water meters shall have to be as per Bureau of Indian (ISI) standards. The Canal Officer, duly empowered in this behalf, has the powers to inspect and test the water meters. The measurements shall be verified based on discharging capacity of the pump considering suction head, delivery head, head loss in pipe line, horse power of the pump, etc. and running period. This shall be done at least twice in a year. If the meter is found to be defective, the concerned Water Users' Association shall get the same repaired and set right at its own cost within a period of thirty days.

(C) Ascertaining Volume of Water during the period of non-functioning of measuring device:-

Following procedure may be followed to ascertain the volume of water during the period of non-functioning of measuring device.

(1) Open Channels:

The head regulator through which water supply is regulated in open channel, ~~or~~ falls, pipe crossing, if available at convenient location may be calibrated to estimate the discharge. The arrangements for measuring actual water levels at these structures will have to be provided. The measurements and discharge be recorded as usual i.e. twice in a day and signed by both the agencies.

The period of non-functioning of measuring device shall not be more than thirty days i.e. it shall be repaired and brought into use within thirty days by the concerned Water Users' Association. If the device remains out

of order for a period exceeding thirty days, the quantity of water measured using other
structures as mentioned earlier shall be increased by twenty five per cent for billing purposes.

(2) Lift Irrigation Schemes:

The discharging capacity of the pump considering minimum suction head, actual delivery head, head losses in the pipe line, horse power of the pump shall be computed. The volume of water pumped may be estimated considering this discharging capacity and average running period per day. This volume may be increased by twenty five per cent as a penalty for not keeping the meter in working condition, if the measuring device is not repaired and brought into use within a period of thirty days.

Statement.

Discharge Measurement

Project : _____ Offtake No. _____

Canal : _____

Chainage : _____

Date	Guage		Discharge (lit/sec)			Volume (m^3)		Total Units of water used (1000 cubic mete	Rem-arks	Signature	
	am	pm	am	pm	averge .	Daily	Cummula-tive			Water Resour-ces Depart-	Water Users' Associat-ion.

ANNEXURE-4.

(*See* rule 27)

Name of Water Users' Association

Yearly Information Statement (Year----------)

* General information regarding Water Users' Association.

1)**1**Name of Water Users' Association

2)Date of Registration

3)Registration No.

4)Area of work (Area under Water Users' Association):

5) On date ----------Number of members : Men---------Women----------Total --- 6)Rate

of Dividend Declared
(On date : 31/ 03 /----------)
* Audit of Accounts
7) Audit of accounts for the year ---------- is done : Yes / No
8) If yes, Name of Auditor :
9) Date of General Body meeting for the year:
10) Tenure of managing committee.
11) (a) Date of Election conducted :
(b) If election is not conducted then whether administrator has been appointed: Yes / No
(c) First date of meeting of all elected management committee members after elections
12) Objectives achieved or not
13) Economic condition.
a) Share Capital
b) Credits
c) Loan
14) Reserve fund
15) Fix
16) other payments
17) Working Capital
18) Permanent / Substantive income
19) Dues
20) Invesement
21) All other Income
22) Profit /Loss.
23) Present working cndition :
24) Water Users' Association runs well / not working :
25) If not working since ---------- years --------months
26) Reasons for closed down of Water Users' Association: 27)
WUA is dissolved ---------- Yes/No
28) If dissolved Date of dissolution------
29) Present status

Secretary Chairman

ANNEXURE – 5.

(*See* rule 29 (a))

Determining Water Entitlement

(A) Unit of Water Entitlement at Minor Level for flow irrigation in *Kharif* season in a normal year:

While arriving at preserving Unit for Water use entitlement, the following procedure shall be adopted :-

(1) Consider the planned or latest approved utilization of water in *Kharif* season taking into account the water required for Irrigation and non-irrigation purposes and losses.

(2) Deduct from (1):

(i) Actual evaporation and other losses like seepage, etc. (If this information is not available for new projects, the losses assumed during project planning may be considered till the actual data is available).

(ii) Non-irrigation water requirement from reservoir (existing or sanctioned whichever is lower).

(iii) Non-irrigation water requirement from canal system (existing or sanctioned whichever is lower) considering conveyance efficiencies at all levels of the system as per Table appended to this Annexure.

(iv) Net river losses, if any, in the case of storage cum pickup weir system (to be estimated based on ten years data).

(v) Water allocation as sanctioned by the Government, if any, for bulk consumers like Research Institutes, Maharashtra State Farming Corporation, etc.

(3) Estimate water available for irrigation in *Kharif* season at canal head, that is, (1) minus (2).

(4) Deduct from (3):

(i) Water Allocation for lift irrigation schemes on reservoir including pressurized irrigation schemes (permissible or sanctioned, whichever is lower).

(ii) Water Allocation at canal head for lift irrigation schemes on canal system including pressurized irrigation schemes (permissible or sanctioned, whichever is lower) considering the appropriate efficiencies (Refer Table appended to this Annexure for efficiencies).

(5) Estimate net water available for flow irrigation at the head of the Water Users' Association, that is (3) minus (4) multiplied by conveyance efficiency from canal head to head of the Water Users' Association (Refer Table appended to this Annexure for efficiencies).

(6) Estimate Net Culturable Command Area for flow irrigation deducting the following areas from the total Culturable Comman Area of the project.

(i) Cultural Command Area under lift irrigation schemes on reservoir and canal system including area under pressurized irrigation schemes (permissible or sanctioned whichever is lower), and

(ii) Cultural Command Area of bulk consumers like Research Institutes, Maharashtra State Farming Corporation, etc.

(7) Compute unit entitlement per hectares of Net Culturable Command Area by dividing net water available for irrigation on flow by Net Culturable Command Area, that is (5) or (6).

(The total Water Entitlement of the Water Users' Association is the product of unit entitlement per hectares of Net Culturable Command Area as computed in (7) above and Net Culturable Command Area of the concerned association. The Net Culturable Command Area of association is a product of the total Culturable Command Area and ratio of Net Culturable Command Area to the total Culturable Command Area of project as a whole.)

(Illustrative example enclosed as Statement-I in Annexure-5).

(B) Unit of Water Entitlement at Minor level for flow irrigation in *Rabi* and Hot Weather Season in a Normal year:

The prescribed unit for water entitlement in a normal year is to be computed as given below.-

(1) Consider the planned or latest approved utilization of the project for *Rabi* and H.W. season.

(2) Deduct from (1) :

(i) Reduction in the live storage due to siltation (actual or based on water balance study till actual data is available).

(ii) Approved carryover, if any.

(iii) Net losses from the reservoir i.e. evaporation and seepage duly considering post monsoon flow based on water balance study of last ten years. (If this information is not available for new projects, the assumption made during project planning may be considered till actual data is available).

(iv) Net losses in the river if it is storage-cum-pickup weir system. The same shall be computed considering river gains and losses based on last ten years data.

(v) Non-irrigation water requirement from reservoir (existing or sanctioned, whichever is lower).

(vi) Non-irrigation water requirement from canal system (existing or sanctioned, whichever is lower) duly considering conveyance efficiencies at different levels of system as per Table appended to this Annexure.

(vii) Water allocation as sanctioned by Government, if any, for bulk consumers like Research Institutes, Maharashtra State Farming Corporation, etc.

(3) Estimate water available for irrigation in *Rabi* and Hot Weather seasons at canal head, that is, (1) minus (2).

(4) Deduct from (3):

(i) Water Allocation for lift and pressurized irrigation schemes on reservoir (permissible or sanctioned, whichever is lower).

(ii) Water Allocation at canal head for lift and pressurized irrigation schemes on canal system (permissible or sanctioned, whichever is lower) considering the appropriate efficiencies as per Table appendd to this Annexure.

(iii) Water allocation for lift and pressurized irrigation schemes on river between dam and pickup weir, if any, (permissible or sanctioned whichever is lower).

(5) Estimate net water available for flow irrigation at head of the Water Users' Association, that is, (3) minus (4) multiplied by conveyance efficiency from canal head to head of the Water Users' Association (Refer Table appended to this Annexure for efficiencies).

(6) Compute seasonwise allocation of this water available for flow irrigation at minor head based on planned or revised allocation of water in the project design.

(7) Estimate Net Culturable Command Area for flow irrigation deducting the following areas from the total Culturable Command Area of the project.

(i) Culturable Command Area under lift and pressurized irrigation schemes on reservoir, canal system and river between dam and pick up weir (existing or sanctioned, whichever is lower).

(ii) Culturable Command Area of bulk consumers like Research Institutes, Maharashtra State Farming Corporation, etc.

(8) Compute seasonwise unit entitlement per ha of Net Culturable Command Area by dividing seasonwise net water available for irrigation on flow by Net Culturable Command Area, that is (6) or (7).

(The total Water Entitlement of the Water Users' Association is the product of unit entitlement per hectare of Net Culturable Command Area as computed in (8) above, and Net Culturable Command Area of concerned association. The Net Culturable Command Area of association is a product of total Culturable Command Area and ratio of Net Culturable Command Area to the total Culturable Command Area of project as a whole.)

1 (Illustrative example enclosed as Statement-II in Annexure-5).

(C) Unit of Water Entitlement for Lift Irrigation Water Users' Association on Reservoir or Main Canal or River between dam and pickup weir in a Normal year:

The allowable area and water allocation for lifts on reservoir/main canal/river between dam and pick up weir as per the guidelines prescribed by the Appropriate Authority, from time to time, be considered for estimating unit for water entitlement for the respective lifts.

(D) unit of Water Entitlement for Lift Irrigation Water Users' Association on Notified Rivers or streams having series of Kolhapur Type Weirs with Backup Reservoirs in a normal year:

(1) Consider the planned or revised utilization of reservoir cum Kolhapur Type weir project, that is, from backup storage as well as storage of all Kolhapur Type Weirs.

(2) Deduct from (1) :

(i) Dead storage of backup reservoir.

1(ii) Reduction in the live storage of backup reservoir due to silting (actual or based on water balance study).

(iii) Approved carryover, if any.

(iv) Net losses from the backup reservoir considering the evaporation, seepage and post monsoon flow based on water balance study of last ten years. (If this data is not available for new projects, the assumptions made during project planning may be considered).

(v) Net losses in Kolhapur Type Weir storages (all put together in a given length of the river). It shall be computed based on the water balance study of all Kolhapur Type Weirs for last ten years. If this data is not available, assumptions made in the approved project shall be considered.

(vi) Water allocation for lift irrigation schemes on backup reservoir including pressurized irrigation scheme (permissible or sanctioned, whichever is lower).

(vii) Non-irrigation water requirement from backup reservoir and Kolhapur Type Weirs, if any (existing or sanctioned whichever is lower).

(3) Estimate net water available for irrigation, that is (1) minus (2). Compute seasonwise allocation of this net water based on planned allocation as per project design.

(4) Allocate seasonwise water entitlement to each Kolhapur Type Weir in proportion of it's storage capacity.

(E) Unit of Water Entitlement for Lift Irrigation Water Users' Association on Storage without Canal System including Kolhapur Type Weirs without Backup Storages in a normal year:

(1) Consider the planned or revised utilization in different seasons.

(2) Deduct from (1) :

(i) Net losses from the reservoir considering the evaporation, seepage and post monsoon flow based on water balance study of last ten years. (If this data is not available for new projects, the assumptions made during project planning may be considered).

(ii) Reduction in the storage due to silting (actual or based on water balance study).

(iii) Non-irrigation water requirement from storage, if any.

(3) Estimate net water available for irrigation, which is the prescribed water entitlement for the concerned Lift Irrigation Water Users'Association**.**

(Illustrative example enclosed as Statement-III in Annexure-5).

(F) Water Entitlement for Lift Irrigation Water Users' Association on Rivers or Streams without any back up storage:

The flow in the rivers or streams without any back up storage is not certain and hence water entitlement for the same shall not be prescribed.

Table

Conveyance Efficiencies for different levels of Canal and Distribution System.

	Lined	Unlined
• Main / Branch Canal	0.95	0.85
• Distributory	0.90	0.85
• Minor	0.90	0.85
• F.C.	0.90	0.90 (Selective lining)

(Note: - The revised values of conveyance efficiencies may be adopted provided the same are approved by the Government in case of Major Projects, and by Chief Engineer in case of other projects).

ANNEXURE – 5.

Statement-I.

Prescribed Unit of Water Use Entitlement at Minor level for Flow Irrigation in *Kharif* Season in a Normal year

(Illustrative Example)

1)	1)Planned utilisation for Kharif season as per project report including water required for irrigation, Non-irrigation purposes and		461 Mm^3

2)	2)Deduct:- i) Evaporation and other losses like seepage, etc. ii) Non-irrigation water requirement from reservoir iii) Non-irrigation requirement from canal system (4 Mm³/0.95x0.9) (Refer Table-1) = 4.7 Mm³ iv) Net river losses in case of storage cum	215 Mm³ 14 Mm³ 4.7 Mm³ Not Applicable 3.0 Mm³	
	Total deductions:	236.7 Mm³	
3)	Water available for irrigation in Kharif season at canal head i.e. (1 – 2)		224.
4)	4)Deduct from (3): i) Water Allocation for lift irrigation including pressurized irrigation schemes on reservoir ii) Water Allocation at canal head for lift and pressurized irrigation schemes on canal system (5 ÷ 0.95).	20 Mm³ 5.25 Mm³	
		25.25 Mm³	
5)	5)Net water available for flow irrigation at the head of WUA (3 – 4) x efficiency from canal head to minor head (224.3- 25.25) x (0.95 x0.9) (Refer Table-1) = 170.19	170.19 Mm³	
6)	6)Net CCA for flow irrigation Total CCA		
	Deduct: i) CCA on lifts: Reservoir – 21438 ha Canal – 10000 ha --- 31438 ha i) CCA of bulk Consumers - 100 ha --- Total : 31538 ha ∴ Net CCA = 237550 – 31538 = 206012 ha		
7)	7)Unit entitlement per ha of Net CCA (i.e.5 / 6) i.e. 170.19 / 206012 = 0.0008 Mm³/ha of Net CCA i.e. 800 m³/ha of Net CCA		

ANNEXURE – 5.

Statement-II.

Unit of Water Entitlement at Minor level for Flow Irrigation in Rabi and Hot Weather Season in a Normal year (Illustrative Example)

1	Planned utilisation for Rabi and Hot Weather season -Total utilisation (planned) -Deduct planned utilisation in Kharif	2791 Mm³ 461 Mm³	
	Net for Rabi and Hot Weather	2330	2330 Mm³
2	Deduct: from (1) i) Reduction in the live storage due to siltation (assumed) ii) Carry over iii) Net losses from reservoir considering post monsoon flow (based on water balance study) iv) Net river losses in case of storage cum pick-up weir scheme (Not applicable in this case) v) Non irrigation requirement from reservoir vi) Non-irrigation requirement from canal system (9/(0.95x0.9) (Refer Table-1) = 10.5 vii) Water allocation for bulk consumers viii)	30 Mm³ 732 Mm³ 451 Mm³ -- 33 Mm³ 10.5 Mm³ 5 Mm³	
	Total deductions:	1261.5 Mm³	1261.5
3	Water available for irrigation at canal head in Rabi & Hot Weather seasons i.e. (1- 2)		1068.5
4	Deduct from (3): i) Water Allocation for lift and pressurized irrigation schemes on reservoir ii) Water Allocation at canal head for lift and pressurized irrigation schemes on canal (25 ÷ 0.95).	80 Mm³ 26.32 Mm³	
	iii) Water Allocation for lift and pressurized irrigation schemes on river between dam and pick up weir	Not Applicable	
		106.32 Mm³	
5	Net water available for flow irrigation at the head of WUA (3 – 4) x efficiency from canal head to minor head (1068.5−106.32) x (0.9 x0.95) (Refer Table-1) = 822.67 Mm³		822.67 Mm3

6	Seasonwise allocation of net water available for flow irrigation Rabi (78%) = 641.70 Mm³ H.W. (22%) = 180.97 Mm³		641.70 Mm³ 180.97 Mm³
7	Net CCA for flow irrigation - Total CCA 2,37,550 ha - Deduct: CCA on lifts: Reservoir & Canal – 31438 ha -Deduct CCA of bulk Consumers – 700 ha ---------- Net CCA		
8	8Unit entitlement per ha of Net CCA (i.e. 6 / 7) -Rabi ……. 3100 m³/ha of Net CCA H.W. 900 m³/ha of Net CCA		

ANNEXURE – 5.

Statement-III.

Water Entitlement for Lift Irrigation Water Users' Association on storage without canal system including Kolhapur Type Weirs without backup storage in a Normal year.

(Illustrative Example)

1	Planned utilisation in different seasons (being K.T. Weir, utilisation is planned for Rabi season only) - Rabi Utilisation		1.246 Mm³
2	Deduct : from (1) i) Net losses from reservoir considering evaporation, seepage, post monsoon flow ii) Reduction in storage due to silting iii) Non-irrigation requirement, if any	0.145 Mm³ 0 0	
		0.145 Mm³	
3	Net water available for use (1– 2)		1.101 Mm³
4			262 ha 4200 m³/ha.

0 CCAUnit entitlement/ha of CCA

FORM-B

(*See* rule 30)

_____ Irrigation Division _____

_____

Volumetric Supply to Water Users' Association

3) ten per cent **Surcharge** / year shall be levied for late payment [ten per cent of Col.11]

*In case of Hot Weather Season, Applicable entitlement shall be inclusive of water allowed to carry over to Hot Weather (conditions apply).

** **Penalty** is imposed on Water Users' Association for violation of Maharahstra Management of Farmers Irrigation Systems Act, 2005 and rules thereof as per details specified below.

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B i l l

Water Charges

_____ **Irrigation Section, Irrigation Sub-Division** _____

Bill No. : **Bill Date:**

Water Users' Association	Entitlement (Tm3)	Water-Rate (Rs./Tm3)	Basic Water Charges in Rs. (**)	Water Fund in Rs.	Local Assessment in 20%	Penalty in Rs.	Current dues	Previous dues
Id								

m e N a									
						Used		6 * 7 of 8	8+9+10
1	2	6	7	8		9	10	11	12

Note.-

1) Seasonwise **last dates** for payment of Bill : *Kharif* 1 Feb., *Rabi* 15 May, Hot Weather 15 Oct.

2) five per cent **Concession** [five per cent of Col.8] shall be given if payment of bill is made on or before last date.

Sr. No.	Offence / Irregular-ity	Section of the Act	Rule No.	Penalty Amount (Rs.)
	Total			

Sectional Officer
Irrigation Section

FORM-C

Note.-

If amount paid is less than Revised Bill Amount, mention / highlight one of the remarks given below: application.

1) Water Users' Association agrees to pay the complete bill in principle but paid in part because of certain difficulties mentioned in its

2) Water Users' Association does not agree to pay Rs. _____ towards _____ for reason mentioned in its application

[Note: If Remark-2 is applicable, fill in the details in the remark]

	Details of Bill		
	Penalty (Rs.) 5	Cu Ass	Previous current dues in ssment

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Irrigation Section

Secti

(*See* rule 30)

_____ Irrigation Division _____

_____

Volumetric Supply to Water Users' Association

Receipt of Water Charges

_____ Irrigation Section, Irrigation Sub-Division _____

Bill No. : Payment Date: (in time / late) Receipt No.: Receipt Date:

Water

De

tails of Amount paid

Users' Association	Basic Water Charges	Surcharge Local Fund	Revised Bill Amt. in Rs.	Concession Rs.	Revised Bill Amt. Rs.	10% / 5% of 8 Rs.	Year of 8 Paid Rs.
Id	Name	in Rs.					
1	2	3	4 8 9	10	11 12	13	

FORM-D

(*See* rule 31(B)(2))

Chalan No. **Savings Account**

Account Book :

Account page :

Name of Book

Branch

Rs.

Name Shri_____

Amount Rs. (in words) _____

Be credited in Saving Account No. (of Water Users' Association) _____

_____ Details of amount given on backside.

Accountants Signature. Signature of person crediting amount.

FORM-E

(*See* rule 31(B)(2))

Name of Water Users' Association: _____

Register to keep Account of

Sr. No.	**Date**	**Particulars**	Credit	Amount
		Bank (saving Account)		
		Opening Account		
		Recurring Account		
		Interest account		
		Hot Weather water charges		
		Rabi water charge		
		Dues of water charges		
		Delayed recovery		
		Phone Bill		
		Printing		
		Stationery		
		Maintenance of main canal		
		Canal maintenance account		
		Commission		
		Water charge		
		Advance		
		Others		
		Postage		
		Travelling charges		
		Meeting		
		Office Expenses		
		Recurring allowance		
		Govt. office expenses		
		Audit fee		
		Fixed deposit		
		Others		

Signature of Chairman.

FORM-F

(*See* rule 31(B)(2))

General Ledger

No :_____

Name of Account holder : _____

Date	Details	Page No. of cash book	Credit		Debit		Balance	
			Rs.	Paise	Rs.	*Paise*	Rs.	*Paise*

FORM-G

(*See* rule 31(B)(3))

Water – Bill

Name of Water Users Association:

Bill No._____

Date: _____

Shri:

_____

_____ Member

please remit the water bill as mentioned below.

Details	Rotations	Hours/Area	Rate/Crop	Amount	*Kharif*
1.					
2.					
3.					

Rabi

1.								
2.								
3.								

Hot Weather

1.								
2.								
3.								

Management

					1			

(Name)

Charges (without demand). Previous du

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a
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(mention details).

Total:

. Signature of Treasurer Signature of Secretary.

FORM-H

(*See* rule 31(

B)(3))

Name of Water Users Association:

Date:

Receipt of

Water Charges

Reg.No._____/_____/_____

____/ Year_____/_____

Shri_____

_____ Member of Water Users' Association

Received amount Rs. (in words)

_____

As mentioned in details below.

Details	Rate/Crop-amount		Total Amount				
	(Rs / Ha.)		Rs.			Paise	
Kharif							
(mention details)							
Received							
Rabi							
Total:							
Chairman						1	

Signature of

one who collects money (Name) Secretary

1.

2.

1.

2. Hot Weather 1. 2. Management expenditure Charges (w

ithout demand)

Previous dues

Others, if any.

FORM-I

(*See* rule 31(b)(4))**RECEIPT** (General)**Name of W**

Water Users Association

Receipt No. :
Date: To,
Name of Member: ----------

A/c No. : ----------

The undersigned (Name) ----------

Received in cash.

Signature of the one who

	Rs.			

ec e	iv e	s m	on	ey .

Gives receipt that the amount mentioned below is received from you.

Details Paise

Total:

(Rs. In words)

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	Genera l ledge r page No.	**R Rece-D ipt o.**	**CR Detai ls**	**EDI T A Rs.**	**S amou n**

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(*See* rule 31(B)(4))

Name of Water Users Association :

Cash (*Kird*) – Book - II

DEBIT

Total Date	**General Receipt Details**		**Amount.**	**Total**
Amount.			**ledge r No.**	
	page No.			
	Paise	**Rs. *Pais***		
e				

FORM-K

(*See* rule 31(B)(4))

Name of Water Users Association.

PAYMENT REGISTER

Date	Particulars	Ledger Folio	Amount	Total

FORM-L

(*See* rule 31(B)(4))

Name of Water Users Association:

Dead-stock Register.

Year_____to _____

Sr. No	Particulars	No. of units	Details of purchase.	Cost	Depreciation	Depreciated amount.
1.	Lock/key					
2	Table					
3	Chair					
4	Stool					
5	Phone					
6	Glass					
7	Measuring Tape					
8	Battery					
9	Cycle					
10	Fan					

Signature of Chairman.

FORM-M

(*See* rule 31(C)(2))

Name of Water Users Association REGISTA

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Sr.No. **Membership form _____**

Date : _____

Name : _____

Address : _____

_____

Occupation : _____

Age : _____

Entrance fee: Rs. ----------

(Rs. in words----------

----------)

Signature of Secretary.

FORM-N

(*See* rule 31(C)(2))

Name of Water Users Association (W.U.A.)

Pass Book of Members

Name of member ----------

Address----------

1	g	Balance **2**	**3**	R s .	**4** *P a i s*	**5** *e*	R s .	**6** *P a i s e*

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	-					
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		Credi	**B** s	**al a**	**nc e**	
	Rs	. *Pa e*	*is*		Rs .	
	8				**10**	
1						

Debits
Paise

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Account No. of member and Page Number: ----------

Page no. 2

Name of the Water Users' Association : _____

Date Openin Details Credits Details
Signatur

ANNEXURE-6

(*See* rule 31(3) *(xix)* and rule 36)

PART-I

Annual Financial Budget of Water Users' Association

Name of Water Users' Association

Estimates

Details of Receipts.	**Esitmates for current year.**	**Actual surplus.**	**Excess / Deficit.**	**Less Receipts/ next year.**	**Esitmates for**
Penalties					
Reserve Fund					
Fees for services rendered.					

Other Receipts

Total Income

								2						

Water charges collected
(Water Users' Association)

Bank Interest i.e. Interest on deposits.

Deposits from members.

Borrowings

Donations

Grants

Contributions

PART-II

Name of Water Users' Association

Profit - Loss Account of the year _____

Details of Expenditure.	Esitmates for current year.	Actual surplus.	Excess /	Less Receipts/	Esitmates for next year. Deficit.
Salary Account					
Office Rent					
Printing and Staionery					
Miscellaneous					
Maintainance of Canal (Minor).					
Water Charges					
Maintenance of vehicle.					

										1		

(To Water Resources Department / Government)

Kharif Rotation Allowance.

Rabi Rotation Allowance.

Hot Weather Rotation Allowance.

Insurance

Recurring expenditure.

Travelling

Audit Fee

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By Order & in the Name Of the Governor Of Maharashtra,

Secretary

to Government (SNHudder)



(CAD)