IRRIGATION DEPARTMENT

NOTIFICATION

Jaipur, October 28, 1957

No. F−2 (108)Irg./51.−In exercise of the powers conferred under section 60 of the Rajasthan Irrigation and Drainage Act, 1954 (Act No. XXI of 1954)Government are pleased to make the following rules, namely:−

[1] THE RAJASTHAN IRRIGATION AND DRAINAGE RULES, 1957

PRELIMINARY

1.**Short title and commencement.**− These rules may be called the Rajasthan irrigation and Drainage Rules, 1957 and shall come into force on their publication in the Rajasthan Gazette.

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

(a)"Act" means the Rajasthan Irrigation and Drainage Act, 1954;

(b)"Form" means a Form appended to these Rules;

(c)"Schedule" means a Schedule appended to these Rules;

(d)–Section‖ means a Section of the Act; and

(e)Words and expressions not defined in these rules bear the meaning respectively assigned to them in the Act.

[1]*IRRIGATION DEPARTMENT*, CORRIGENDUM (*Jaipur, December 21, 1957*)

No.F.2(108)Irg./51.–pleaseread–theRajasthanIrrigationandDrainageRules1957,‖insteadof–TheRajasthan Irrigation and Drainage Rules 1955‖ as mentioned in this Department Notification No. F. 2 (108) Irg/51 dated the 28th October, 1957 published in Rajasthan Gazette part IV (c) dated 19th December, 1957.

3.**Orders for construction of masonry works .**−The order which a Divisional Irrigation Officer may issue under Section 18 shall be issued in writing, and shall be served on each person concerned, personally or affixed on a conspicuous part of his place of residence, if it cannot be served personally. The Divisional Irrigation Officer shall himself sanction the design and estimate of the works after satisfying himself that they are suitable.

Section 18

4.**Form of application for water and notice.**−(1) All applications for water to be supplied for irrigation through an existing channel, or through a channel to be constructed by the applicant, shall be made as nearly as may be in

(2) A notice under sections 20, 22 and 23 shall be issued by the Divisional Irrigation Officer to all persons concerned in **Sec. 20 to 23**

Form 2.

5.**Divisional Irrigation Officer to send record to Collector.**− The Divisional Irrigation Officer, whenever he makes an inquiry under section 22 or section 23, shall forward his proceedings to the Collector of the district for his orders under sections 24 and 25.

6.**Proceedings of Collector.** − The notice which the Collector is required to give to the Divisional Irrigation Officer under section 24 shall be given not less than 14 days previous to the date fixed for the inquiry. **Section 24**

7.**Opening of new water courses.**− Water shall not be admitted into any new water− course until all works have been constructed which are necessary for the passage across such water course or water-courses existing previous to its construction and of the drainage intercepted by it, and for affording proper communication across it for the convenience of the neighbouring lands and of the public. **Section 29**

Supply of Water

8.**Introduction of new irrigation.**− In deciding the actual percentage of the cultivated area which should be adopted for irrigation for any tract the proportion of the culturable to the cultivated area, the quantity of water available for the irrigation of the tract and the existing annual irrigation from masonry wells or other permanent and reliable sources should be considered.

9.**Grounds of refusal to grant water.**− An outlet for the supply of water from a Government channel shall not ordinarily be granted in respect of lands where in the opinion of the Divisional Irrigation Officer:− **Section 31**

(a)serious loss from wastage is likely to occur.

(b)reasonable grounds exist for believing that canal irrigation, will, by raising the spring level or otherwise, prove injurious to health or agriculture;

(c)the available supply of water in the canal, distributory or water course is already fully utilised; or

(d)the length of the water − course from its head to the point of contract with such lands does, or would exceed one mile.

[10. Fields liable to be debarred from canal irrigation. − (1) With the previous approval of the Commissioner, the Divisional Irrigation Officer may prohibit the use of canal water:− **Section 31**

(a)in any field which is irrigated from any other source of a permanent and reliable character;

(b)on lands to which in accordance with rule 9 a supply of water would not ordinarily be granted;

(c)for the irrigation of any KHARIF crop when the land to be irrigated is situated within one mile from the outer most houses of any town, if such irrigation be objected to by the Municipal Board or Committee, or, if there is no Municipal Board or Committee, by the Collector:

Provided that, when any prohibition of the future use of canal water is made under this rule, in respect of lands in which irrigation is already established, the occupier of the land effected shall be entitled to such compensation, if any, as the State Government may think just.

2.The order under this rule debarring any field or fields from irrigation by canal water shall be in writing under the hand of the Divisional Irrigation Officer, and shall be affixed in a conspicuous place in each village concerned; and a copy of the order shall be conveyed to the canal Ziledar and to the Patwari or, in his absence, to the Lambardar.

3.It shall be the duty of the Ziledar and the Patwari to make the purport of the order known to the land owners and cultivators concerned.

11.Alternation in distribution of Canal Irrigation.−(1) No material change shall be madein an established system of canal distribution without previous consultation between the Divisional Irrigation Officer and the Collector. If these two officers cannot agree, the matter shall be decided after consultation between the Commissioner and the Superintending Irrigation Engineer, and if they also disgree, the matter shall be referred for orders to the Government.

(2)Notice for the regard and removal of outlets, with brief reasons therefor, shall be issued to the cultivators concerned, so as to give them time to lodge objections before the proposals are submitted for the approval of the Collector of the district, and at least one clear FASL before the changes are likely to take place, so that the GULS of the outlets concerned may be connected up. Before the changes are made existing Warabandis shall be revised where necessary.

(3)The size or position of an existing outlet shall not be altered without the sanction of the **Section 31** Divisional Irrigation Officer.

12.Filling of tanks for watering cattle .−Tanks may be filled with canal water without charge and without reference to the area irrigated in any village , whenever water can be made available without injury to the cultivation dependent on any canal, subject to the following conditions:−

(1)Except as provided in rule 13 no tank shall be so filled unless exclusively used for domestic purposes of watering cattle.

(2)No tank shall be so filled which intercepting any line of drainage, is liable to overflow from accumulation of water from natural causes.

(3)No tank shall be so filled except on the written order of the Sub-Divisional Irrigation Officer, issued on the written applications of the people interested in filling of the tanks at such times and to such extent as the Sub Divisional Irrigation Officer approves.

(4)No tank shall be so filled unless the water course used to fill it shall be shown to the satisfaction of the Sub−Divisional Irrigation Officer to be in a sound condition when the application is made.

(5)In the event of any breach of the foregoing conditions by any person for whose benefit the tank has been so filled, or of any such person using any tank so filled otherwise than for domestic purposes or for watering cattle, the privilege, afforded by this rule, may, in addition to any penalty which may be incurred under the Act, be suspended for twelve months by order of the Divisional Irrigation Officer, passed after inquiry in each case.

(6)In this rule expression "tank" shall include any tank, pond or cistern private or otherwise.

13. Irrigation from tanks or natural depressions.− On the written application of the owner of a tank or natural depression and of any person requiring water, and with the **Section 31** previous sanction of the Divisional Irrigation Officer, tanks or natural depressions may be filled with canal water for irrigation purposes, or canal water filled into tanks under rule 12 or rule 15 may be used for irrigation. The rates ordinarily leviable for irrigation from the canal shall be charged for all fields irrigated in this way from tanks or natural depressions filled with canal water:

Provided that the fields, if any, irrigated from a natural depression, during FASL in which the water is supplied, and previous to the introduction of canal water, shall not be liable to water rate for the FASL. A list of such fields shall be drawn up and signed by the Ziledar and the Lambardar or Patwari in token of its correctness.

14.Contracts for water for other than irrigation purposes.−The Divisional Officers may make contracts for the supply of canal water for purposes other than irrigation for any term, not exceeding one year. For terms exceeding one year the previous sanction of the State Government shall be necessary.

15.Charges for water used for other than Irrigation purposes in the absence of a special contract.−With the previous permission of the Divisional or Sub−Divisional Irrigation Oficer, tanks

may be filled, or water may be supplied, without a special contract, from a canal direct in small quantities, for purposes other than irrigation, at the rates, mentioned in Schedule I.

16.Water supplied to cantonments Towns etc.− When water is supplied to forts or other military buildings, cantonments, civil stations, cities, railways public gardens or places of public resort, either by filling of tanks or by direct flow, contracts at special rates may be made by the Divisional Irrigation Officer with the sanction of the State Government.

Section 31

17.Closure.− (1) Divisional Irrigation Officers are empowered, for purposes of administration, closed days, and canal repairs and maintenance, to order the closure of any water-course for periods which shall not extend beyond fourteen consecutive days. For longer closure the authority of the Superintending Irrigation Officer is required.

Sec. 32(a) (iii)

(2)Orders for closures under this rule must be notified−

(a)by a notification signed by Divisional Irrigation Officer, a copy of which shall be conveyed by the Canal establishment, with due expedition, to each village concerned, and delivered to the Patwari or in his absence, to any Lambardar, the acknowledgment of each person to whom a copy of the notification is delivered shall be affixed to a schedule prepared for the purpose, which shall be recorded in the Divisional Irrigation Officer; or

(b)in the form of special orders if issued upon particular occasions, to be signed by the Divisional Irrigation Officer.

(3)It shall be the duty of the Patwari or Lambardar who receives the notifications described in sub-rule 2(a) to affix it at once in a conspicuous position in the village, and to make its purport generally known.

18.Stoppage of supply in improperly maintained water courses.−Stoppage of water to any water-course under section 32(a)(ii) may be enforced when the Irrigation Officer recommending such stoppage has satisfied himself, by personal inspection, that the water course is not maintained in proper repair. The order for such stoppage shall be in writing under the hand of the Divisional Irrigation Officer. Immediate report shall be made to the Collector when the duration of such stoppage is likely to extend to a period of thirty days or more, the special grounds for stoppage being explained in each case.

Sec. 32(a) (ii)

19.Power of canal officer in the cases of emergency .− Nothing in the rule 18 shall be taken to affect the power of the Irrigation Officer to close any water course or stop any supply of the water on his own authority in case of pressing emergency.

Sec. 32 (b).

20.Claims for remission due to stoppage or failure of supply .− (1) Claims under clause (b) of section 32 to remission of the occupier's rate, shall be admitted only on proof of actual loss caused by the failure or stoppage of supply; on proof of such loss, the water rates may be reduced in the manner provided in rule 32, or, if the rates have already been assessed, the whole or any portion of the charges may be remitted as herein after provided.

Sec. 32 (b).

(2)All claims to such remission shall be made to the Divisional Irrigation Officer at least 15 days previous to the cutting of the crop. The Divisional Irrigation Officer may reject or admit any claim, If the claim be admitted, the Divisional Irrigation Officer shall remit, or, where collection has already been made, direct refund.

(3)Claims to remission of ordinary charges other than occupier's rate, payable for the use of canal water, shall only be admitted on proof of actual loss caused by the stoppage of supply. On proof of such loss the whole or any portion of the charge may be remitted by the Divisional Irrigation Officer.

21.Compensation.− If a clai de under clause (c) of section 32.

the Collector shall ascertain the amount of loss and recommend the **Sec. 32**
(c). amount of compensation to the Divisional Irrigation Officer, for issuing orders for refund.

22.Assessment of occupier's rates.−(1) Occupier's rate shall be assessed by the **Section 36(1)** Divisional Irrigation Officers on the area irrigated at the rate specified in **& 36(2).** the Schedule II, subject to other provisions of these rules.

(2) When, however, in order to secure efficiency of distribution, economy in the use of water, or the rapid development of Irrigation, the State Government has constructed water courses at its own expenses, as additional charge per acre may be levied on all lands irrigated from the water-courses at such rate and for such period as will recoup the Government for the cost of construction together with interest charges thereon at a rate of six percent per annum.

23.Charge leviable for "Paleo".−When a field receives only a preliminary or paleo watering and afterwards no crop is sown, owing to reasons beyond the **Sec. 36.** control of the occupiers, the lowest rate of charge relating to the fasl, 'lift' or 'flow' as the case may be, shall be imposed. If a crop is afterwards sown, the assessment shall be made as follows**:−**

(a)If a Kharif crop, the field shall be assessed at the rate prescribed for the crop sown, whether or not a subsequent water is taken;

(b)If a Rabi crop, the rate prescribed for the crop sown shall be charged, whether or not a subsequent watering is given.

24.Sugarcane.− (1) The Irrigation year for sugarcane shall be assessed as from January 15. In any year, however, the Divisional Irrigation Officer may by **Section. 36.** written order permit paleo for sugarcane before that date, if the conditions of the seasons admit of it without damage to, or restriction of, rabi irrigation. Arrears irrigated, under such permission shall be measured and assessed as Kharif irrigation.

(2)Areas irrigated without such permission before January 15, shall be assessed as follows:

(a)If no subsequent watering is given, the full rate for sugarcane shall be charged.

(b)If a subsequent watering is given, the Rabi Paleo rate shall be charged in addition to the full sugarcane rate. In very dry year when water is required to save Rabi Crops a special rate may be levied under the orders of the Divisional Irrigation Officer equal to double the Rabi Paleo rate, in addition to the full sugarcane rate.

NOTE*:*−See rule 27 for Sugarcane fields re-sown with other crops*:*

25. Charge leviable for the irrigation of mixed crops .− If mixed crops be grown in the same field, the occupier's rate shall be calculated on the highest **Section. 36.** rated crop. If different crops be grown in different parts of the same field the occupier's rate for the whole shall be calculated on the highest rated crop, unless the division between crops shall have been clearly defined by a ridge not less than half a foot high.

26. Charge leviable for Arhar crop .− (1) Arhar sown with any other crops and irrigated shall be subject to the rules of assessment for mixed crops for **Section. 36.** the fasl in which it is irrigated.

(1)Arhar when sown alone and irrigated in the Kharif Fasl shall be assessed at the Rabi rate, even if subsequently it is not irrigated in the Rabi Fasl.

27. Charges leviable on Fields Re-sown.− (1) If an irrigated Rabi or Kharif crop, other than Sugarcane, fails for any cause beyond the control of the **Section. 36.** occupier and the field is ploughed up and re-sown with another crop and subsequently irrigated in the same season, the occupier's rate leviable shall be that due on the highest rate of the crops sown in the field during that season.

Explanation. − The failure due to flooding of a Kharif crop sown in land which is usually flooded in the monsoon shall be deemed to be a cause within the control of the occupier.

(2)Sugarcane which has been irrigated but fails to germinate or is destroyed owing to causes beyond the occupiers' control before the break of the mansoon shall not be charged for irrigation but, if the field is re−sown with another crop and subsequently irrigated in the same Kharif season, the occupier's rate leviable shall be that due on the crop which comes to maturity.

(3)If sugarcane, which has been irrigated fails or is destroyed after the break of the monsoon by any cause beyond the control of the occupier, and if the field is re-ploughed and another crop of any kind is sown and subsequently irrigated in the same Kharif season, the occupier's rate leviable shall be that due on the crop which comes to maturity.

(4)Sugarcane which has been irrigated but fails or is destroyed after the break of the monsoon owing to having been sown on land which is usually flooded, or owing to any other cause within the control of the occupier, shall be charged the full occupier's rate, but if the field is re ploughed and another crop of any kind is sown and subsequently irrigated in the same Kharif season, no occupier's rate shall be leviable on the second crop.

(5)If a rabi crop is sown and irrigated subsequently to the cutting of the Kharif crop in a field on which irrigation rates have been levied in the preceding Kharif in accordance with sub−rules (2), (3)or (4) of this rule, the occupier's rate for the Rabi crop shall be levied in addition to that for the Kharif and/or for the sugarcane crop.

28.Charge leviable on fields partly irrigated .− If only a portion of a field be irrigated the occupier's rate shall be chargeable on the whole field unless such **Section. 36.** portion have been clearly demarked by ridge not less than half-a-foot high.

29.Charge leviable on field partly irrigated from Canal and partly from well or other source.− Where a portion of a field has been irrigated with canal **Section. 36.** water, and another portion is irrigated with water from a well or any other source the whole field is liable for canal occupier's rate, unless a clearly distinguishable boundary, demarcated by a ridge not less than half-a-foot high, exists between the two portions.

30.Use of canal water courses for conveyance of water from a well or any other source.− If water from a well or any other source is conveyed in the **Section. 36.** same channel as Canal water in the course of the same season, the whole of the irrigation from that channel during such season is liable to be treated as irrigation from the canal.

31.Charge leviable for water used without permission, or at time prohibited by proper authority, or for the irrigation of debarred fields.

Section. 36. **(1)** Persons using water without permission or at time prohibited by proper authority (i.e. during closed day) or for the irrigation of a field which has been debarred from canal irrigation under rule 10, shall, in addition to the ordinary rate which would be leviable, be chargeable with punitive rate equal to the above ordinary rate for each separate and distinct occasion on which water is so used; provided that in every such case the Divisional Irrigation Officer may impose a lower charge if he thinks fit.

(2)In the case, however, of persons wilfully cutting the banks or placing bunds in the bed of a canal for the purpose of irrigating their fields the punitive rate may in each such case, at the discretion of the Divisional Officer, be increased to six times the ordinary rate.

(3)If the water has been so used for irrigation, the area irrigated shall be measured, and notice shall at once be given on each such occasion to the persons concerned that they will be charged in the demand statement under this rule for the area so watered.

[1] (4) –In case the Irrigation charges as prescribed in the Schedule II appended to the

Irrigation and Drainage Rules, 1955, are not paid by the due date the charges at the penal

rate of 12% per annum shall be recovered on the amount to be paid.‖

Explanation.—The expression –due date‖ means the date prescribed by the Irrigation

Department from time to time in this connection.

32.Charge leviable on crops injured by failure of supply, floods etc.− (1) If a crop which has been irrigated with canal water is subsequently injured by failure or stoppage of supply, or, by locusts, hail, rain, floods or other calamity, and, if in the opinion of Divisional Irrigation Officer the injury, is not due to the negligence of the cultivator, or if the injury, to the crop being a Kharif crop, is not due to its having been sown on land which is usually flooded during the rainy season, the rate to be charged for the irrigation of the crop shall be such proportion of the ordinary rate as may be determined by the Divisional Irrigation Officer acting under the general instructions of the State Government and in consultation with the Collector.

Section. 36.

(2) Reductions of water−rates under this rule shall, so far as is possible, be made before the Jamabandies are despatched to the Collector's offices. All claims for remissions subsequently received on the grounds of injury from locusts, hail, rain, floods or other calamity shall be dealt with in accordance with the procedure laid down in rule 20 for claims on account of loss from failure or stoppage of supply.

1 IRRIGATION DEPARTMENT, AMENDMENT (Jaipur, August 17, 1979)

G.S.R. 88 – In exercise of the powers conferred by Section 60 of the Irrigation and Drainage Act,

1954 (Act No. XXI of 1954) the State Government hereby makes the following amendment in the

Rajasthan Irrigation and Drainage Rules, 1955, namely:−

In the said rules :

After sub-rule (3) of Rule 31 of the said rules the following new sub-rule (4) shall be added, namely.

i.e. (4) [*No. F. 3(4) Irrg/79]*

33.Charge for irrigation from Escapes.− (1) Irrigation from escape Channels, when the supply is permanent, shall be governed by the same rule as irrigation from other parts of the canal.

Section. 36.

(2)Irrigation from such channels, when the supply is intermittent, may be allowed at half the rates in force for irrigation from the canal.

(3)Once the escaped water, has left an escape channel no rate shall be changed on irrigation effected from it, except as provided for in rule 13.

34.Charge leviable for Irrigation from drainage channels.− If there is sufficient waterin a drainage cut, or in a natural drainage channel improved by the State Government and notified under section 43 to allow of irrigation therefrom without making bunds, such irrigation may be permitted by the Sub−Divisional Irrigation Officer free of charge, on the understanding that no obstructions whatever will be allowed in the drain, and that if any are put in, not only will the permission to use the water be withdrawn, but the persons causing the obstruction will be prosecuted under sub- section (1) to (3) of section 55.

NOTE**.−** When, without the permission of the Divisional Irrigation Officer under rule 14, canal water is taken by means of a neighbouring water -course into a drainage channel formed or maintained by the State Government, the person so ta r−the water

be wasted or not, be proceeded against under section 55(2). Any person taking water in a similar way into a natural drainage channel, and thereby wasting the water, is liable to be prosecuted under section 55(4). The water rates ordinarily in force shall be levied on all lands irrigated in either of the above ways, and all such irrigation should be discouraged.

35.Charge leviable for waste.− The charge leviable for water suffered to run to waste may when the land flooded is uncultivated, be calculated on the **Section 35.** area flooded at the highest occupier's rate for the time being leviable; **& 36.** or at double this rate when the depth to which the area is flooded exceeds six inches, or at trable this rate when the depth to which the area is flooded exceeds one foot; and, when the land is cultivated, at double the rate so leviable for the class of crop grown on it: provided that in every such case the Divisional Irrigation Officer may impose a lower charge if he thinks fit.

36.Definition of the term 'Occupier'.−For the purpose of section 36 the following persons shall be deemed to be 'Occupiers', namely:−

Section 36(3).

(a)Where the proprietor or the tenant, other than a tenant of sir land, is in actual cultivatory occupation, such proprietor or tenant; and

(b)Where the proprietor of sir land has let it, or where the tenant of the land other than sir land has sub-let it, such proprietor or tenant and the person in actual cultivatory occupation.

In the cases referred to in clause (b), the proprietor or tenant and the person in actual cultivatory occupation shall be jointly and severally liable for the payment of the occupier's rate.

37.Schedule of rates to be accessible to Villagers.−The Patwari of every village irrigated by canal shall be furnished by the Divisional Irrigation Officer with a statement in Hindi showing the rates of assessment of each class of crop according to the ordinary local and canal standards of measurements, which statement shall be suspended in a place of Public resort in the village.

Assessment of Proceeding and Change of Rates

38. Assessment of owner 's rate .−The owner's rate shall be assessed by the Divisional Irrigation Officer at one time of the occupier's rate for **Section 37.** such land subject to a maximum of difference between wet and dry rate for land revenue in the locality.

39. Charges to be excluded in Assessing owners' rate.− No portion of:−**Setion 37.**

(a)any additional charge imposed under rule 22(2),

(b)any charge imposed on uncultivated land or of the amount by which the charges on cultivated land exceed the ordinary charge leviable on such land in the case of charges under rule 35,

(c)any charge imposed under rule 13 or 33(2) shall be included in the occupier's rate for purpose of assessing the owner's rate.

40.Appeals against the assessment of owner's rate.− Appeal against the assessment of owner's rate shall be subject to the following rules:−

Section 60(1) (b).

(1)(a) An appeal against the assessment of owner's rate by the Irrigation Officer shall lie to the Collector, provided it is brought within 30 days from the date of the receipt by the owner of the notice of the assessment by the Irrigation Officer.

(b) Where the sum assessed on a individual exceeds Rs. 300/ − a second appeal shall lie to the Commissioner from the order of the Collector; provided that such appeal be presented within 30 days from the date of the order appealed against.

(2)The grounds on which an appeal may be preferred under sub-rule (1) shall be as follows:

(i)that any particular field or portion of a field is not liable to the rate, i.e. that it was assessed at wet rates at last settlement;

(ii)that the assessment exceeds one third of the occupier's rate;

(iii)that it exceeds the sum which under the law for the time being in force for the assessment of land revenue could be assessed on the land in question on account of the increase in the annual value or produce thereof resulting from canal irrigation;

(iv)that the appellant is not liable for the rate assessed.

41. Preparation of Khatauni or demand statement .– On the completion of measurements of a village, a Khatauni shall be prepared from the Khasra Shudkar in which all the entries concerning each cultivator will be brought together and totalled. The Khatauni will be prepared by the staff of the Irrigation Department or Revenue Department as is entrusted with this work by the Government in

Section 60

form No. 3 in Hindi and signed by the Irrigation Official carrying out the measurements.

42. Khatauni to be accessible to cultivators .–The Irrigation Patwari shall see that the village copy of the Khatauni is at all reasonable times accessible to any person who pays water rate.

43. Distribution of parchas .– A parcha or slip containing particulars of the rate due from him shall be supplied to each cultivator. On entering a village for the purposes of finally measuring up irrigation, the Irrigation Official shall inform the Lambardar or his agent of the day on which parchas will be distributed, and shall, at the same time, cause a written notice of the same to be pasted in the village Chaupal. The Lambardar will call upon the cultivators to attend and receive the parchas from the Irrigation Official. Undistributed parchas will be entrusted to the Lambardar of the village, or, in their absence, to the Patwari for delivery to the cultivators concerned. The Irrigation Official will enter the date of distribution on every parcha, and if it is delivered to any one but the cultivator concerned, he will note the name of the persons to whom it is delivered.

Section 61.

44. Dates for submission Jamabandies .– (1) The Divisional Irrigation Officer shall forward the Jamabandies (assessment list) to the Tehsildars concerned by the 15th October (for Kharif crops) and by the 15th April (for Rabi crops) and send simultaneously to the Collector an intimation of the date of their despatch and of the total amount to be collected in each village. With each batch of the Jamabandies despatched to the Tehsildars shall be sent two copies of the certificates, referred to in section 40. One copy of the certificate will be retained by the Tehsildar and the other sent to the Collector’s office, as soon as the Lambardar’s signature have been obtained thereon.

Section 60

form No. 4.

45. Objections regarding entries.− (1) If a cultivator desires to contest the correctness of the entries made against him in the Jamabandies, whether as to the fact of the land having been irrigated or of its being charged –flow‖ or –lift‖ or as to the measurement and entries of class or crop he shall lodge an objection with the Sub-Divisional Irrigation Officer, Dy. Collector, or Canal Ziladar. within thirty days of the date of which the parchas were distributed on the completion of the measurement of the village or if he has been charged without having done any irrigation from the canal during the fasl, within twenty one days of the date on which he first became acquainted with the claim against him, and the objection shall be investigated on the spot by the officer with whom it is lodged within fifteen days of its being lodged.

(2)If the objection is lodged with the Dy. Collector 'or' Canal Ziladar he will, after investigation, report the circumstances of the case to the Sub-Divisional Irrigation Officer for orders.

(3)The Sub-Divisional Irrigation Officer shall dispose of objections lodged with him under sub-rule (1) or reported to him under sub-rule (2). An appeal shall lie from the decision of the Sub-Divisional Irrigation Officer within fifteen days to the Divisional Irrigation Officer, whose decision shall be final.

46.Disputed liability to assessments to occupier's rate.−When the liability of assessment to occupier's rate is contested on the ground that the water for which the charge has been made was not derived from an Irrigation work as defined in section 3(i)(ii) of the Act, the objection shall be investigated and decided by the Divisional Irrigation Officer.

47.Objection on behalf of cultivators.− When a Lambardar or other person is responsible, under section 41, for the collection of the occupier's rates in a village or any portion of a village, objections under rule 45 and 46 may be lodged by such Lambardar or other person instead of by cultivators, and any refund that may be necessary in consequence of the order passed upon objection so lodged shall be paid to such Lambardar or other person.

Section 60

48.Receipts.− Receipts shall be given by the Lambardar to every cultivator on payment of the occupier's rate and shall be countersigned by the Patwari.

Section 60

49.Method of dealing with alternations in the Demand.− If after the distribution of the parchas, any additions are made to the demand, or any reductions are allowed upon objections under the rules contained above or on account of any remission under the Act or these rules or otherwise, such additions or reductions shall be communicated to the cultivator by means of supplementary Parchas. Demands shall be shown on slips printed in black, and remissions on red forms. All alterations made before the despatch of the Jamabandies to the collector shall be shown in that document, and shall also be written on slips similarly printed (black for additions and red for reductions), and attached to it. Alterations made after the despatch of the Khatauni shall be communicated to the Tehsildar by means of similar slips.

Section 60.

50.(1) **Objections to the Demand made to Collector and irrecoverable dues.** Objections to the demand urged before the Collector shall be referred by him to the Divisional Irrigation Officer, and the Collection of demand shall not be suspended unless the Divisional Irrigation Officer intimates that an objection has been allowed.

(2) Balances of irrigation rates, irrecoverable owing to want of assets, absconding of defaulter or other cause shall be dealt with by the same rules as are applicable for the time being to the writing off of irrecoverable amounts of land revenues for that purpose, the Divisional Irrigation Officer shall have the same powers as the Collector, and the Superintending Irrigation Officer shall have the same powers as the Commissioner.

51.Payment of refunds.−(i) Payment of refunds of occupier's or owner's rate shall in al cases be made by the Collector.

52.Lambardar's Fees.− An allowance shall be made to Lambardars or other persons under engagement for collecting the rates, at a percentage **Section 42** equal to that allowed for the time being for Land Revenue Collectors in the area. It is payable on the canal revenue due upon the Jamabandies entrusted to them, provided that the canal revenue due is paid in full within 90 days of the receipt of the Jamabandies. Canal dues shall be become realisable 30 days after the receipt of the Jamabandies by the Lambardars.

Miscellaneous.

53. Prohibition against passing on or across canal works.− No person shall, without the permission in writing of the Divisional Irrigation **Section 55** Officer, pass, or cause any animal or vehicle to pass, on or **(8)** across any of the works banks or channels of a canal or drainage work, after he has been desired to desist therefrom, excepting upon such bridges, fords, and ferries and their approaches as are provided for public use. A person who passes, or causes any animal or vehicles to pass, on or across any work, bank or channel of a canal or drainage work in contravention of a notice in Hindi displayed at the junction of a public road with such work, bank, or channel, shall be presumed to have been desired to desist therefrom within the meaning of sub − section (8) of section 55.

54. Persons employed on canals not to have an interest in the distribution of water etc.−No person employed on a canal shall, without **Section 60** previous sanction obtained from the Divisional Irrigation Officer, **(I) (e)** have any interest in the use or distribution of water from the said canal, or purchase, or bid, either in his own name or in the name of another, or separately or in partnership with others, for any property sold by or on behalf of Government thereon.

55. Appeals.−Except as is otherwise provided in the Act or in these rules:

(a)an appeal shall lie to the Divisional Irrigation Officer from any original order passed by the Sub−Divisional Irrigation Officer under the Act or these rules;

(b)an appeal shall lie to the Superintending Irrigation Officer from any original order passed by the Divisional Irrigation Officer under the Act or these rules.

56.Limitation for appeals.−Except as is otherwise provided in the Act or in these rules, al appeals under the Act or these rules, shall be filed within the period of 30 days from the date of the order appealed from and an appeal presented thereafter shall not be entertained.

57.Extension of limitations.−Any authority empowered to hear an appeal under the Act or these rules may, notwithstanding anything contained in rule 56, entertain an appeal presented after the expiry of the period prescribed for such appeal, if the appellant satisfies the appellate authority that he was prevented by sufficient cause from presenting the appeal within the prescribed period.

58.Appeal to be accompanied by copies of Judgment.−Every appeal under the Act or these rules shall be accompanied by a copy of the order appealed from certified by the officer who passed the order.

59.Bar of appeal against an order extending limitation.−No appeal shall lie from an order under rule 57 entertaining an appeal after the expiry of the prescribed period.

By Order of Governor,

BALWANT SINGH,
Secretary to the Government

FORM No. 1

See Rule 4 Sub-rule (1)

Application for water course.−I desire that water may be supplied to me as per particulars given below:−

1. Name and address of applicant.
2. Canal.....
   Village.....
   Tehsil.....
   District.....
3. Crop, whether Rabi or Kharif.
4. Name and number of the water course and its land.
5. Name and number of the applicant's land to be irrigated.
6. Approximate area of the land to be irrigated.
7. Whether irrigation will be by over−flow or lift.

To be filled in by the canal office

8. Culturable area. 1. in whole village, 2. in the applicant's land.
9. Area already provided with irrigation. 1. in whole village, 2. in the applicant's land
10. Details regarding proposed water course:−
   (a) Name of supply channel.
   (b) Site of new out-let.
   (c) Number of pipes required.
   (d) Approximate length of water course.
   (e) Names of owners of lands to be traversed by the water course.
   (f) Whether the land is irrigable from the existing outlet or not?
   (g) Name of intending share holders in the out−let applied.
   (h) Number of out-let in supply in channel Right bank. Left bank.
   (i) Width or Bund including slope and path way.
   (j) Number of out-lets now allotted to the village.
11. If the application is in respect of an existing water course, give the name and parentage of the person occupying the land in which it is situated with Khasra No.
12. If the application is for the construction of a new water course, give the name of the person occupying the land through which it passes, with the Khasra number of that land.
13. If the application is for the transfer of an existing water course, give the name of the person occupying the land on which the water course is situated, with Khasra number.
14. I certify with reference to section 21 of Rajasthan Irrigation and Drainage Act 1954 (Raj. Act XXI of 1954), that:−
   (i) That I have endeavoured unsuccessfully to acquire, from the owners of the land through which I desire the water of the course mentioned above to pass, a right to occupy so much of the land as will be needed for such water course.
   (ii) That I desire the divisional irrigation officer in my behalf and at my cost to do all things necessary for acquiring such right.
   (iii) That I am able to defry all costs involved in acquising such right and constructing such water course. (Strike off if inapplicable).
15. With reference to sub−section (1) of section 23 of the Rajasthan Irrigation and Drainage Act, 1954 (Rajasthan Act XXI of 1954) 1 hereby certify:−
   (i) That I have endeavoured unsuccessfully to procure the transfer of the water course proposed to be transferred under this application, from its owner.
   (ii) That I desire the Divisional Irrigation Officer in my behalf and at my cost to do all t e transfer.

(iii) That I am able to defry cost of transfer.

(Strike off if inapplicable).

Date.....

To

Form No. 2

See rule 4(2)

NOTICE

Shri.....son of.....resident of..... Notice is hereby given to you Shri ..... son of ..... resident of.....who have made an application before me for.....

Conveyance of water ..... *

Construction of water course..... *

Transfer of existing water course ..... *

as per particulars given below:−

(Here enter in brief the substances of the material facts of the application).

You are hereby asked to put forth your objections, if any before me on ..... day of.....at ..... a.m. at my office, failing which the application may be disposed of in your absence.

*Strike off what is inapplicable.

Date..... (Designation)

Form No. 3

(*See* rule 41)

Form of Khatouni for irrigation rates

Khatouni for ..... District ..... Tehsil
..... Ziladar ..... Year
..... Bundh ..... Fasal.

S. No.	Khasra No.	Nehri Settlement No.	Name and parentage of owner occupier and address	Name and parentage of
1	2	3	4	5
	Irrigated land			Kind of
Tod Khalsa	Nahri Jagir.	Bhonkla Khalsa Chahi Jagir.	Crop	Land Barani
6	7	8	9	10
Rate	Area under irrigation	Penalty for irrigation on area Amt.	Total demand	Remarks
11	12	13	14	15

SCHEDULE I

Charges for water used for purposes other than irrigation in the absence of a special contract (vide rule 15).

1. Brick making and pise wall building ..	@−/4/6	%	Cft
2. Laying/concrete/ and brick or stone masonary stone masonary	@−/3/−do−		
3. Metalling Roads..	@ Rs. 15/−/−per mile		
4. Consolidation of Katcha Service Road ..	@ Rs. 45/−/−		do−
5. Water supplied in bulk.. .. .. Rs. 28/−/−	per 2500 Cft		
5(a) Water Provided by Tank/Canal/Nallah for Industrial purpose 1[ ]	Rs. 275		Per 1000 Cft
5(aa Water provided by Tank/Canal/Nallah for Industrial purpose without incurring any government expenditure 1[ ]	Rs. 33		Per 1000 Cft
6. Watering road side or avenue trees .. .. .. @ Rs.3/12/−	per canal mile of 5000 Cft. for Kharif crop.		
7. .. – do-	@ Rs.7/8/−		per canal mile of 5000 Cft. for Rabi crop.
8. Sprinkling water on Roads in the Kharif season ..	@ Rs.7/8/−		per mile
9. .. – do- .. .. .. in the Rabi season..	@ Rs. 15/−/−do−		
10. Watering parks in Kharif season .. @ Rs.3/8/−per Bigha			
11. -do- Rabi ,, .. @ Rs.7/−do−			

1.Subs.by Notification No. SWRPD/JD(Agri)/ Amendment in Rules/3405 (21-10-2022)

SCHEDULE II

(*Vide* Rule 22)

PART I

Occupier's Rates per acre (per crop)

Name of Crop	Rate to be charged.
1	2
Irrigation under Perennial Channels.	
Sugarcane	16/4/–
Rice	8/8/–
Water nuts	9/12/–
Cotton	6/4/–
Indigo and other dyes, Tobacco, Spices & Drugs, Orchards, Vegetables other than turnips	6/12/–
Gardens	8/4/–
Wheat	5/4/–
Melons & all other Kharif Crops not otherwise specified. Maize Fibers other than cotton Barley & Oats. Beiar and Gochani	6/–
Oilseeds and all other Rabi crops and otherwise specified	5/4/–
Bajra, Jowar & Pulses	4/–
Gowar, Fooder Crops Cheena and grass with two and more watering Gram	4/–
Watering for plouging not followed by a crop (Pelwar) & grass single watering	1/8/–
Non-perennial Channels.	
1. 1. All Kharif Crops	Same rates as for perennial Channel.
2. 2. All Rabi Crops	
1. First Watering	3/–
2. Second Watering	3/–
3. Third or more watering	.. Same rates as for perennial Channels.
4. Watering for ploughing not followed by a crop (Pelwar)	1/8/–

SUB-SCHEDULE B

PART 2

Occupiere's Rates per acre per crop, sanctioned in Bhakra Project & Ghaggar Canal areas.

Perennial Irrigation.

1.	Sugarcane	16/8/–
2.	Rice	9/–
3.	Wheat	6/–
4.	Barley	6/–
5.	Gram	4/–
6.	Maize	6/8/–
7.	Cotton	6/12/–
8.	Jowar Gowar, & other Fodder crops	4/–
9.	Vegetables and Spices	8/4/–
10.	Gardens	8/4/–
11.	Simm-hemp & grass	4/–
12.	All other crops kharif	6/6/–
13.	Rabi oil crops	6/6/–

Non-perennial Irrigation.

1.	1. For Kharif Crops	Same rates as that of pernnial irrigation.
2.	2. For Rabi Crops	
	1st Watering	3/–

	2ndWatering	3/–
	3rd or more	Perennial rates
3.	For irrigation water taken for ploughing and not followed by any crop.	
	For First Watering	3/–
	For Second Watering	3/–
	ForThird Watering	Full rates.

PART 14

Occupiers Rates chargeable on all irrigation done from irrigation works which have been constructed after 1st January, 1952 other than from Gang Canal and Bhakra supplies.

S.No. Name of Crop.	*Rate to be charged*		
1. Wheat	Rs. 10/–	per acre	per crop.
2. Gram	Rs. 7/—do—	do–	
3. Barley		Rs. 8/—do—	do–
4. Sugar cane	Rs.22/—	do–	per year
5. Vegetables	Rs.12/—	do–	per crop.
6. Gardens		Rs.12/—	do– per half year
7. All other crops	Rs. 7/—do–per year		
8. Innundation irrigation if no subsequent watering given		Rs.4/–	for all crops.

NOTE:–Half Rates will be charged if irrigation is done by lift.

PART 3

Occupiers rates chargeable in former Jaipur State area.

Name of crop	*Rates.*
Sugarcane	Rs.8/– up to 6 watering +Rs. 1/8/- per watering over six.
Water Nuts	Rs. 6/6/3.
Rice	Rs. 6/6/3
Indigo and other dyes	Rs. 4/– /– up to 5 watering Re. 1/–/–
Tobacco Poppy opium	per water over drugs & shices. 2/–
Spices and drugs	1st watering Re.1/– every additional eater
Cotton	Rs. 2/– /– First watering
	Rs. 1/– /– every additional
Gardens and orchards & vegetables except Turnips	Rs. 2/– /– 1st watering
	Rs. 1/– /– for every additional watering
Melons Fibers (Other than cotton)	Rs.3/6/3 up to 3 watering. Rs. 1/8/– per watering. over 3.
Barley & Oats	Rs. 2/– /– 1st watering. Re. 1/– for every additional.
Wheat Gochani & Bejhar .. ..–	do–
	do–
	do–
	do–
	do–
	do–
	do–
	Rs. 2/– /— do–

PART 4

Occupiers rates chargeable in former Jodhpur State Area

Name of crop	*Rates*
Sugarcane	6/4/–

NOTE:– Except water nuts for all other crops Rs. 2/8/–for 2 to 4 watering.

PART 5

is charged for one watering and Rs . 6/4/

Occupiers rates chargeable in former Jodhpur State (Sendra Tehsil) Area.

Name of crop	Rates
Sugarcane..	7/13/–
Rice..	11/14/–
Indigo and other dyes Tobacco Poppy opium Spices and drugs..	7/12/–
Cotton..	5/–/–
Gardens and orchards & vegetables except Turnips..	10/15/–
Barley & Oats.. ..	5/–/–
Wheat Gochani & Bejhar	5/–/–
Oil seeds..	5/–/–
Lucerne..	5/–/–
Bajra, Gram & Masoor.. ..	5/–/–

PART 6

Occupiers rates chargeable in former Bundi State Area.

Name of crop	*Rates*

NOTE:–Rs 5/– /–and 3/12/–for all crops.

PART 7

Occupiers rates chargeable in former Karauli State Area.

Name of crop	*Rates*
Sugarcane	9/10/– and 14/6/– for all other crops 3/4/– from 1 to 3 watering

PART 8

Occupiers rates chargeable in *former* Udaipur State Area.

Name of crop	*Rate*
Sugarcane..	14/1/–
Water Nuts..	9/6/–
Rice..	3/12/– fixed
Tobacco..	14/1/–
Opium..	7/– /–
Spices..	14/1/–
Dyes..	9/13/–
Haldi..	9/6/–
Cotton..	5/10/–
Garden..	14/1/–
Vegetables..	9/6/–
Barley & Oats.. ..	3/12/–
Wheat, Gochani & Bejhar.. ..	4/3/6
Mixed grain..	3/4/–
Maize..	2/13/–
Oil seeds..	5/10/–
Lucerne Commercial ..	16/12/–
Fodder	5/10/–
Pulses..	2/13/–
Masur..	4/3/6
Jowar..	2/13/–
Gwar..	4/3/6
Fodder……	2/13/–
Plowaring not followed by crop .. .. ..–	/12/–

PART 9

Occupiers rates chargeable in former Udaipur State (Umaid Sagar)

Name of crop	*Rate*
1	2
Sugarcane..	9/10/–
Rice..	8/– /–
Spices..	4/10/–
Cotton..	4/10/–
Garden..	9/10/–
Vegetable..	4/10/–
Barley and Oats.. ..	4/10/–
Wheat, Gochani & Bejhar.. ..	4/10/–
Maize..	3/3/–
Oil seeds..	4/10/–
Lucerne..	3/3/– & 4/10/–
Pulses..	3/3/–
Gram & Bajra.. ..	4/10/–& 3/3/– Respectively.
Jowar, Gwar & all fodder crops.. ..	3/3/–
Plowaring not followed by crop.. ..	2/6/–

PART 10

Occupiers rates chargeable in former Kotah State Area.

Name of crop	Rate
Sugarcane..	5/– /–Parbati. 6/4/– other canal.
Water Nuts..	2/8/–
Rice..	5/–/–
Indigo & other dyes..	5/5/– with pelwar
Tobacco Poppy Opium Spices and drugs ..	3/2/– upto 3 watering Opium 6/4/– if over.
Cotton..	2/8/–
Gardens & Orchards & vegetables except .. .. Turnips..	5/5/– with pelwar.
Barley & Oat..	1/4/– one watering 2/8/– for 2 and over
Wheat, Gochani an Bejhar..	1/4/– One watering 2/8/– for 2nd and over.
Maize..	2/8/– Summer. 1/9/– Rainy.
Oil seeds..	1/8/– one watering 3/– /– for 2 and over.
Lucerne..	1/4/– One watering 2/8/– for 2 and over.
Pulses..	1/9/–
Bajra, Gram & Masoor.. ..	1/4/– one watering 2/8/– for 2 and over.
Jowar, Gwar and all fodder crops.. ..	1/4/– One watering 2/8/– 2 and over.
All Crops not specified above	..
Plowaring not followed by crop	1/4/–

PART 11

Occupiers rates chargeable in former Alwar State Area other than Siliserh Bund.

Name of crop 1	*Rate* 2
Sugarcane..	11/3/3
Water Nuts..	12/12/9
Rice..	6/6/5
Tobacco..	6/6/5
Dyes..	7/3/3
Others..	12/12/9

Cotton..	6/6/5
Gardens & Orchards and Vegetables except turnips..	12/12/9
Melons, fibres (other than cotton.)	4/12/9
Maize..	7/3/3
Oil seeds..	4/12/9
Lucerne..	4/–/–
Barley & Oats..	7/3/3
Wheat, Gochani & Bejhar.. ..	7/3/3
Pulses..	4/12/9
Bajra, Gram & Masoor.. ..	4/12/9
Jowar & Gwar..	4/12/9
Fodder..	4/–/–
All crops not specified above.. ..	4/12/9
Plowaring not followed by crop.. ..	3/3/3

PART 12

Occupiers rates chargeable in former Bharatpur State Area (Baretha Bund Kishan Sagar).

Name of crop	*Rate*
Sugarcane..	6/4/–
Water Nuts..	6/4/–
Rice..	6/4/–
Indigo & other dyes Tobacco Poppy Opium Spices and drugs..	5/–/–
Cotton..	6/4/–
Gardens and Orchards & Vegetables except turnips..	5/–/–
Melons, fibres (other than cotton)	2/8/–
Barley and Oats..	5/–/–
Wheat, Gochani and Bejhar.. ..	5/–/–
Maize..	6/4/–
Oil seeds..	3/2/–
Lucerne..	3/2/–
Pulses..	2/8/–
Bajra, Gram & Masoor.. Gram ..	3/2/–
Others ..	2/8/–
Jowar, Gwar & all fodder crops Fooder ..	3/2/–
others ..	2/8/–
All Crops not specified above Kharif ..	2/8/–
Plowaring not followed by crop	.....

PART 13

Occupiers rates chargeable in former Dholpur State Area

Name of crop 1	*Rate* 2
Sugarcane..	14/4/–
Water Nuts..	7/2/–
Rice..	7/2/–
Indigo & other dyes Tobacco	9/8/– Zira.
Poppy Opium Spices and drugs.. ..	7/2/– Rest.
Cotton..	7/2/–
Gardens & Orchards & vegetables except turnips.	8/5/–
Melons, fibres (other than cotton)	7/2/–
Barley and Oats..	9/8/–
Wheat, Gochani and Bejhar..	9/8/–
Maize..	7/2/–

Oil seeds	Sarson	9/8/–
	Others	7/2/–
Lucerne..	.. ..	7/2/–
Pulses..	.. ..	7/2/–
Bajra, Gram & Masoor..	..	7/2/–
Jwar, Gwar & all fodder crops..	..	7/2/–
All Crops not specified above ..	..	7/2/–

Govt. Central Press, Jaipur