

**The Goa Command Area Development
Act, 1997 & Rules, 1999**

The Goa Command Area Development Act, 1997

1. The Goa Command Area Development Act, 1997 (Act 27 of 1997) [8-9-1997] published in the Official Gazette, Series I No. 27 dated 3-10-1997.
a) The Goa Command Area Development (Amendment) Act, 2001 (Act 37 of 2001) [21-5-2001] published in the Official Gazette, Series I No. 9 dated 31-5-2001.
1. The Goa Command Area Development Rules, 1999.

Arrangement of Sections

1	Short title, extent and commencement	28	Power to prohibit growing of certain kinds of crops and to regulate the period of sowing and duration of crops
2	Definitions	29	Credit facilities to the farmers
3	Constitution of CAD Board	30	Special powers of Command Area Development Board in dealing with the cases of lands falling under command area but left fallow
4	Composition of the Command Area Development Board	31	Funds of the Command Area Development Board
5	Disqualification for the membership of the Command Area Development Board	32	Budget of the Command Area Development Board.
6	Term of Office	33	Accounts and audit
7	Casual vacancies	34	Annual reports
8	Meetings of the Command Area Development Board	35	Penalties
9	Composition of CAD Circle and its Divisions	36	Liability when person using water unauthorisedly cannot be found
10	Functions of the Command Area Development Board	37	Abetment of offences
11	Duties of C.A.D. Circle and its Divisions	38	Punishment under other laws not barred
12	Duties of Water Distribution Co-operative Societies	39	Offences under this Act to be cognizable
13	Duties of each member of the Water Distribution Co-operative Societies.	40	Power to remove and take into custody person obstructing
14	Formation of units and power of Command Area Development Board to specify Command Areas for comprehensive land development	41	Payment of reward to informant
15	Formation and registration of water distribution co-operative societies	42	Composition of offences
16	Preparation of the Schemes	43	Obligation of land-holders of land adjacent to Command Areas
17	Procedure on completion of preparation of the Scheme	44	Charge leviable
18	Sanction of the Scheme	45	Fees for service
19	Consequences of notification	46	Members of the Command Area Development Board and members of the staff of the Command Area Development Board Offices to be public servants
20	Execution of the Scheme	47	Protection for acts done in good faith
21	Regulation of irrigation and water use management and power of Canal Officer to regulate irrigation system	48	Recovery of dues as arrears of land revenue
22	Liability for unlawful use of water or when water runs to waste	49	Offences by companies
23	Stoppage of water supply	50	Bar of jurisdiction of Civil Courts
24	Supply of water for irrigation of one or more crops	51	Power to summon and examine witness
25	Settlement of disputes regarding distribution of water	52	Revision
26	Power to specify principles of localisation	53	Power to make rules
27	Classification of lands for raising different crops according to availability of water	54	Regulations
		55	Directions by Government
		56	Act to override other laws
		57	Power to remove difficulties

GOVERNMENT OF GOA, DAMAN AND DIU**Law and Judiciary Department****Notification****7-20-97/LA**

The Goa Command Area Development Act, 1997 (Goa Act 27 of 1997), which has been passed by the Legislative Assembly of Goa on 21-7-1997 and assented to by the Governor of Goa on 8-9-1997, is hereby published for the general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 17th September, 1997.

The Goa Command Area Development Act, 1997

(Goa Act No. 27 of 1997) [8-9-1997]

AN**ACT**

to provide for accelerated increase in agricultural and allied production in the State of Goa, through a programme of comprehensive and systematic development of command areas on scientific and modern lines, comprising measures for optimum use of land and water, prevention of land erosion and water logging, improvement of soil fertility and regulation of cropping pattern, and for proper maintenance and up-keep of irrigation systems in the State of Goa for ensuring maximum benefits to the cultivators under the command areas and for matters connected therewith.

Be it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:—

CHAPTER - I

1. Short title, extent and commencement.— (1) This Act may be called the Goa Command Area Development Act, 1997.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different areas of the State of Goa.

2. Definitions.— In this Act, unless the context otherwise requires,—

(1) “Command area” means an area irrigated or capable of being irrigated either by gravitational flow or by lift irrigation or by any other method, under any major or medium irrigation system, project, to be specified by notification by CAD Board;

- (2) “Command area development work” means any work undertaken under this Act;
- (3) “Comprehensive command area development” includes,—
- (a) systematic land development for conservation of land and water;
 - (b) water use management for optimum use of water, including irrigation by turns, volumetric measurement of water and other enabling measures to avoid waste water logging, salinity, alkalinity and the like;
 - (c) conjunctive use of surface and ground water for multiple cropping and proper utilisation of available water resources;
 - (d) regulation, maintenance and repairs of irrigation systems;
 - (e) bringing the land records upto date for consolidation of land holdings, land survey and mapping;
 - (f) realignment of field boundaries and consolidation of land holdings under a pipe outlet or under an adjacent pipe outlet, for efficient farm management;
 - (g) grouping of small holding in a contiguous area nearer the outlet and larger ones further away;
 - (h) all round development of the farms in the areas pertaining to agriculture, horticulture, sericulture, farm forestry, animal husbandry, fisheries, communication, agro-based industry and co-operation;
- (4) “Command Area Development Board” or CAD Board means a statutory body constituted under section 3 of the Act;
- (5) “Chairman” means the Chairman of the Command Area Development Board unless and otherwise specified/referred as Chairman(s) of any other Body, Institution, Corporation etc. under this Act;
- (6) “Credit Incharge” means an Officer of the rank of Assistant Registrar of Co-operative Societies of the office of the Registrar of Co-operative Societies on deputation to CAD Board;
- (7) “Deputy Director of Agriculture” means an Officer of CAD Board not below the rank of a Deputy Director of Agriculture of Agriculture Department deputed to the CAD Board;
- (8) “distribution system” includes:—
- (a) all main canals, branch distributories, minor canals and water courses constructed for the supply and distribution of water for irrigation;
 - (b) all works, structures and appliances connected with the distribution of water for irrigation;
 - (c) all field channels and farm channels and related structures under a pipe outlet;
- (9) “drainage system” includes:—
- (a) channels, either natural or artificial for the discharge of waste or surplus water and all works connected therewith or ancilliary thereto;

(b) escape channels from an irrigation or distribution system and other works connected therewith but does not include works for removal of sewage;

(c) all connecting drains and main drains to drain off surplus water from field drains;

(d) all field drains and related structures under pipe outlet;

(10) “Executive Engineer/Canal Officer” means an Officer of the rank of Executive Engineer of a Works Division of ¹[**Department of Water Resources**] on deputation to CAD Board with all powers as delegated to the Officer of equivalent rank in ¹[**Department of Water Resources**] and in addition the powers of Canal Officer empowered by the Goa, Daman and Diu Irrigation Act, 1973 (Act 17 of 1973);

(11) “farm road” means a road serving lands under a pipe outlet;

(12) “financing agency” means any commercial bank or any co-operative society, including a co-operative agricultural development bank, the main object of which is to lend money or any Regional Rural Bank established under the Regional Rural Banks Act, 1976 (Central Act 21 of 1976); and includes any other agency selected for providing credit facility for comprehensive command area development;

(13) “field channel”/“water course” means a channel constructed or to be constructed by the Government or by the land holder or by any other agency to receive and distribute water from a pipe outlet and having capacity not exceeding 0,042 cumec. discharge or 421 litres per second;

(14) “field drain” means a channel excavated and maintained by the land holder or by any other agency on his behalf to discharge waste or surplus water from the land holding under a pipe outlet; and includes drains, escape channels and other similar works constructed or to be constructed and maintained by the owners or occupiers or by the Government;

(15) “Government” means the Government of the State of Goa;

(16) “Ineligible person” means a person not eligible for ordinary land development loans and belonging to one of the following categories, namely:-

(i) Farmers occupying the lands without any valid title to mortgage such lands;

(ii) minors without guardians;

(iii) Farmers occupying the Government land which have not been assigned to them, or Government lands assigned but which revert to the Government in case the assignee mortgages the same;

(iv) Land holders unable to get loan from any credit agency because of overdues which are to be cleared before obtaining any loan for further capital investment;

(v) Farmers who are unwilling to apply for land development loans;

¹ In the section 2 and 9 of the Act for the words “Irrigation Department” whenever they occur, the words “Department of Water Resources” substituted by the Goa Command Area Development (Amendment) Act, 2001 (Goa Act No. 37 of 2001) published in the Official Gazette, Series I No. 9 dated 31-5-2001.

(17) “Input and Extension In-charge”, “Soil Survey In-charge” and “Water Management Specialist” means the Officers of the rank of Agriculture Officers (Grade I) of Agriculture Department on deputation to (Office of) the CAD Board;

(18) “Irrigated dry land” or “irrigated land” means localised for light irrigation of crops, other than paddy, sugarcane and banana;

(19) “Irrigation Officer” in relation to a command area means an Officer of the Revenue Department not below the rank of the Revenue Sub-Divisional Officer having jurisdiction over such area or an Officer of the Command Area Development Board not below the rank of an Assistant Engineer, exercising control over the irrigation system in the Command Area and includes any other officer appointed by the Government to perform the functions of an Irrigation Officer under this Act;

(20) “Irrigation system” includes—

- (a) the distribution system; and
- (b) the drainage system;

(21) “irrigation system under a pipe outlet” includes the field channels and field drains, with all the related structures including roads thereto;

(22) “land holder” means a person in actual possession of the land, whether as an owner or as a tenant or sub-tenant or as a mortgagee in possession or as a licensee, or otherwise and includes a person who is likely to be benefitted by the Command Area development work, and the expression “Land holding” shall be construed as land held by a land holder;

(23) “Member” means the member of the Command Area Development Board, unless and otherwise specified/referred as member of any other body, institution, corporation etc. under this Act;

(24) “Notification” means a Notification published in the Goa State Gazette and the expression “notified” shall be construed accordingly;

(25) “pipe outlet” means an opening or contrivance constructed by the State Government in an irrigation system through which water is delivered for irrigation at the periphery of the localised area ordinarily not exceeding 40 hectares;

(26) “prescribed” means prescribed by rules made this Act;

(27) “Scheduled Castes” and “Scheduled Tribes” shall have the same meaning as assigned to them in the Constitution;

(28) “Small farmer” means a person who holds, whether as owner, tenant or mortgagee with possession or partly in one capacity or partly in another capacity a land, as defined for the purpose of availing benefits of RDA Schemes in Goa;

(29) “Superintending Engineer CAD” means an Officer of the rank of Superintending Engineer of ²[**Department of Water Resources**] on deputation to CAD Board, with all

² In the section 2 and 9 of the Act for the words “Irrigation Department” whenever they occur, the words “Department of Water Resources” substituted by the Goa Command Area Development (Amendment) Act, 2001 (Goa Act No. 37 of 2001) published in the Official Gazette, Series I No. 9 dated 31-5-2001.

powers as delegated to the officer of equivalent rank in **Department of Water Resources**;

- (30) “systematic land development” includes all or any of the following works:-
- (a) construction of field channels and water courses with related structures;
 - (b) construction of field drains with related structures;
 - (c) land shaping, including grading levelling, bunding and the like;
 - (d) realignment of field boundaries and rectangularisation of plots and consolidation of land holding under a pipe outlet, or under an adjacent pipe outlet, wherever necessary, for efficient farm management;
 - (e) lining of field channels, wherever necessary, with suitable material to prevent seepage of water;
 - (f) construction of farm roads with related structures;

(31) “Water Distribution Co-operative Society” also called as “Pani Vantap Vyavstha Sahakari Saunstha Maryadit” means co-operative society of farmers of command area of any irrigation project formed at a hydraulic Unit, like water course(s) and registered under the relevant Co-operative Societies Act, for the purpose of efficient water management and implementation of CAD programmes;

(32) “wet land” means land localised for heavy irrigation crops, like paddy, sugarcane and banana.

CHAPTER-II

3. Constitution of CAD Board.— (1) As soon as may be after the commencement of this Act, the Government may, by notification in the Official Gazette, constitute one or more Command Area Development Boards (hereinafter called the ‘CAD Boards’) for the command area of each major and medium irrigation projects in the State of Goa. Such Board(s) shall have autonomy in administrative and financial matters.

(2) The Command Area Development Board shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

(3) The CAD Board shall be named as “Command Area Development Board”.

4. Composition of the Command Area Development Board.—

The Command Area Development Board shall comprise of the following members, namely:—

- (i) The Minister in-charge of Command Area Development Programme/³**[Water Resources]** of the Government of Goa Chairman;

³ In the section 4 and 6 of the Act for the word “Irrigation” whenever they occur, the words “Water Resources” substituted by the Goa Command Area Development (Amendment) Act 2001 (Goa Act No. 37 of 2001) published in the Official Gazette, Series I No. 9 dated 31-5-2001.

- (ii) The concerned Members of the Legislative Assembly and Parliament, as members of the Command Area Development Board;
- (iii) The Secretary, CAD/⁴[**Water Resources**] as Chief Executive of the CAD Boards;
- (iv) The Secretary, Finance or his representative not below the rank of Joint Secretary, Finance, as member;
- (v) The Chief Engineer, “**Water Resources**”, Government of Goa, as Member;
- (vi) The Superintending Engineer, Command Area Development Board, as Member-Secretary;
- (vii) The Director of Agriculture, Member;
- (viii) The Registrar of Co-operative Societies, Member;
- (ix) The Director of I.C.A.R., Member;
- (x) The Director of Veterinary Services, Member;
- (xi) The Sr. Hydrogeologist, Ground Water Cell, Member;
- (xii) The Chairperson of Goa Horticulture Development Corporation, Member;
- (xiii) One Deputy Collector (Revenue) having jurisdiction in the Command Area of respective CAD Board, as Member;
- (xiv) One representative of the Government of India to be nominated by the Ministry of Water Resources, as Member;
- (xv) Four elected representatives of Panchayat Raj Institution within the Command Area of CAD Board, to be nominated by the Government, as Members;
- (xvi) Seven Chairman of Registered Water Distribution Co-operative Societies, formed within the jurisdiction of Command Area or CAD Board, to be nominated by the Government as Members;
- (xvii) Two representatives from NGOs, to be nominated by the Government as Members;
- (xviii) One academician to be nominated by the Government as Member;
- (xix) Five progressive farmers of the respective Command Area to be nominated by the Government as Members;
- (xx) The Director of Land Survey.

5. Disqualification for the membership of the Command Area Development Board.— A person shall be disqualified for being nominated as, and for being, a member of the Command Area Development Board, if he,—

- (a) had been convicted and sentenced to imprisonment for an offence which, in the opinion of the Government, involves moral turpitude; or
- (b) is of unsound mind and is so declared by a competent court; or

⁴In the section 4 and 6 of the Act for the words “Irrigation” whenever they occur, the words “Water Resources” substituted by the Goa Command Area Development (Amendment) Act, 2001 (Goa Act No. 37 of 2001) published in the Official Gazette, Series 1 No. 9 dated 31-5-2001.

(c) is an undischarged insolvent; or

(d) has been removed or dismissed from the service of the Central Government or the State Government or a Corporation owned or controlled by the Central Government or the State Government or from the membership of the Command Area Development Board; or

(e) has directly or indirectly, by himself or by his partner, any share or interest in any work done by the order of the Command Area Development Board or in any contract or employment with or under or by or on behalf of the Command Area Development Board.

(f) is employed as a legal practitioner on behalf of the Command Area Development Board or accepts employment as legal practitioner against the Command Area Development Board.

6. Term of Office.— (1) The Chairman shall hold the office of Command Area Development Board as long as he holds the Office of Minister for ⁵[**Water Resources**]/CAD, Government of Goa. No sooner he relinquishes the Office of the Minister for “**Water Resources**”/CAD, he shall automatically cease to be the Chairman of the Command Area Development Board and under such circumstances, the Chief Executive of the Board shall officiate.

(2) The terms of the concerned Members of the Legislative Assembly and Parliament as Members of the Command Area Development Board shall be for a period of 5 years or so long as they continue to be the MLAs or MPs of the concerned area, whichever is earlier.

(3) Elected representatives of Panchayat Raj Institutions shall continue to be the Member/s for a maximum period of 5 years or so long as they continue to be members of Panchayat Raj Institution, whichever is less.

(4) Chairman of registered water distribution Co-operative societies shall continue to be the Member of the Board as long as he holds the office of Chairman of such society or for a period of 5 years, whichever is less.

(5) The terms of the nominated representatives from NGOs, academician and the progressive farmers shall be for 5 years.

7. Casual vacancies.— Any casual vacancy caused by the resignation of a member or by any other reason may be filled by the Government by nomination, and such person shall hold the Office of the remaining period for which the member in whose place he is nominated would have held office.

8. Meetings of the Command Area Development Board.— (1) The Command Area Development Board shall meet at least once in three months generally in the Secretariat of the Government or at such other place as decided by the Chairman of the CAD Board and observe such rules of procedure in regard to the transaction of business at its meeting as may be provided by regulations.

⁵ In the section 4 and 6 of the Act for the words “Irrigation” whenever they occur, the words “Water Resources” substituted by the Goa Command Area Development (Amendment) Act 2001 (Goa Act No. 37 of 2001) Published in the Official Gazette, Series 1 No. 9, dated 31-5-2001.

(2) The Chairman or in his absence any members chosen by the members present from among any themselves shall preside at a meeting of the Command Area Development Boards.

(3) If any Government Officer of Command Area Development Board is unable to attend any meeting of the Command Area Development Board, he may, under intimation to the Chairman, authorise his immediate subordinate Officer in writing, to attend the same on his behalf.

(4) All questions/issues at a meeting of the Command Area Development Board shall be decided by the majority of votes of the members present and in the event of equality of votes, the Chairman shall have a casting vote.

(5) Quorum for a meeting of the Command Area Development Board shall be minimum of 50% of total strength.

9. Composition of CAD Circle and its Divisions.— For the purpose of discharge of duties and functions of the Command Area Development Board as specified in section 10 of the Act, following staff of the “**Water Resources**”, Agriculture, Co-operative and Accounts Department of the Government of Goa, shall be deputed to the CAD Office of the Command Area Development Board. It will function as one of the Circle of ⁶[**Department of Water Resources**] so far as technical control is concerned. The Superintending Engineer CAD will be reporting to the Chief Executive of the Command Area Development Board through the Chief Engineer, “**Water Resources**” Department.

(1) A Superintending Engineer with full staff strength of a Circle office of the “**Department of Water Resources**” alongwith one or more Deputy Director of Agriculture and three or more Agriculture Officers, Grade I, one or more Officer, of the rank of Asst. Registrar of Co-operative Societies, one or more Accounts Officer, will be deputed from respective Departments. This will be called CAD Board Circle Office.

(2) Three or more Executive Engineers with full divisional component Sub-Divisional Staff of “**Department of Water Resources**” i. e. one Division each for S.I.P., T.I.P. and A.I.P; all on deputation from “**Department of Water Resources**” will work under the above said Circle Office of Command Area Development Board. These Divisions will be called CAD Divisions.

(3) Agriculture Foremen to be appointed by the Command Area Development Board as per the requirement.

CHAPTER - III

10. Functions of the Command Area Development Board.— The Command Area Development Board shall supplant the existing CAD Authority. The functions of the Command Area Development Board shall be as follows:-

- (i) To lay down policy guideline for the implementation of CAD Programme;

⁶ In the section 2 and 9 of the Act for the words “Irrigation Department” whenever they occur, the words “Department of Water Resources” substituted by the Goa Command Area Development (Amendment) Act 2001 (Goa Act No. 37 of 2001) published in the Official Gazette, Series I No. 9 dated 31-5-2001.

- (ii) To disburse Central assistance and the Government's share to Water Distribution Co-operative Societies for the works entrusted to them;
- (iii) To provide technical assistance and guidance to Farmers' Associations, Water Distribution Co-operative Societies;
- (iv) To co-ordinate the activities of different departments involved in the implementation of CAD Programme;
- (v) To maintain the accounts of amounts disbursed and to give utilisation certificate to the Government and the Union Government;
- (vi) To guide, supervise and monitor the work of Water Distribution Co-operative Societies;
- (vii) To develop ground water to supplement surface **"irrigation"**;
- (viii) To help the Farmers' Associations, Water Distribution Co-operative Societies in selection and introduction of suitable cropping pattern;
- (ix) Carry out soil survey and prepare Geographical Information System;
- (x) To develop marketing and processing facilities and communications;
- (xi) To organise annual agricultural fairs, seminars and workshops and exhibitions, etc., to motivate the farmers;
- (xii) To diversify agriculture and develop activities like animal husbandry, farming, poultry, etc.;
- (xiii) To carry out assessment and reclamation of water-logged areas;
- (xiv) To act as a catalyst for formation of Water Distribution Co-operative Societies;
- (xv) To determine the payment of compensation to the affected persons as provided in sub-section (4) of section 16 of this Act, through the CAD Circle Office;
- (xvi) To carry out on farm development works which includes construction of water courses, field channel, warabandhi, land levelling and shaping, scientific crop planning suitable to local soil and climatic condition;
- (xvii) Providing extension facilities like demonstration on farmers field and training of farmers;
- (xviii) To propose and initiate the work of re-alignment of field boundaries and or consolidation of holdings and get the same carried out by the authorities concerned within the framework of the provisions of the Goa Land Revenue Code, 1968 (9 of 1969) and the rules made thereunder, to facilitate the viable units/holdings for economic and efficient water management.

CHAPTER-IV

11. Duties of C. A. D. Circle and its Divisions. — The duties of the C. A. D. Circle and its Divisions shall be as follows:—

- (i) Assuming responsibility for formation of Water Distribution Co-operative Societies;

- (ii) Disbursement of fund to Water Distribution Co-operative Societies as received from the Government and Union Government;
- (iii) Providing technical assistance to Water Distribution Co-operative Societies;
- (iv) Maintenance of the accounts;
- (v) Maintenance of register of all agreements entered into between CAD establishment and Water Distribution Co-operative Societies;
- (vi) Training of farmers to form Associations/Societies;
- (vii) Giving utilisation certificate of grants received from Union Government;
- (viii) Recommend simultaneously for amendment to the relevant “**irrigation**” Act to provide for water distribution co-operative societies and take over of the system (participatory “**irrigation**” management);
- (ix) Hand over the system ceremoniously to Water Distribution Co-operative Societies. The advantage of ceremonial transfer is that all the farmers in the jurisdiction of the Water Distribution Co-operative Societies would come to know about it;
- (x) Initiate Action Research Programme for one project in the State where transfer process could be scaled up to distributary branch level;
- (xi) Entering into agreement with Water Distribution Co-operative Societies;
- (xii) Supply of water to Water Distribution Co-operative Societies (W.D.C.S.) as per agreement;
- (xiii) Providing maintenance grants to Water Distribution Co-operative Societies. The amount given by the Government to CAD Board for maintenance of tertiary system should be passed on to the Water Distribution Co-operative Societies;
- (xiv) Construction and maintenance of the system down to minor/water course level to carry the designed supply;
- (xv) to carry out on farm development works including water courses, field channels, warabandhi, land levelling and shaping, scientific crop planning suitable for local soil and climatic condition.
- (xvi) Providing extension facilities like demonstration on farmers field and training of farmers;
- (xvii) Maintenance of the equipments for measuring the supply of water at the off take of minor/water course;
- (xviii) Preparation of bills seasonwise and send to Water Distribution Co-operative Societies for payment;
- (xix) Recovery of water fees from the Water Distribution Co-operative Societies/Farmers and credit the same to Government treasury from time to time.

12. Duties of Water Distribution Co-operative Societies.— The following shall be the duties of the Water Distribution Co-operative Societies, namely:—

- (i) Establishment and updating register of members;
- (ii) Preparation of Cropping Plan in consultation with Agriculture Officials of C.A.D.A. at the beginning of “**irrigation**” season;
- (iii) Receiving water in bulk on volumetric basis or area-crop basis from C.A.D.A.;
- (iv) Payment of water fees to Command Area Development Board;
- (v) Delivering water to the registered members;
- (vi) Arranging supply of water to non-members at differential rate;
- (vii) Taking the execution of works of water courses and field channels of capacity not exceeding 0.042 cumec. discharge or 42 litres per second. Implementation of warabandhi. Agriculture demonstration and maintenance of accounts and submission of accounts to Command Area Development Boards regularly;
- (viii) Operation and maintenance of the infrastructure transferred to them;
- (ix) Maintenance of water accounts;
- (x) Recovering of water rates from the farmers in its jurisdiction;
- (xi) Educating of farmers in applying new technology.

13. Duties of each member of the Water Distribution Co-operative Societies.— Each member of the Water Distribution Co-operative Society shall perform the following duties, namely:—

- (i) Submission of cropping plan at the beginning of season of Water Distribution Co-operative Societies, and applying for “**irrigation**” water;
- (ii) Participation in election of officials of Water Distribution Co-operative Societies;
- (iii) Payment of dues of water rates;
- (iv) Abiding by bye-laws of Association/Society;
- (v) Usage of water efficiently;
- (vi) Ensuring that no damage is caused to “**irrigation**” structure;
- (vii) To use water for “**irrigation**” economically and without wastage by adopting such techniques and regime as may be prescribed by the C.A.D. Authority.
- (viii) Obligation of the land holder to take steps to maximise production from his land by adopting such scientific and modern techniques of farm management as may be notified, from time to time, by such authority, as may be prescribed under this Act;
- (ix) to take such precautionary and preventive measures by land holder as may be necessary so as not to cause damage to the adjacent land holdings.

CHAPTER–V

14. Formation of units and power of Command Area Development Board to specify Command Areas for comprehensive land development.— (1) All lands comprising the Command Area under one or more pipe outlet shall form into a single unit for the purpose of:—

- (i) Comprehensive land development;
- (ii) Maintenance and upkeep of **“irrigation”** system.

(2) The Command Area Development Board may, by notification, specify the command areas under its jurisdiction in which all or any of the works under comprehensive land development shall be taken up in one or more instalments and also specify the officers for command area development work in such command area.

(3) Whenever it appears to the Command Area Development Board that the systematic land development including construction of related structures is expedient for the supply of water to the lands immediately after or simultaneously with the availability of water in the main **“irrigation”** system, the Command Area Development Board may, by notification, declare the command area under an **“irrigation”** system, or project or source for the purpose of applying the provisions of this section.

(4) On the issue of the notification, the Canal Officer or any official authorised by him, shall have power to—

(a) enter upon any land and make survey of such land to determine the most suitable alignment for the construction of necessary structures so as to convey water to every land under a pipe outlet and mark out the land which, in his opinion, is necessary for the construction of such structures;

(b) enter upon any land in the command area of an **“irrigation”** system or lands adjacent thereto and undertake survey or take levels thereon for preparing a Scheme for comprehensive land development;

(c) dig and bore into the top soil or sub-soil and collect soil samples for the purpose of technical investigation without causing any loss or damage to the structure, tree or crops standing thereon and any hole or pit caused thereon shall be made good by the Canal Officer or any Official authorised by him;

(d) make and set up suitable land marks, and level marks for the said purpose;

(e) do all other acts necessary for the proper conduct of any inquiry or investigation relating to any existing or proposed Scheme for comprehensive command area development;

(f) enter upon any land or building and clear obstructions such as shrubs and bushes and other obstructions for the purpose of regulating the use of water supplied or inspection or measurement of the lands irrigated thereby and of doing all things necessary for the proper regulation and management of land and water:

Provided that if the Canal Officer or any other person authorised in this behalf proposes to enter into any building or any enclosed courtyard attached to a dwelling house, he shall give the occupier of such building or courtyard at least a day's notice in writing of his intention to do so, if the occupier denies entry on oral request.

(5) The Canal Officer shall ensure that no loss or any damage is caused in the process of survey, inspection, investigation or any of his other acts in the lawful discharge of his duties. However, if any damage or loss is caused, then, on the written request of the affected person, a suitable compensation shall be determined by the Superintending Engineer, CAD, whose decision shall be final in this regard and binding on the parties concerned and the Canal Officer shall pay the compensation within a period of six months from the date of such decision accordingly.

15. Formation and registration of water distribution co-operative societies.— (1) When the Command area having not less than 100 hectares in area or less, as may be approved by CAD Board under a single hydraulic or more Unit(s) is identified, the farmers/beneficiaries of that Command Area shall be advised to form water distribution co-operative society by the concerned Canal Officer. Then, the Canal Officer shall supply the list of such farmers and the Command area map of that unit to the Credit-In-Charge, who in turn shall take up the job of conducting a meeting of farmers/beneficiaries, forming of society, preparation of feasibility report and making all other necessary formalities. Then, the Superintending Engineer, Command Area Development Board Circle, shall recommend to the Registrar of Co-operative Societies to register the society. The Credit-In-Charge shall followup the process with the Registrar of Co-operative Societies and get the Society registered.

(2) As soon as the society is registered, the concerned Canal Officer shall hand over the existing water distribution system by executing the approved agreement with the Chairman of the society. The Central and State assistance shall be released to the society for performing its functions. The Credit-In-Charge shall render all necessary guidance to the society in performing its functions and duties and ensure the smooth functioning as stipulated in the Co-operative Societies Act or this Act.

(3) No officer or servant of the Government of India or the Government or any State Government or of a local authority or an employee of any institution receiving aid from the funds of the Government shall be qualified for being chosen as or for being a Chairman, or President or a member of a managing committee of any water distribution Co-operative society.

CHAPTER- VI

16. Preparation of the Schemes.— (1) The Command Area Development Board shall prepare a Scheme for the comprehensive development of the Command Area or any phase of it generally in accordance with the Command Area Development Schemes as laid down as per guidelines issued by the Government of India, Ministry of Water Resources. Only in such cases, where the local climatic, soil and other conditions demand any modification, the Command Area Development Board shall make such modification as may be necessary.

- (2) Any Scheme so prepared shall, amongst others, set out the following, namely:—
- (a) area proposed to be covered under the Scheme;
 - (b) the work or works to be executed;
 - (c) the phasing of the Scheme, both areawise and workwise;
 - (d) the sketch plan of the area proposed to be covered under the Scheme;
 - (e) the reallocation or the realignment, if any, of a pipe outlet or the existing “**irrigation**” system;
 - (f) the survey numbers covered;
 - (g) field boundaries as existing and as proposed;
 - (h) the compensation to be given to or recovered from the land-holders or Water Distribution Co-operative Societies, as the case may be;
 - (i) the cost involved in the Scheme as well as in each phase thereof;
 - (j) the charges or dues to be levied on the beneficiaries; and
 - (k) such other matters and particulars as may be prescribed.

(3) The Command Area Development Board shall also, from time to time, make and take up any new or additional Schemes in the Command Area.

(4) The Scheme shall provide for the payment of compensation to any affected land holder for the reduction in the extent of his holding under the above Scheme and for recovery of compensation from any other land holder who is benefitted in getting more extent of land under the Scheme. The amount of compensation shall be determined so far as practicable in accordance with the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894):

Provided that nothing in sub-section (4) shall preclude the determination of the amount of compensation by agreement with the benefitted and affected land-holders and thereupon the amount so determined shall be the amount payable to such affected land-holder.

17. Procedure on completion of preparation of the Scheme.— (1) When a development Scheme has been prepared, except in case of construction of field channels, the CAD Board shall, by notification, publish the same in the Official Gazette inviting objections and suggestions, if any, from all persons likely to be affected thereby, within thirty days from the date of such publication in the Official Gazette.

(2) The notification shall also be published in the village chavadies, the notice boards of the office of the concerned village panchayats, the notice boards of the concerned taluka offices and the offices of the District Collector within whose jurisdiction the lands proposed to be included in the Scheme are situated.

18. Sanction of the Scheme.— (1) After the publication of the Scheme as aforesaid and after considering the objections, if any, received in respect thereof, the CAD Board shall, after making such modifications therein as it deems necessary, sanction the Scheme.

(2) The Scheme as sanctioned under sub-section (1), shall be notified in the Official Gazette and shall be published in the manner specified in sub-section (2) of section 17.

19. Consequences of notification.— Upon the sanction of the Scheme or any phase thereof by the Command Area Development Board under section 18 (hereinafter called as the ‘approved Scheme’), the following consequences shall ensue, namely:—

(1) The Command Area Development Board may require any department of the Government, any statutory or corporate body controlled by the Government functioning within the area of operation of the approved Scheme to follow such directions in respect of such matters as are specified in the approved Scheme.

(2) All development plans relating to land development drawn by any department of the Government or any local or statutory authority or body or any corporation controlled by the Government shall be intimated to the CAD Board and shall be executed with its approval and subject to such modifications or changes, if any, as the CAD Board may suggest and also subject to such directions as the CAD Board may give.

(3) The Command Area Development Board shall be empowered to take all necessary action for the implementation of the approved Scheme including levy of cost of works and other charges and to give directions to land-holders with regard to the following matters, namely:—

- (a) the crops which are to be raised and the rotation of such crops;
- (b) provision for drainage in the farm;
- (c) distance of wells, tube-wells, pumps and other sources of “**irrigation**” from the distribution system;
- (d) erection and removal of fences over lands;
- (e) submission of returns within such time and in such manner as may be provided by regulations containing a true and accurate statement regarding the following matters, namely:—
 - (i) area of land cultivated by him, the classification of such land, his interest therein and encumbrances on such land, if any;
 - (ii) the nature and quantity of agricultural produce raised by him;
- (f) Such other matters as may be specified by regulations.

20. Execution of the Scheme.— (1) Upon the sanction of the Scheme, the Command Area Development Board may execute the same through such agency as it deems fit, except such Schemes which are to be executed by the Water Distribution Co-operative Societies as specified under section 12 (vii) of this Act. However, in the area where no such Water Distribution Co-operative Societies are in existence, the CAD Board may execute these works also through such agency as it deems fit.

(2) In order to provide for the physical planning for the purpose of effective water management and economically viable crop production in a block of field, the Command Area Development Board, if and, wherever found necessary, shall propose the realignment of boundaries and consolidation of small and fragmented holdings and get the same carried out within the frame-work of the Goa Land Revenue Code, 1968 (9 of 1969) and the rules made thereunder.

CHAPTER-VII

21. Regulation of “irrigation” and water use management and power of Canal Officer to regulate “Water Resources” system.— The Canal Officer shall, having regard to the availability of water and other factors, have power to regulate the supply of water from an “irrigation” system upto and below a pipe outlet and specify:-

- (a) the time for letting out water for “irrigation”;
- (b) the duration of supply;
- (c) the quantity of supply; and
- (d) the different areas to be supplied at different times.

Explanation:- Water shall be deemed to have been supplied, if it is made available, at the pipe outlet, whether or not it is used for “irrigation” of land under a pipe-outlet and therefore chargeable at the normal rate.

22. Liability for unlawful use of water or when water runs to waste.— (1) If water supplied from an “irrigation” system is put to unauthorised or unlawful use, the person by whose act or negligence such use has occurred, or if such a person cannot be identified, the person or all the persons or through whose land water has flowed and the land is benefitted therefrom, or the person or all the persons chargeable in respect of the water supplied from such “irrigation” system, or the Water Distribution Co-operative Society under whose jurisdiction such unauthorised or unlawful use of water has occurred, shall be liable, severally or jointly, as the case may be, for the imposition of such charge as may be levied by the Canal Officer or any other authority thereof or under the relevant law for the time being in force.

Explanation:— For the purpose of this section, the use of water for irrigating an area in the following manner shall constitute, unauthorised or unlawful use, namely:—

- (i) When an area is not localised under an “irrigation” system;
- (ii) When an area which is localised as irrigated dry, is irrigated as wet;
- (iii) When an area localised for a single crop is irrigated for a double crop;
- (iv) When an area which is localised for one particular season is irrigated in the season for which it is not so localised;
- (v) When an area is irrigated unauthorisedly by breaching or cross bunding an “irrigation” system;
- (vi) When an area is irrigated by pumping water without prior permission of the Canal Officer;
- (vii) When an area is irrigated with a crop in contravention of cropping pattern specified under section 27 of this Act;
- (viii) When an area is irrigated otherwise than in accordance with the schedule of water allocation prepared by the prescribed authority indicating the day, time and duration of supply for which any person is entitled to receive water.

(2) Where water supplied through a field channel is allowed by any person to run to waste, the person by whose act or negligence such water was allowed to run to waste, or if, after inquiry such person cannot be found, the person or all the persons chargeable or the Water Distribution Co-operative Society in respect of the water supplied from such “**irrigation**” system; shall be liable, severally or jointly, as the case may be, for the imposition of a charge which shall be made in the prescribed manner in respect of the water so wasted.

(3) The levy of charges for unauthorised or unlawful use of or wastage of water shall not be a bar for launching prosecution for any offence connected with such use or waste.

(4) All charges for the unauthorized or unlawful use or for waste of water may be recovered as water rates, in addition to any penalties imposed on account of such use or waste of water.

(5) Any question arising under this section shall be decided by the Canal Officer and any person aggrieved by the order of the Canal Officer may prefer an appeal to the Superintending Engineer, Command Area Development Board, within fifteen days from the date of making of the order and the decision of the Superintending Engineer, C.A.D. Board, shall be binding on both the parties.

23. Stoppage of water supply.— (1) It shall be lawful for the Government or Canal Officer or any Officer authorized by them in this behalf, to stop the supply of water to any Water Distribution Co-operative Society, to any land holding or field channel or to any person who is entitled to such supply under all or any of the following circumstances, namely:—

(a) Whenever and so long as it is necessary to stop such supply for the purpose of executing any work ordered by the competent authority;

(b) Whenever and so long as any field channel by which such supply is received, is not maintained in such repair as to prevent the wasteful escape of water thereof;

(c) Whenever and so long as it may be necessary to do so in order to prevent the wastage or misuse of water;

(d) During the periods fixed, from time to time, by the “**irrigation**” Officer of which due notice has been given;

(e) Whenever there is diminution in the supply of water in the “**irrigation**” system due to any natural or seasonal causes and thereby so long as it is necessary to do so;

(f) Whenever there are floods or heavy rains in the Command Area and thereby so long as it is necessary to do so.

(2) No claim shall be allowed against the Government or Canal Officer or any person authorised by them, for compensation in respect of any damage arising out of—

(a) deterioration in climate or soil; or

(b) stoppage or diminution of the supply of water where such stoppage or diminution is due to:—

- (i) any cause beyond the control of the authority in charge of the “**irrigation**” system;
- (ii) the execution of any repairs, alterations or additions to the “**irrigation**” system;
- (iii) any measures considered necessary by the Canal Officer for regulating the proper flow of water in the field channel or for maintaining the established courses of “**irrigation**”; or
- (iv) circumstances mentioned in clauses (a) to (f) of sub-section (1).

24. Supply of water for “irrigation” of one or more crops.— Where water from an “**irrigation**” system is supplied for the “**irrigation**” of one or more crops as specified by the Canal Officer, the right to use such water shall be deemed to continue only until such crop or crops shall come into maturity, and to be lawful only in respect of such crop or crops.

25. Settlement of disputes regarding distribution of water.— (1) Whenever a dispute arises between two or more land-holders in regard to their natural rights or liabilities in respect of the use or maintenance of field channel, any such land-holder may apply in writing to the Water Distribution Co-operative Society stating the matter in dispute.

(2) On receipt of an application under sub-section (1), the Water Distribution Co-operative Society shall give notice to the other persons interested to appear before it on a day to be specified in such notice, and shall proceed to enquire into such matter and after the enquiry, the Water Distribution Co-operative Society may try to bring about a compromise between the parties and if such a compromise cannot be brought, it shall, after hearing the parties concerned, pass such an order as it deems fit:

Provided that if any dispute arises between the land holders and the Water Distribution Co-operative Society regarding the sharing of costs to be borne by one or more land-holders, any such land-holder may, after paying the cost apportioned to him by the Water Distribution Co-operative Society, prefer an appeal to the Canal Officer within seven days of such payment, and the Canal Officer shall, after giving an opportunity to the aggrieved land-holders, decide the pro-rata sharing of expenses between the land-holders, and his decision thereon shall be final and binding on all the land-holders.

(3) The Canal Officer within whose jurisdiction the pipe-outlet is situated, may *suo-moto* or on an application made in this behalf by an aggrieved person within fifteen days from the date of the order passed by the concerned Water Distribution Co-operative Societies under sub-section (2), revise such order:

Provided that where the Water Distribution Co-operative Society does not pass an order within fifteen days from the date of receipt of an application under sub-section (1), the Canal Officer may himself pass an order on the matter in dispute.

CHAPTER – VIII

26. Power to specify principles of localisation.— (1) Subject to such rules as may be made in this behalf, the Command Area Development Board may, having regard to resources of land and water, nature of soil, climate and other technical considerations, by an order, specify for each command area, principles of localisation for the purpose of “**irrigation**”.

(2) The Command Area Development Board may, having regard to the advances in technology of land and water management and other agronomic practices, alter, from time to time, by an order, the principles of localisation so specified for any command area.

Explanation:— The term “principles of localisation”, shall include the prescription of season of the “**irrigation**”, the type of “**irrigation**”, such as wet, irrigated dry, double crop or single crop, or perennial “**irrigation**”.

27. Classification of lands for raising different crops according to availability of water.— Subject to such directions as may be issued from time to time by the Command Area Development Board, the Canal Officer may, in any year, having regard to the quantity of water available in any “**irrigation**” system within his jurisdiction, classify, by an order, within such time and in such manner as may be prescribed, lands under the said “**irrigation**” system for the purpose of raising such kind of crops on each class of land as may be specified in the order, and regulate the supply of water for “**irrigation**” accordingly:

Provided that on an application made to the Command Area Development Board the land-holder may be permitted to change the raising of kind of crops:

Provided further that no such change shall be allowed unless the application for such change relates to the entire holding of the land-holder under the said “**irrigation**” system.

28. Power to prohibit growing of certain kinds of crops and to regulate the period of sowing and duration of crops.— (1) Whenever the Command Area Development Board is satisfied that for the better cultivation of land and the optimum utilisation of water resources of an “**irrigation**” system or for accelerated land development or for any other reasons, it is expedient in the public interest to regulate the cropping pattern, the period of sowing and the duration of crop, then, it may, by notification, make declaration to that effect.

(2) On the making of a declaration under sub-section (1), the Canal Officer may specify, by notification published in such manner as may be prescribed, the kinds of crops that shall not be grown on any land under such “**irrigation**” system and the periods of sowing and duration in respect of non-prohibited crops thereof.

(3) On the publication of the notification under sub-section (2), no person shall grow any such crops as is prohibited by the notification on any land under such “**irrigation**” system and no person shall sow or plant any other crop at any period or allow such crop to remain beyond the duration specified in respect thereof in such notification.

CHAPTER- IX

29. Credit facilities to the farmers.— The Credit-in-charge shall draw up the annual credit requirement of the farmers coming under the Command Area on the basis of recommended cropping pattern. He shall liaison with the Lead Bank and other financial institutions to facilitate timely flow of financial assistance to the needy and eligible farmers during the cropping season for all types of agricultural related activities. In cases where Water Distribution Co-operative Societies are functional, the farmers shall obtain the recommendation from the concerned Society. The Credit-in-charge shall then scrutinise the same and report to the Superintending Engineer C.A.D. who shall then recommend the case to the said financial institution.

CHAPTER-X

30. Special powers of Command Area Development Board in dealing with the cases of lands falling under command area but left fallow.— (1) No sooner the particular patch of land in the Command Area is provided with “**irrigation**” facility or found technically feasible for “**irrigation**”, it shall be obligation of the concerned land-holder to cultivate the said land and he is liable to pay charges at the prevailing water rate, whether or not the water is used by him for “**irrigation**” of land.

(2) Except in case where land is in litigation in a court of law, if the land-holder fails to cultivate the above said fallow but cultivable land for a period of two consecutive years, the Command Area Development Board shall have power to levy and recover the water charges of the regulated crop for the given location as per the notification under section 28(1) of this Act and in addition to this, the Command Area Development Board shall also have power to impose fine which shall be revisable every five years, on the land-holder as per the Table here-below and to recover the same as arrears of land revenue:

Provided that if the land-holder fails to cultivate, such land for further period of two consecutive years the fine shall be twice the amounts indicated in the table.

TABLE

Sr. No.	Category of land	Fine in Rupees to be imposed per “ irrigation ” season per hectare
(1)	(2)	(3)
(1)	Garden Crop	Rs. 4200/-
(2)	Rice/Cereal land	
	(a) Kher Rs.	1500/-
	(b) Khajan (Reclaimed)	Rs. 750/-
	(c) Morod	Rs. 1000/-
(3)	Sugarcane	Rs. 3500/-
(4)	Vegetables	Rs. 1500/-
(5)	Pulses/Oil Seeds	Rs. 3750/-

(3) If the land-holder fails to cultivate the land referred to in sub-section (2) for a period of 5 consecutive years, the Command Area Development Board may take over the management of such land on such terms and conditions as may be prescribed.

CHAPTER-XI

31. Funds of the Command Area Development Board.— (1) The Command Area Development Board shall have and maintain a separate fund to which shall be credited:-

- (a) all moneys received by the Command Area Development Board from the Government by way of grants, loans, advances or otherwise;
- (b) grant-in-aid and loans made available by the Central Government for developmental activities in the Command Area under the Central Sector Schemes;
- (c) any other funds provided for taking up any of the various development activities for specified programmes;
- (d) all other funds received by the Command Area Development Board from any other source.

(2) The fund shall be applied for the purpose of the Act in such manner as may be prescribed.

32. Budget of the Command Area Development Board.— The Command Area Development Board shall prepare in such form and at such time every year as may be prescribed, a budget for the next financial year showing estimated receipts and expenditure of the Command Area Development Board in respect of the administration of the Act, and shall forward to the Government or such other authority, such number of copies thereof as may be prescribed.

33. Accounts and audit.— (1) The Command Area Development Board shall maintain true and proper accounts in consonance with CPWD Code and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be prescribed.

(2) The accounts of the Command Area Development Board shall be subject to audit annually by such officer as may be authorised by the Director of Accounts of the Government and as certified by him together with audit report thereof, shall be forwarded annually to the Government.

34. Annual Reports.— The Command Area Development Board shall prepare for every year a report of its activities under this Act during that year and submit the report to the Government in such form on or before such date as may be prescribed and the Government shall cause the same to be laid before the House of the Legislature.

CHAPTER – XII

35. Penalties.— (1) Whoever, voluntarily or without proper authority,—

- (a) damages, alters, enlarges, or obstructs any “**irrigation**” system under a pipe outlet;

(b) interferes with, increases, or diminishes the water supply in or the flow of water from, through, over or under any “**irrigation**” system under a pipe-outlet;

(c) being responsible for maintenance of the “**irrigation**” system under a pipe-outlet, neglects to take proper precautions for prevention of wastage of the water thereof or interferes with the authorised distribution of water therefrom or uses water in an unauthorised manner or in such manner as to cause damage to the adjacent land holding;

(d) corrupts or fouls, the water of any “**irrigation**” system under a pipe-outlet so as to render it less fit for the purpose for which it is ordinarily used;

(e) destroys, defaces or removes any level marks or water-gauge or any other work or sign fixed by the Command Area Development Board or a public servant;

(f) opens, shuts or obstructs or attempts to open, shut, or obstruct any sluice or outlet or any other similar contrivance in any “**irrigation**” system under a pipe-outlet or drainage system;

(g) uses water unlawfully or unauthorisedly or agrees to or allows to grow any crop in contravention of any notification under this Act shall, on conviction, be punished with imprisonment which may extend to two years or with fine which shall not be less than one thousand rupees, but may extend to five thousand rupees or with both:

Provided that in the case of a continuing offence, a fine not exceeding one hundred rupees per day shall also be imposed during the period of the continuance of the offence.

(2) While convicting any person under sub-section (1), the Judicial Magistrate may order that the said person shall remove the obstruction or repair the damage, sluice or outlet or replace the level mark, water gauge or other work in respect of which the conviction has taken place, within a period to be specified in such order. If such person neglects or refuses to obey such orders within the period so fixed, the Command Area Development Board may carry out the work in accordance with such order and the cost thereof shall be recoverable from such person as arrears of land revenue.

36. Liability when person using water unauthorisedly cannot be found.— (1) If water supplied through a field channel is used in any unauthorised manner, and if the person by whose act or negligence such use has occurred cannot be found after such enquiry as the Command Area Development Board may deem sufficient, the Command Area Development Board shall, after giving not less than one month’s notice to the holders and occupiers of all lands benefitted thereby and after hearing their representation, if any, make an order for the recovery of such charges as may be prescribed for such use from such holders and occupiers in such proportion as it may deem fit.

(2) All charges for the unauthorised use of water determined under sub-section (1), shall be recoverable as arrears of land revenue.

37. Abetment of offences.— Whoever, abets any offence punishable by or under this Act or attempts to commit any such offence, shall be punished with the penalty provided by or under this Act, for committing such offence.

38. Punishment under other laws not barred.— Nothing in this Act shall prevent any person from being prosecuted and punished under any other law for the time being in force for any act or omission made punishable by or under this Act:

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

39. Offences under this Act to be cognizable.— All offences punishable under this Act shall be cognizable and bailable.

40. Power to remove and take into custody person obstructing.— Any Officer or authority in charge of or employed on any “**irrigation**” system under a pipe-outlet may remove from the land or any building thereon or may take into custody without a warrant and forthwith hand over to a police officer in-charge of the nearest police station, any person who within his view,—

(a) wilfully damages, alters, enlarges or obstructs any “**irrigation**” system under a pipe-outlet; or

(b) without proper authority interferes with the supply or flow of water in or from any “**irrigation**” system under a pipe-outlet so as to endanger, damage or render less useful such “**irrigation**” system under a pipe-outlet:

Provided that every person so taken into custody shall be produced before the nearest Magistrate within a period of twenty four hours of such custody excluding the time necessary for the journey from the place of arrest to the court of the Magistrate and no such person shall be detained in custody beyond the said period without the authority of a Magistrate.

41. Payment of reward to informant.— Whenever any person is sentenced with fine under this Act, the Superintending Engineer, Command Area Development Board, shall have power to reward any person who gave information leading to the detection of the offence or to the conviction of the offender, with such amount as he may determine. However, the Superintending Engineer, CAD, shall ensure the secrecy of the identity of the informant.

42. Composition of offences.— (1) Any Officer authorised by the Command Area Development Board may accept from any person who has committed or in respect of whom a reasonable belief can be inferred that he has committed an offence punishable under this Act, or the rules made thereunder, a sum of money not exceeding two hundred rupees, by way of composition for such offence.

(2) On payment of such sum of money, the said person if in custody, shall be released and no further proceedings shall be taken against him in regard to the offence so compounded.

CHAPTER – XIII

43. Obligation of land-holders of land adjacent to Command Areas.— Where, for the safety of an “**irrigation**” system under a pipe-outlet in a Command Area and for

other technical reasons it is considered necessary to take any conservation measures like contour bunding, drainage and trenching in land adjacent to the lands under the Command Area, the Command Area Development Board shall have powers to take suitable action.

44. Charge leviable.— The Command Area Development Board may levy and collect charges for the maintenance and repairs of “**irrigation**” channels or drain channels from the beneficiaries where maintenance of such channels is done by the Command Area Development Board.

45. Fees for service.— The Command Area Development Board, may charge such fees as may be prescribed under this Act, for rendering any service to any person.

46. Members of the Command Area Development Board and members of the staff of the Command Area Development Board Offices to be public servants.— Members of the Command Area Development Board and the members of the staff of the Command Area Development Board offices shall, while acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).

47. Protection for acts done in good faith.— No suit, prosecution or other legal proceeding shall lie against the Government, the Command Area Development Board or any officer or servant of the Government or of the Command Area Development Board for anything which is in good faith done or purported or intended to be done in pursuance of this Act, or any rule made thereunder.

48. Recovery of dues as arrears of land revenue.— Whenever any sum due to be paid by any land-holder has not been paid within the time specified for such payment, it shall be recoverable with interest at such rates as may be prescribed in the same manner as arrears of land revenue under the law for the time being in force.

49. Offences by companies.— (1) If the person committing an offence under this Act is a Company, the Company as well as every person in charge of, and responsible to the Company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, secretary or other officer of the Company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:— For the purposes of this section,—

(a) “Company” means any body corporate and includes a firm or other association of individuals, and

(b) “director” in relation to a firm means a partner in the firm.

50. Bar of jurisdiction of Civil Courts.— (1) No order passed or proceeding taken by an officer or authority under this Act, shall be called in question in any court in any suit or application and no injunction shall be granted by any court in respect of any action taken or about to be taken by such officer or authority in pursuance of any power conferred by or under this Act.

(2) No suit, prosecution or other proceeding shall lie against any officer or servant of the Government for any act done or purported to be done under this Act, without the previous sanction of the Government.

(3) No Officer or servant of the Government/staff members of Command Area Development Board Offices, shall be liable in respect of any such act in any civil or criminal proceeding if the act was done in good faith in the course of execution of duties or the discharge of the functions imposed by or under this Act.

(4) Save as otherwise provided in this Act, no suit shall be instituted against the Government in respect of any act done unless the suit is instituted within six months from the date of the act complained of.

(5) In the case of an intended suit against any Officer or servant of the Government/staff members of Command Area Development Board Offices under sub-section (1), the person intending to sue shall be bound to give the Officer or servant, as the case may be, at least two months notice of the intended suit with sufficient description of the cause of action failing which such suit shall be dismissed.

51. Power to summon and examine witness.— Any Officer empowered under this Act to conduct any enquiry may exercise such powers connected with the summoning and examining of the witnesses and the production of documents as are conferred on a civil court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), and any such enquiry shall be deemed to be a judicial proceeding.

52. Revision.— (1) The Government may, either suo-motu at any time or on an application made within the prescribed period by any person interested, call for and examine the record relating to any decision or order passed or proceeding taken by the Command Area Development Board or officer subordinate to it under this Act, for the purpose of satisfying itself as to the legality or propriety or regularity of such decision or order or proceedings and if in any case, it appears to it that any such decision, order or proceedings should be modified, annulled, reversed or remitted for reconsideration, it may pass orders accordingly:

Provided that no orders adversely affecting any person shall be passed under this sub-section unless such person has been given an opportunity of making a representation.

(2) The Government may stay the execution of any such decision, order, or proceeding pending the exercise of its powers under sub-section (1).

53. Power to make rules.— (1) The Government may, subject to the condition of previous publication in the Official Gazette, by notification, make rules to carry out all or any of the purposes of this Act.

(2) Without prejudice to any power to make rules contained elsewhere in this Act, the Government may make rules consistent with this Act generally to carry out the purposes of the Act.

54. Regulations.— The Command Area Development Board may, with the previous approval of the Government, after previous publication, by notification in the Official Gazette, make regulations, not inconsistent with this Act and the rules made thereunder, for enabling it to discharge its functions under this Act.

55. Directions by Government.— In the discharge of its functions, the Command Area Development Board shall be guided by such directions and instructions as may be given to it by the Government.

56. Act to override other laws.— (1) The provisions of this Act and the rules made thereunder shall have effect notwithstanding anything in consistent therewith contained in any other law for the time being in force or any custom, usage or contract or decree or order of a court or other authority.

(2) For the removal of doubts, it is hereby declared that the provisions of the Goa, Daman and Diu “**irrigation**” Act, 1973 (Act 17 of 1973) and the rules made thereunder shall apply to the extent such provisions are not inconsistent with the provisions of this Act.

57. Power to remove difficulties— If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, as occasion requires, do anything not inconsistent with the provisions of this Act which appears to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

Secretariat Annexe - Panaji,
Dated: 17-9-1997.

B. S. SUBBANNA,
Secretary to the Government of Goa,
Law Department (Legal Affairs).

GOVERNMENT OF GOA
Department of “Irrigation”

Notification

Whereas certain draft rules proposed to be made under the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997), were published as required by sub-section (1) of section 53 of the said Act, at pages 463 to 488 of the Official Gazette, Series I, No. 32, dated 5-11-1998, under Notification No. 65/98-CE-ID dated 28-9-1998, of the Department of “**irrigation**”, Government of Goa, inviting objections and suggestions from all persons likely to be effected thereby within thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 5-11-1998;

And whereas no objections or suggestions have been received from the public on said draft rules by the Government.

Now, therefore in exercise of the powers conferred by section 53 read with section 28(2), 32, 33, 34, 45, 48 & 52 of the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997) the Government of Goa hereby makes the following Rules, namely:—

1. Short title and commencement.— (1) These rules may be called the Goa Command Area Development Rules, 1999.

(2) They shall come into force on such date as Government may, by Notification in the Official Gazette, appoint.

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

(a) “Act” means the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997);

(b) “Form” means the form appended to these rules;

(c) “Schedule” means schedule appended to these rules;

(d) “Government” means the Government of Goa ;

(e) Words and phrases used but not defined in these rules shall have the same meaning as is assigned to them in the Act.

3. The travelling allowance and daily allowance to be paid to the Chairman and members of the Command Area Development Board for the journeys undertaken by them for attending it’s meetings.— The Chairman and other members of the Command Area Development Board shall be entitled to travelling and the Dearness Allowance at the rates specified in the schedule appended to these rules.

4. Powers of the Command Area Development Board to create posts.— (1) No posts shall be created by the Command Area Development Board without prior approval of the Finance Department of the Government.

(2) The minimum educational qualifications required for the post/s created by the Command Area Development Board shall be Bachelor's Degree in Agriculture and shall carry a scale of pay of Rs. 4000-100-6000 and other conditions of the service of the holder of these posts shall be such as are applicable to the non-Gazetted posts in the Administration of the Government.

(3) The total expenditure on salary and allowance in a year on the staff of Command Area Development Board shall not exceed 30 percent of the amount of annual grants made to the Command Area Development Board by the Government of Goa and Central Government.

Explanation:— The total expenditure on salary and allowance for the purpose of this sub-rule shall not include the following:-

- (i) The expenditure on field staff specifically, created for preparation and execution of the scheme under section 16 of the Act;
- (ii) The expenditure on staff specifically created for the execution of the Scheme wholly financed by the Central Government of any agency other than the Government;
- (iii) The expenditure on staff in any of the sectors of the Command Area Development Board in charge of maintenance.

5. Powers of the Chief Executive of the Command Area Development Board:—

The Chief Executive of the Command Area Development Board shall, subject to the regulations made by it under section 54 of the Act, have the following powers, namely:—

- (a) to appoint, in accordance with the Act, Rules and the recommendations of the Command Area Development Board, suitable persons to the posts created by the Command Area Development Board;
- (b) to transfer the agriculture foreman to any place within the Command Area of the Command Area Development Board;
- (c) Subject to the recommendations of the Command Area Development Board, to extend or reduce the period of deputation of any Officer/employee who is on deputation to Command Area Development Board and accordingly, either to retain or send him/her back to respective parent Department;
- (d) to take disciplinary action against the Officers and employees of the Command Area Development Board;
- (e) to sanction leave to the Superintending Engineer, of the Command Area Development Circle and to the Executive Engineers of the Command Area Development Divisions for the period beyond the powers of the Superintending Engineer of Command Area Development Circle, but all as per the provisions under respective leave rules in force in the Administration of the Government of Goa;
- (f) to sanction loans and advances to employees as per the provisions of respective rules in force in the Administration of the Government of Goa;
- (g) to purchase stationery and office equipments for the Command Area Development Board costing beyond the power delegated to the Superintending Engineer of the

Command Area Development Circle, but within the budget allotment made by the Command Area Development Board for that purpose;

(h) to enter into and execute agreements with the financing agency for and on behalf of the Command Area Development Board;

(i) to accept tenders for sanctioned works to the extent of powers delegated to the Chief Engineer of “**Department of irrigation**” of the Government;

(j) to accept tenders for works which are upto 5% in excess of the reasonable amount which shall be worked out and approved as per the normal procedure followed in the “**irrigation**” Department, Government of Goa before opening of tenders, and in case of tenders for works which are more than 5% in excess of said reasonable amount, the acceptance/rejections of such tender shall be decided by the Works Advisory Board of the Government;

(k) to do such other acts and functions as may be authorised by the Command Area Development Board under the Act.

6. Publication of the Development Scheme:— (1) The Command Area Development Board shall publish in the Official Gazette Development Schemes prepared by them for the comprehensive development of the Command Area or any phase of it in Form-I appended to these Rules.

(2) The Scheme as sanctioned under sub-section (1) of section 18 of the Act, shall be notified in the Official Gazette in Form-II appended to these Rules.

(3) The Command Area Development Board shall give directions to the land holders in terms of sub-section (3) of section 19 of the Act, in Form No. III appended to these Rules.

7. Opening of the Bank Account:— (1) The Command Area Development Board shall open a Bank Account in any of the Nationalised Bank, Regional Rural Bank, State or District Co-operative Bank and the Apex Bank situated in Goa and credit all amounts received by it to such account.

(2) Any Officer who is duly authorised by the Command Area Development Board shall operate such account on behalf of the Command Area Development Board.

8. The Annual Budget:— The Command Area Development Board shall prepare a budget as required by section 32 of the Act, in Form No. IV appended to these Rules before 30th September every year and circulate it amongst the members of the Command Area Development Board.

The Command Area Development Board shall send before the 15th October every year required number of copies of the budget to the Secretary to the Government of Goa, Planning Department.

9. Preparation of Annual Statement of Accounts:— The Command Area Development Board shall prepare an Annual Statement of Accounts in Form No. V appended to these Rules before 15th April of every year and required number of sets of such Annual Statement of Accounts shall be sent to the Secretary to the Government, Planning Department.

10. Annual Report:— The Command Area Development Board shall prepare and forward its Annual Report to the Planning Department of the Government before the 30th day of June of the succeeding year in Form No. VI appended to these Rules.

11. Recovery of Charges of unauthorised use of water:— The Canal Officer shall recover the charges for unauthorised use of water at the rates specified in the Notification No. 309/83/CE-Irrg. dated 1st February, 1988, subject to modification/revision made by the Government.

12. Fees for Services:— The fees chargeable under section 45 of the Act, for the services rendered by the Command Area Development Board, shall be the actual cost incurred in rendering such services plus an additional charge not exceeding ten percent of the actual cost.

13. Recovery of dues:— (1) The Command Area Development Board shall, as far as possible, immediately, but not later than three months after the completion of the Schemes, intimate the land holder about the amount to be paid by him towards the cost of works carried out in terms of sub-section (3) of section 19 of the Act.

(2) The rate of interest for the purpose of section 48 of the Act, shall be two percent more than the rate of interest payable by the Command Area Development Board on loans raised from credit agencies.

14. Revision:— The revision application under section 52 of the Act, shall be filed within thirty days from the date of communication of the decision or Order or proceedings referred to therein.

15. Notice to occupier of the building, etc.:— The notice to an occupier of a land, building, enclosed courtyard or garden attached to a dwelling house referred to in proviso to clause (f) of sub-section (4) of section 14 of the Act, shall be in Form No. VII appended to these Rules.

16. Agreement to be entered into by the Canal Officer with the Chairman of the Water Distribution Co-operative Society:— An Agreement to be entered into by the Canal Officer with the Chairman of Water Distribution Co-operative Society, in terms of sub-section (2) of section 15 of the Act, shall be in Form No. VIII appended to these Rules.

17. Notification to prohibit growing of certain kinds of crops and to regulate the period of sowing and duration of crops, etc.:— The Notification to be issued by the Command Area Development Board to regulate the cropping pattern, the period of sowing and the duration of crops and the Notification to be issued by Canal Officer under sub-section (2) of section 28 shall be in Form No. IX-A and IX-B respectively appended to these Rules. Both these Notifications shall be published in the Official Gazette and also displayed on the Notice Boards of the Offices of concerned Mamlatdar, Block Development Officer, Village Panchayats and Water Distribution Co-operative Societies.

By order and in the name of the Governor of Goa.

Sd/- Ashok Kumar, Secretary (“Irrigation”).

Panaji, , 1999.

SCHEDULE

(See rule 3)

1. Chairman of the Command Area Development Board shall be entitled to Travelling Allowance and Dearness Allowance for his official journey at the following rates :-

Travelling Allowance —

By Air	—	Actual expense of journey by Air.
By Train	—	Actual expense of journey by A.C. compartments or first class, as the case may be.
By Road	—	(i) In case of journey by official car Nil (ii) In case of journey by hired car... as per the official rate specified by the respective Government, in which State/Union Territory the journey takes place.
D.A.	—	Within the State and outside the State — same rate as applicable to the Minister of the Government of Goa of Cabinet rank.

II. Non-Official members shall be entitled for Travelling Allowance charged by public transport vehicle and at rate fixed by the Government of Goa for its employees. The Dearness Allowance shall be at the rate entitled to First Class Gazetted Officer of an Executive Engineer's Grade of "irrigation" Department, in scale of Rs. 10,000-325-15,200.

FORM - I

[See rule 6(1)]

Whereas the Command Area Development Board has prepared a development Scheme as required by section 16 of the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997) (hereinafter called the "said Act");

And whereas the said development scheme is required to be published in the Official Gazette in terms of sub-section (1) of section 17 of the said Act, for information of the persons likely to be affected thereby;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the said Act, the Command Area Development Board hereby publishes the said development Scheme prepared in accordance with the provision of section 16 of the said Act for comprehensive development of the land described below and Notice is hereby given that said development Scheme will be taken into consideration by the said Board after the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions in respect thereof shall be forwarded to Command Area Development Board at _____ before the expiry of thirty days from the date of publication of this Notification in the Official Gazette—

(A) Existing field before development :

- (1) District :-
- (2) Taluka :-
- (3) Name of the village :-
- (4) Survey No. :-
- (5) Extent of land :-
- (6) Boundaries :-
- (7) Actual area proposed to be covered
under the Scheme with sketch plan :-
- (8) Details of the work or works to
be executed :-
- a. by the authority
- b. by the beneficiary/land owner

9. Phasing of the Scheme :-
- a. Area-wise
- b. work-wise

(B) Alterations in field boundaries due to development :-

10. Re-allocation or re-alignment
of field channels :-
- a. Survey numbers involved
(covered)
- b. Field boundaries proposed to
be altered
- c. Compensation to be given :- whichever is applicable
- d. Amount to be recovered
11. The cost involved in the Scheme as
also each phase thereof as estimated :-
12. Charges or dues to be levied on the
beneficiaries :-

Chief Executive
(Command Area Development Board)

FORM - II

[See rule 6(2)]

Notification

Whereas the Draft Development Scheme was published as required by sub-section (1) of section 17 of the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997) (hereinafter called the said Act) at pages _____ of the Official Gazette, Series _____ No. _____ dated _____ under Notification No. _____ dated _____ of the Command Area Development Board, inviting objections and suggestions from all persons likely to be affected thereby, before expiry of 30 days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on _____

And whereas all objections/suggestions received from the public have been considered by the Command Area Development Board.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 18 of the said Act, the Command Area Development Board hereby notifies the development scheme as follows:-

- | | |
|---|---|
| (1) District | : |
| (2) Taluka | : |
| (3) Name of the village | : |
| (4) Out-let No. | : |
| (5) Survey No. _____ and extent | : |
| (6) Scheme notified under Form No. (1) _____
of the Command Area Development Rules,
1999, dated—. | : |
| (7) Alteration/modifications approved | : |
| (8) Phasing of the Scheme | : |
| (a) Area-wise | : |
| (b) Work-wise | : |
| (9) Cost involved | : |
| (10) Charges or dues to be levied on
the beneficiaries | : |

Chief Executive
(Command Area Development Board)

FORM-III

[See rule-6(3)]

Directions to the land holders in terms of sub-section (3) of section 19 of the Goa Command Area Development Act, 1997.

Whereas your land/s (more fully described below) has/have been included in the Development Scheme for comprehensive development of the Command Area _____ which has been sanctioned by the Command Area Development Board under section 18 of the Goa Command Area Development Act, 1997 (Act 27 of 1997) and published in the Official Gazette dated ____ Sr. ____ No. ____ vide Notification No. ____ dated ____ & land development work therein is required to be carried out as specified in the said Development Scheme.

Now, therefore, you are hereby required to intimate the Command Area Development Board within one month of the receipt of this directions whether you intend to carry out the land development work yourself according to the approved development scheme.

If you are agreeable to carry out the work yourself, you are liable to pay proportionate cost of survey and supervision is detailed below:-

- | | |
|-------------------------|-----------|
| (1) Cost of Survey | Rs. _____ |
| (2) Cost of Supervision | Rs. _____ |

Further, you are also directed to note that if you fail to intimate your concern to carry out the work yourself within the time specified above or if you fail to carry it out after agreeing to do so the Command Area Development Board will carry out or get carried out the said land development work and the land development so carried out shall be deemed to have been done with your consent.

Also, note that the cost of the work so carried out including survey and supervision and any other amount as certified by the Command Area Development Board shall be a charge on the land so developed if not recovered under Rule 13 of the Goa Command Area Development Rules, 1999.

Description of the Land

- (1) Name of the village _____
 - (2) Survey No. and extent of the land to be developed _____
 - (3) Estimated Cost of the development work as per the approved Scheme _____
- Dated this _____ day _____

Chief Executive
(Command Area Development Board)

To,

FORM – IV

(See rule 8)

**Command Area Development Board
Budget Estimate for the Year**

Sub –Major Head	Actuals			Budget estimates for the year	Revised Estimates for the year			Variation +/-			Remarks
					Actuals	Anticipated Exp.	Total Revised Estimates	Budget estimates for the year	Between B.E. & R.E.	Between R.E. & B.E.	
Minor Head and Detailed Head	2	3	4	5	6	7	8	9	10	11	12

Part I – General (Revenue) Account*Receipts:***A. Grants from Government towards:**

- (1) General Administration
- (2) State Sector Schemes:
 - (i) Agriculture
 - (ii) Ground Water Survey & Investigation
 - (iii) Animal Husbandry
 - (iv) Horticulture
 - (v) Forest
 - (vi) Fisheries
 - (vii) Sericulture
 - (viii) Co-operation
 - (ix) Marketing
 - (x) Other Schemes (if any)
- (3) Central Sector Schemes
(Particular of Central Sector Schemes:
in operation in the Command Area should be specified)

 Total of A :

B. Miscellaneous:

Revenues:-

- (1)
- (2)
- (3)

 Total of B:

 Total of A & B:

 Opening Balance:

 Grand Total:

Note :- Allocation of Funds for Schemes under each sector should be specified in a Schedule and enclosed in respect of A(2) and (3).

1	2	3	4	5	6	7	8	9	10	11	12
---	---	---	---	---	---	---	---	---	----	----	----

A. EXPENDITURE :-

General Administration

- (i) Pay of Officers
- (ii) Pay of Estt.
- (iii) D.A.
- (iv) O.T.
- (v) T.A.
- (vi) Contingencies

Total of A:

B. DEVELOPMENT SCHEMES UNDER STATE SECTOR :-

- (i) Agriculture
- (ii) Ground Water Survey & Investigation
- (iii) Animal Husbandry and Veterinary Services
- (iv) Horticulture
- (v) Forest
- (vi) Fisheries
- (vii) Sericulture
- (viii) Co-operation
- (ix) Marketing
- (x) Other Schemes (if any)

Total of B :

C. DEVELOPMENT SCHEME
UNDER CENTRAL SECTOR :-

- (i) (Particulars of Central Sector Schemes in operation in the Command Area should be specified)

Total of C:

Total of A, B & C :

Closing Balance:

Grand Total :

Note: Details of the Schemes implemented in the Command Area under B and C above should be furnished in a Schedule and appended to this estimate duly indicating the allocation of funds in respect of various Schemes and items coming under each Scheme.

PART II - CAPITAL ACCOUNT

Receipts:

- (1) Loans from State Govt.
- (2) Loans from Central Govt.
- (3) Loans from Other
Financing Agencies

 Total of "A" :

B. Other Receipts :

 Total of A & B :

 Opening Balance:

 Grand Total :

Expenditure :

- A. Capital Expenditure on
Building Works
- B. Other Works

 Total of A & B :

 Closing Balance:

 Grand Total :

Note :- Details of Works executed to be furnished in a Schedule

PART III – DEBT HEADS AND SUSPENSE ACCOUNT

Receipts:

- A. Interest from Investment
- B. Deposits
- C. Advance Recoverable
- D. Other Recoveries
- E. Collection on behalf of Govt.

 Total of A to E :

 Opening Balance :

 Grand Total :

Disbursements :

- A. Investments
- B. Repayments of Loans
- C. Refund of Deposit
- D. Advances
- E. Remittances and Recoveries
- F. Remittances of Other Collections

Total of A to F :
Closing Balance:
Grand Total :

Chief Executive
(Command Area Development Board)

FORM V*(See rule 9)***Command Area Development Board**

Annual Statement of Accounts for the year

PART - I

GENERAL (REVENUE) ACCOUNT

Receipt Account

Heads of Account	Actuals for the previous year	Budget estimates for the year	Revised budget estimates for the year	Actuals for the year	Remarks
1	2	3	4	5	6

A. GRANT-IN-AID FROM GOVERNMENT ON ACCOUNT OF:-

I. State Plan Schemes -

- (i) Agriculture
- (ii) Animal Husbandry & Vet. Services
- (iii) Horticulture
- (iv) Fisheries
- (v) Forest
- (vi) Marketing
- (vii) Sericulture
- (viii) Co-operative
- (ix) Project Studies and Research
- (x) Country Planning & Growth Centres
- (xi) Small Scale Industries
- (xii) Other Schemes, if any, to be specified

Total of 'I'

1	2	3	4	5	6
II. Central Sector and Centrally Sponsored Schemes -					
(i) General Administration and Maintenance					
(a) Pay of Officers					
(b) Pay of Establishment					
(c) T.A.					
(d) Contingency					
(e) Tools and Plants					
(f) Miscellaneous items (to be specified)					
Total of II (i)					
(ii) For Schemes					
(a) Land Development					
(b) Soil Survey Planning, Design and Supervision Onfarm Development Works					
(c) Construction of Field Channels					
(d) Ground Water Survey and investigation					
(e) Drainage					
(f) Subsidy to Small Farmers and Marginal Farmers					
(g) Share Capital Injection to P. L. D.					
(h) Consolidating of holding					
(i) Purchase of equipments					
(j) Construction of Ayacut Roads					
(k) Pilot Projects for Soil and Water Management					
(l) I.R.D. Programme					
(m) Any other Scheme (to be specified)					
Total of II (ii) :					
Total of II :					
Total of 'A' :					
B. (i) Miscellaneous Revenue:					
Revenues derived from the properties of the authority					
(a) From Lands					
(b) From buildings					
(c) From Tools and Plants					
(d) Miscellaneous (to be specified)					
Total of 'B' (i) :					
(ii) Revenues from the other sources:					
(a) Agriculture					
(b) Horticulture					
(c) Irrigation					
(d) Sericulture					

1	2	3	4	5	6
	(e) Marketing				
	(f)				
	(g)				
	(h)				
	Total of 'B' (ii) :				
(iii)	Free Fines etc.:				
	Total of 'A & B' :				
	Opening Balance :				
	Grand Total :				

PART I - EXPENDITURE ACCOUNT COMMAND AREA DEVELOPMENT

Annual Statements of Account for the Year

Heads of Account	Actuals for the previous year	Budget estimates for the year	Revised budget estimates for the year	Actuals for the year	Remarks
1	2	3	4	5	6

A. General Administration

(i) Administrators Establishment—

- (a) Pay of Officers
- (b) Pay of Establishment
- (c) Other Advances
- (d) Dearness Allowance
- (e) Travelling Allowance
- (f) Medical Expenses
- (g) Contingencies
 - (i) Office Expenses
 - (ii) Office Equipments (Furniture and Typewriters etc.)
 - (iv) Stationary
 - (v) Rents, Rates and Taxes
 - (vi) Telephone Charges
 - (vii) Electricity Charges
Petrol, Oil and Lubricants
(Vehicle maintenance)
 - (viii) Advertisement Charges

1	2	3	4	5	6
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (i) :					
	(ii) Expenses connected with the meetings of the Authority				
	(a) T.A. to Members				
	(b) Sitting Fee to members				
	(c) Reimbursement Charges				
Total of (ii) :					
	(iii) Land Development (Agriculture)				
	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				
	(iv) Rents, Rates and Taxes				
	(v) Telephone Charges				
	(vi) Electricity Charges				
	(vii) Maintenance of Vehicle (Petrol, Oil and Lubricants)				
	(viii) Advertisement Charges				
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (iii) :					
	(iv) Land Development - (Engineering Estt.)				
	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				

1	2	3	4	5	6
	(iv)	Rents, Rates and Taxes			
	(v)	Telephone Charges			
	(vi)	Electricity Charges			
	(vii)	Maintenance of Vehicle (Petrol, Oil and Lubricants)			
	(viii)	Advertisement Charges			
	(ix)	Printing Charges			
	(h)	Pension and Leave			
		Salary Contributions			
<hr/>					
		Total of (iv):			
<hr/>					
	(v)	Land Development (Co-operation)			
	(a)	Pay of Officers			
	(b)	Pay of Establishment			
	(c)	Deputation Allowance			
	(d)	Dearness Allowance			
	(e)	Travelling Allowance			
	(f)	Medical Expenses			
	(g)	Contingencies			
	(i)	Office Expenses			
	(ii)	Office Equipments			
	(iii)	Stationary			
	(iv)	Rents, Rates and Taxes			
	(v)	Telephone Charges			
	(vi)	Electricity Charges			
	(vii)	Maintenance of Vehicle (Petrol, Oil and Lubricants)			
	(viii)	Advertisement Charges			
	(ix)	Printing Charges			
	(h)	Pension and Leave			
		Salary Contributions			
<hr/>					
		Total of (v) :			
<hr/>					
	(vi)	Development of Animal Husbandry and Veterinary Services			
	(a)	Pay of Officers			
	(b)	Pay of Establishment			
	(c)	Deputation Allowance			
	(d)	Dearness Allowance			
	(e)	Travelling Allowance			
	(f)	Medical Expenses			
	(g)	Contingencies			
	(i)	Office Expenses			
	(ii)	Office Equipments			
	(iii)	Stationary			
	(iv)	Rents, Rates and Taxes			
	(v)	Telephone Charges			

1	2	3	4	5	6
	(vi)	Electricity Charges			
	(vii)	Maintenance of Vehicle (Petrol, Oil and Lubricants)			
	(viii)	Advertisement Charges			
	(ix)	Printing Charges			
	(h)	Pension and Leave Salary Contributions			
		Total of (vi) :			

(vii) Horticulture Development

- (a) Pay of Officers
- (b) Pay of Establishment
- (c) Deputation Allowance
- (d) Dearness Allowance
- (e) Travelling Allowance
- (f) Medical Expenses
- (g) Contingencies
 - (i) Office Expenses
 - (ii) Office Equipments
 - (iii) Stationary
 - (iv) Rents, Rates and Taxes
 - (v) Telephone Charges
 - (vi) Electricity charges
 - (vii) Maintenance of Vehicle
(Petrol, Oil and Lubricants)
 - (viii) Advertisement Charges
 - (ix) Printing Charges
- (h) Pension and Leave
Salary Contributions

Total of (vii) :

(viii) Sericulture Development

- (a) Pay of Officers
- (b) Pay of Establishment
- (c) Deputation Allowance
- (d) Dearness Allowance
- (e) Travelling Allowance
- (f) Medical Expenses
- (g) Contingencies
 - (i) Office Expenses
 - (ii) Office Equipments

1	2	3	4	5	6
	(iii) Stationary				
	(iv) Rents, Rates and Taxes				
	(v) Telephone Charges				
	(vi) Electricity Charges				
	(vii) Maintenance of Vehicle (Petrol, Oil and Lubricants)				
	(viii) Advertisement charges				
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (viii) :					
(ix) Marketing Development	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				
	(iv) Rents, Rates and Taxes				
	(v) Telephone Charges				
	(vi) Electricity Charges				
	(vii) Maintenance of Vehicle (Petrol, Oil and Lubricants)				
	(viii) Advertisement Charges				
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (ix) :					
(x) Fisheries Development	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				

1	2	3	4	5	6
	(iv) Rents, Rates and Taxes				
	(v) Telephone Charges				
	(vi) Electricity Charges				
	(vii) Maintenance of Vehicle (Petrol, Oil and Lubricants)				
	(viii) Advertisement Charges				
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (x) :					
(xi)	Forest Development				
	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				
	(iv) Rents, Rates and Taxes				
	(v) Telephone Charges				
	(vi) Electricity Charges				
	(vii) Maintenance of Vehicle (Petrol, Oil and Lubricants)				
	(viii) Advertisement Charges				
	(ix) Printing Charges				
	(h) Pension and Leave Salary Contributions				
Total of (xi) :					
(xii)	Ground Water Survey and Investigation				
	(a) Pay of Officers				
	(b) Pay of Establishment				
	(c) Deputation Allowance				
	(d) Dearness Allowance				
	(e) Travelling Allowance				
	(f) Medical Expenses				
	(g) Contingencies				
	(i) Office Expenses				
	(ii) Office Equipments				
	(iii) Stationary				
	(iv) Rents, Rates and Taxes				

1	2	3	4	5	6
	(v)	Telephone Charges			
	(vi)	Electricity Charges			
	(vii)	Maintenance of Vehicle (Petrol, Oil and Lubricants)			
	(viii)	Advertisement			
	(ix)	Printing Charges			
	(h)	Pension and Leave Salary Contributions			
<hr/>					
Total of (xii) :					
<hr/>					
Total of Group 'A'					
<hr/>					

B. EXPENDITURE ON STATE PLAN SCHEMES

(i) Agricultural Development:

- (a) Purchase of plant protection equipments
- (b) Conducting Education Training
Camps for farmers
- (c) Study tour for Farmers
- (d) Demonstration in various fields related
to **“irrigation”**
- (e) Purchase of equipments for
Audio visual programmes
- (f) Printing and Publicity of literatures
on Agricultural Development
- (g) Purchase of tools and Plants (Schemes to be specified)

Total of (i) :

(ii) Development of Animal Husbandry and

Veterinary Services :

- (a) Strengthening Veterinary Institutions
- (b) Training Farmers in
 - (i) Sheep Rearing
 - (ii) Dairing
 - (iii)
 - (iv)
- (c) Demonstration Programme
 - (1)
 - (2)
 - (3)
- (d) Printing and Supplying of Literature on Animal Husbandry
- (e) Supply of—
 - (1) Drug
 - (2) Pigs
 - (3) Cocks
 - (4) Bulls
 - (5) Sheep etc.

1	2	3	4	5	6
(f)	Purchase of Equipments for Demonstration				
(g)	Purchase of equipments for distribution to farmers				
(h)	Purchase of Tools and Plants to be specified				
(i)					
(j)					
Total (ii) :					
(iii) Horticulture Department :					
(a)	Estt. of Horticulture Farms				
(b)	Layout demonstrations				
(c)	Training of Farmers in Horticulture				
(d)	Purchase of Seeds, Seedlings etc. for demonstration purposes				
(e)	Purchase of seeds, seedlings improvements etc. for supply to farmers				
(f)	Printing and leaflets				
(g)	Purchase of Tools and Plants to be specified				
(h)					
(i)					
(j)					
Total (iii) :					
Fisheries Development :					
(a)	Construction of Fish farms				
(b)	Purchase of Fish Seeds				
(c)	Training of Fishermen				
(d)	Pisciculture demonstrators				
(e)	Purchase of vehicles for transportation				
(f)	Purchase of Fish farm equipments/implements				
(g)	Purchase of Tools and Plants to be specified				
(h)					
(i)					
Total (iv) :					
(v) Forest Development:					
(a)	Maintenance of Plantations				
(b)	Raising and planting of seedling				
(c)	Maintenance and raising of Nurseries				
(d)	Canal Bank Plantation				
(e)	Planting Agree				
(f)	Purchase of Tools and Plants to be specified				
(g)					
(h)					
(i)					
Total (v) :					

1	2	3	4	5	6
(vi) Marketing :					
	(a)	Supply of Metric Weights and Storage bins			
	(b)	Purchase of Tools and Plants to be specified			
	(c)				
	(d)				
	(e)				
Total (vi) :					
(vii) Sericulture Developments :					
	(a)	Maintenance and raising of mulberry plants			
	(b)	Purchase of Tools and Plants to be specified			
	(c)				
	(d)				
	(e)				
Total (vii) :					
(viii) Co-operation					
	(a)	Enrolment of Members			
	(b)	Subsidy to S.T. and S.C. to become members of Co-operatives			
	(c)	Subsidy for levelling “ irrigation ” Wells and I.P. Sets.			
	(d)	Purchase of Tools and Plants to be specified			
	(e)				
	(f)				
	(g)				
Total (viii) :					
(ix) Project Studies and Research :					
	(a)	Purchase of Equipments			
	(b)	Preparation of Project Reports and Printing			
	(c)	Purchase of Tools and Plants to be specified			
	(d)				
	(e)				
	(f)				
	(g)				
Total (ix) :					
(x) Country Planning and Growth Centres :					
(Heading of Expenditure to be specified)					
Total (x) :					

- (xi) Small Scale Industries:
(Heading of Expenditure to be specified)

Total (xi) :

Total of Group “II”

C. CENTRAL SECTOR AND CENTRALLY SPONSORED SCHEMES

- (i) Land Development:
 (a) Headings to be specified
 (b)
 (c)
 (d) Purchase of Tools and Plants

Total (i) :

- (ii) Soil Survey
 Planning, Design, Supervision on
 Farm Development Works
 (a) Headings to be specified
 (b)
 (c)
 (d) Purchase of Tools and Plants

Total (ii):

- (iii) Construction of Field Channels :
 (a) Headings to be specified
 (b)
 (c)
 (d)
 (e) Purchase of Tools and Plants

Total (iii) :

- (iv) Ground Water Survey And Investigation:
 (a) Headings to be specified
 (b)
 (c)
 (d)
 (e) Purchase of Tools and Plants

Total of (iv) :

- (v) Construction of Field Drainage :
 (a) Headings (to be specified)
 (b)
 (c)
 (d)
 (e) Purchase of Tools and Plants

Total of (v) :

vi) Subsidy of Small and Marginal Farmers :

(a) Headings to be specified

1	2	3	4	5	6
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(b)

(c)

(d)

(e) Purchase of Tools and Plants

Total of (vi) :

(vii) Injection of Share Capital:

Detailed headings to be specified :

(a)

(b)

(c)

(d) Purchase of Tools and Plants

Total (vii) :

(viii) Consolidation of Holdings:

Headings of expenditure to be specified

(a)

(b)

(c) Purchase of Tools and Plants

Total of (viii) :

(ix) Purchase of Equipments :

(Fields to which the Expr. relate to be indicated)

(a)

(b)

(c)

(d)

Total of (ix) :

(x) Construction of Ayacut Roads:

(Headings to be specified)

(a)

(b)

(c)

(d)

Total of (x) :

(xi) Pilot Projects for Soil and Water Management:

(Headings to be specified)

(a)

(b)

(c)

(d)

Total of (xi) :

1	2	3	4	5	6
(xii)	Integrated Rural Development Programme: (Expr. under each programme to be specified.)				
	(a)				
	(b)				
	(c)				
	(d)				
Total of (xii) :					
(xiii)	Other Schemes, if any to be shown separately				
TOTAL UNDER GROUP "C"					
TOTAL OF "I TO III "					
CLOSING BALANCE					
GRAND TOTAL :					

Annual Accounts of the CADA for the Year

PART II

CAPITAL ACCOUNT

Heads of Account	Actuals for the previous year	Budget estimates for the year	Revised budget estimates for the year	Actuals for the year	Remarks
1	2	3	4	5	6

CAPITAL RECEIPTS

Opening Balance

Loans Raised on A/C or :

- (1) Agriculture
- (2) Animal Husbandry & Vet. Services
- (3) Horticulture
- (4) Fisheries
- (5) Afforestation
- (6) Marketing
- (7) Sericulture
- (8) Co-operation
- (9) Project Studies and Research
- (10) Country Planning & Growth Centres
- (11) Small Scale Industries
- (12) Ayacut Roads
- (13) Land Development (Survey, Design, Supervision & OFD Works)

1	2	3	4	5	6
(14)	Construction of Field Channels				
(15)	Drainage Works				
(16)	Ground Water Survey and Investigation				
(17)	Purchase of Equipments				
(18)	Subsidy to S & M farmers				
(19)	Special Loan Accounts				
(20)	Construction of Markets				
(21)	Land Development Training Centres				
(22)	Building Works (for Establishment and Staff Quarters)				
(23)	CADA Establishment				
(24)	Other Irrigation Works				
(25)	Other Schemes, if any				
	<i>Receipts :</i>				
(1)	Agriculture				
(2)	Animal Husbandry & Veterinary Services				
(3)	Horticulture				
(4)	Fisheries				
(5)	Afforestation				
(6)	Marketing				
(7)	Sericulture				
(8)	Co-operation				
(9)	Project Studies and Research				
(10)	Country Planning & Growth Centres				
(11)	Small Scale Industries				
(12)	Ayacut Roads				
(13)	Land Development (Survey, Design, Supervision & OFD Works)				
(14)	Construction of field channels				
(15)	Drainage Works				
(16)	Ground Water Survey and Investigation				
(17)	Purchase of Equipments				
(18)	Subsidy to A & M farmers				
(19)	Special Loan Account				
(20)	Construction of Markets				
(21)	Land Development Training Centres				
(22)	Building Works (for Establishment and Staff Quarters)				
(23)	CADA Establishment				
(24)	Other Irrigation Works				
(25)	Other Schemes, if any				
<hr/>					
Total Receipts :					
<hr/>					
Total Receipts including 'O & B' :					
<hr/>					

Expenditure :

- (1) Agriculture
- (2) Animal Husbandry &
Veterinary Services
- (3) Horticulture
- (4) Fisheries

1	2	3	4	5	6
(5)	Afforestation				
(6)	Marketing				
(7)	Sericulture				
(8)	Co-operation				
(9)	Project Studies and Research				
(10)	Country Planning & Growth Centres				
(11)	Small Scale Industries				
(12)	Ayacut Roads				
(13)	Land Development (Survey, Design, supervision & OFD Works)				
(14)	Construction of Field Channels				
(15)	Drainage Works				
(16)	Ground Water Survey and Investigation				
(17)	Purchase of Equipments				
(18)	Subsidy to S & M farmers				
(19)	Special Loan Account				
(20)	Construction of Markets				
(21)	Land Development Training Centres				
(22)	Building Works (for Establishment and Staff quarters)				
(23)	CADA Establishment				
(24)	Other Irrigation Works				
(25)	Other Schemes, if any				
<hr/>					
Total Expenditure :					
<hr/>					
Closing Balance :					
<hr/>					
(1)	Agriculture				
(2)	Animal Husbandry & Veterinary Services				
(3)	Horticulture				
(4)	Fisheries				
(5)	Afforestation				
(6)	Marketing				
(7)	Sericulture				
(8)	Co-operation				
(9)	Project Studies and Research				
(10)	Country Planning & Growth Centres				
(11)	Small Scale Industries				
(12)	Ayacut Roads				
(13)	Land Development (Survey, Design, Supervision & OFD Works)				
(14)	Construction of Field Channels				
(15)	Drainage Works				
(16)	Ground Water Survey and Investigation				
(17)	Purchase of Equipments				
(18)	Subsidy to A & M farmers				
(19)	Special Loan Account				
(20)	Construction of Markets				
(21)	Land Development Training Centres				
(22)	Building Works (for Establishment and Staff quarters)				
(23)	CADA Establishment				

1	2	3	4	5	6
(24) Other Irrigation Works					
(25) Other Schemes, if any					
Total Closing Balance :					

Note :- A separate statement in the form given below shall be prepared for each scheme coming under Capital Account

Name of the Scheme :
Opening Balance

Receipts :

1. Loan from Government
2. Loan from other Agencies
3. No. of installments of Loan received
4. Contributions from Farmers
5. Contribution from General Revenue
6. Sale proceeds of lands and other capital assets
7. Deposits from Contractors
8. Recovery and Advances
9. Other receipts (to be specified)

Total :

Grand Total including 'O & B' :

Expenditure

1. Special Establishment if any, employed on the Scheme
2. Cost of Works (Workwise details to be furnished separately)
3. Contingencies
4. Cost of Stores and Materials
5. Refund of Deposits
6. Advances to Contractors
7. Cost of Special T and P
8. Purchase of land
9. Misc. (to be specified)

Total "C & B" :

Grand Total :

Total closing balance :

Annual Accounts of the CADA for the Year**PART III - Debt and suspense Account**

Heads of Account	Actuals for the previous year	Budget Estimates for the year	Revised budget estimates for the year	Actuals for the year	Remarks
1	2	3	4	5	6

*Receipts:**A. Interest from Investments*

1. Interest from Investments
2. Realisation from sinking funds for repayment of loans

Total of 'A' :

B. Deposits:

1. Deposits from Contractors
2. Deposits from Farmers for Works
3. Security Deposits from employees
4. Other Misc. Deposits

Total of 'B' :

C. Advances recoverable:

1. From Contractors
2. From Farmers
3. From Employees
 - (i) H.B.A.
 - (ii) M.C.A.
 - (iii) B.P.A.
 - (iv) F.A.
 - (v) Rice/Ragi purchase advance
 - (vi) Advance pay
 - (vii) Stock
4. Permanent Advances
5. Advance to Executive Department adjusted

Total of 'C' :

D. Other Recoveries :

1. From Contractors
 - (a) Royalty
 - (b) Income Tax
 - (c) (to be specified)

1	2	3	4	5	6
2.	From Farmers -				
	(a) Repayment of Loans from Ineligible Farmers				
	(b) Contributions				
3.	From Employees –				
	(a) Insurance Premia/Loan repayment				
	(i) K.G.I.D.				
	(ii) L.I.C.				
	(iii) P.L.I.				
	(b) G.P.F. Subscription and Loan Repayment				
	(c) Income Tax				
	(d) P.T.				
	(e) F.B.F.				
Total of 'D' :					
E. Collection on behalf of Government :					
1.	To be specified				
2.					
3.					
Total of 'E' :					
Total Receipts of Part III :					
O.B.:					
Grand Total :					
Disbursements					
A. <i>Investments:</i>					
	(i) Investment from General Account				
	(ii) Investment from Sinking Fund				
	(iii) Investment from Unspent Loans				
Total of 'A' :					
B. <i>Repayments of Loans :</i>					
1.	Repayment of Government Loans				
2.	Repayment of Loans to the Agencies				
3.	Interest on Loans				
	(a) Government Loans				
	(b) Other Loans				
Total of 'B' :					
C. <i>Refund of Deposits:</i>					
1.	Contractors				
2.	Cost of Works done for Farmers				
3.	Employees				
4.	Other Misc. Deposits				
Total of 'C' :					

1	2	3	4	5	6
---	---	---	---	---	---

D. Advances to :

1. Contractors
2. Farmers
3. Employees
 - (i) H.B.A.
 - (ii) M.C.A.
 - (iii) B.P.A.
 - (iv) F.V.A.
 - (v) Rice/Ragi purchase Advance
 - (vi) Advance of Pay
 - (vii) Stock
 - (viii) Advances to Executive Department

Total of 'D' :

E. Remittances and Recoveries:

1. Royalty
2. Income Tax
 - (i) Contractors
 - (ii) Employees
3. (a) Insurance Premia/Employment of Loan
 - (i) K.G.I.D.
 - (ii) L.I.C.
 - (iii) P.L.I.
4. G.P.F. Subscription/Repayment of Loans
5. F.B.F.
6. P.T.
7. Contributions

Total of 'E' :

F. Remittances of other collections :

(Items to be specified)

Total of 'F' :

Total expenditure of Part III :

Closing Balance :

Grand Total :

FORM No. VI

(See rule 10)

Command Area Development Board For _____ Irrigation
Project, Goa.

Annual Report for the year _____

(I) Preamble—

(II) Project and Project-History _____

- (III) Objectives of the Command Area Development
- (IV) Sphere of activities. _____
- (V) Organisation set-up and details of Command Area Development Board.—
- (VI) Budget and Expenditure.—
- (VII) Utilisation of potential (coverage). _____
- (VIII) Itemwise details of Onfarm Development Works _____
- (IX) Positive effect/Benefits derived due to implementation of the Command Area Development Programme.

FORM No. VII
(See rule 15)

Notice to an occupier of private land, building, enclosed Courtyard or garden attached to dwelling house under proviso to Clause (f) of sub-section (4) of section 14 of the Command Area Development Act, 1997, Goa (Act 27 of 1997).

To,

I _____, Canal Officer, _____ hereby give notice that it is proposed to enter into the land, building/enclosed Court/Garden attached to dwelling house in survey No. _____ of _____ village _____ Taluka _____ District which is in your occupation for the purpose of _____ at _____ on _____.

I, request you to allow any person acting on my behalf and under my orders to (here enter the purpose) _____

Canal Officer

FORM No. VIII
(See rule 16)

**Draft agreement between the Command Area Development
Board and Co-operative Water Distribution Society**

This Agreement is made at _____ on this _____ day of _____ in the year one thousand nine hundred and ninety eight between the Command Area Development Board, a body constituted under the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997), having its Office at _____ and represented in this act by Shri _____ by virtue of _____

dated ____ (hereinafter called 'Board') which expression shall unless repugnant to the context or meaning thereof be deemed to include its successors in office and permitted assigns) of the one part and the ____ Society, a society registered under the ____ under Registration No. ____ having its Registered Office at _____ and represented in this Act by its Chairman Shri _____ having been duly authorised in this behalf by virtue of ____ dated _____ (hereinafter called 'Society' which expression, unless repugnant to the context or meaning thereof, include its successors-in-office and permitted assigns) of the other part.

Whereas, the Command Area falling under Minor/Water Course No. _____ in villages _____ of _____ Irrigation Project (hereinafter called as the "Command Area"), is assigned to the Society for Irrigation management for a period under this Agreement (Command Area map is attached);

And whereas the ownership of Minor/Water Course No. ____ alongwith on Farm Development structures and land acquired for the water delivery systems and all works executed through the Board funds will remain with the Board;

And whereas to achieve the above objectives, terms and conditions as specified hereunder have been mutually agreed to by both the parties hereto. These terms and conditions shall be modified if required with the consent of both the parties by way of supplementary Agreement.

Now, therefore, this Agreement witnesseth as under :-

(1) Objectives of the Agreement :-

The main objectives of the Board behind this Agreement is to utilise the available water to crops as per the requirement and to increase the crop production and also to increase the farmers participation in Irrigation water management.

Rules, regulations, objectives and line of action for the Society will be as under :—

(A) Minimum 2/3 of the area of concerned Minor/Water Course No. _____ under Command Area shall be under command of the Society or out of total beneficiaries 2/3 of the beneficiaries shall be members of the Society.

(B) The Board will supply water at the Minor/Water Course No. ____ head and the same shall be distributed by the Society to all members and non-members in proportion of their crop area.

(C) FC, FD, Minor/Water Course No. ____ and structures thereon in the area of operation of the Society; shall be required to be maintained by the Society.

(D) The Board will provide training to the beneficiaries in latest technology in water management for economic and proper water use.

If any objective other than above is to be included by the Society, then the Boards will have no objection to include it. However, this objective shall be got approved from the Board and if any objective affects the main objectives, then it will stand cancelled automatically. This provision needs to be made in the bye-laws of the Society.

(2) Right of Water :—

(a) In each season, water will be supplied to the Society at Minor/Water Course head. (this will be regulated as per condition No. 2 (d) below).

(b) The Board will supply water for the season generally from 1st November to 31st May as per the demand and as per availability of water. In case of failure of monsoon in the Kharif season, the demand of the Society will be considered by the Board, but the Board will not be obliged for its Sanction.

(c) Right is reserved to Sanction/or reject extra demand of water after taking into consideration the actual availability of water. Extra water can be sanctioned but if due to any reason, the Board is not able to supply such extra water then the Board shall not be responsible for any losses of the beneficiaries.

(d) If in any part of the year, water available in the reservoir is less, then water supply will be proportionately curtailed. Intimation regarding the same will be given at the beginning of the season.

(e) If any member of the society sells his land, his membership will be automatically cancelled and new owner thereof will be eligible for membership of the Society.

(f) In each season, rotation programme of canal will be published and will be given to the Society 10 days prior to beginning of season.

(g) All beneficiaries in the Command Area of the Society shall have right for membership of the Society. Each member shall have right for taking water in each season. If any member does not take water or take less water, then the Society shall have the right to distribute the water to other members.

(3) Use of Water For Irrigation :-

Water will be supplied to the Society only for Irrigation purpose. If water is required for processing industry, then the Society shall give separate demand for the same and will have to obtain a separate sanction for the same from the Board.

(a) If due to topographical limitation, water could not be supplied this also includes uncommand area of flow Irrigation and if such area is to be included after land development, etc., in the Command Area (flow Irrigation) of Society for Irrigation, subsequent to the Agreement, water may be sanctioned for such extra area under the same terms and conditions so as to encourage utilization of available Irrigation potential. However, such sanction of water shall be restricted based on the availability.

(b) The Society shall have the right to decide different water rates for non-member farmers and the members of the Society and accordingly, the Society shall have the right to recover water charges from non-member farmers. However, this rates shall not exceed 30% more than the rates applicable to member of the Society.

(c) Water Rate and Charges :-

The Society shall collect water charges from the members of the Society at the rate fixed by the Board, from time to time. The Society shall pay to the Board the water charges based on the cropping pattern as approved by the Board or as per actuals after keeping a margin of 10 % as working capital.

(4) Right of Members :-

In the Command Area of the Society, the land owner or the tenant may become a member of the Society. Members shall apply for his water demand to the Society in the specified form and the Society shall inform the decision on such demand within a month after consideration.

Each members shall have right to get water in each rotation from the Society for the season as per R.W.S. (Rotational Water Supply) decided by the Society. Under any circumstances, the number of actual water using members () and area of a actual Irrigation (Ha.) on this Minor/Water Course at the time of Agreement, shall not be reduced. If it is reduced, the Board reserves the right to stop the water supply.

(5) Recovery of Water Charges :-

The Board will supply water to the Society at the Minor/Water Course head as per sanction. For the water supplied, bill will be prepared based on the cropping pattern fixed by the Board after deduction 10 % towards working capital of the Society.

Statement showing recovery dates

Sr. No.	Description	Date
1.	Date of sending bill to the Society by the Board	15 th August
2.	Date of payment of bill by the Society to the Board	15 th October

If the Society pays the amount to the Board after the stipulated date, a surcharge at 2% shall be paid by the Society to the Board. The Board shall have right to stop water supply to the Society, if water charges of the previous season is not paid within stipulated time limit.

(6) Repairs and Maintenance of Water Course :-

(a) After execution of this Agreement and before starting of water supply, Minor/Water Courses and Structures on the Command Area of the Society will be jointly inspected and any requisite development and repairs needed will be carried out at the Board cost and after such repairs it will be shown to the satisfaction of the Society that desire carrying capacity is available in the system by actual joint inspection.

(b) It will be the responsibility of the Society to repair and maintain Water Course and field channels in the Command Area of the Society. For this purpose, the Board will give Rs. 5.00 per meter length of water course to the Society on the basis of the certificate issued by the concerned Cannal Officer of the Command Area Review of this fund shall be taken after two years.

Following items are covered under maintenance :-

- i. maintenance of Water courses and Field Channels;
- ii. to keep services road and inspection path in good condition;
- iii. to remove grass, shrubs and trees growing in the water Courses and field Channels;
- iv. desilting of Water courses/field channels;
- v. to keep structures in good conditions;
- vi. to keep outlet gates in good condition.

Note:- If maintenance is not properly done, the Board reserves right to stop the water supply or carry out the repair works on behalf of the Society and recover the cost from the Society after 15 days notice as an arrears of land revenue under the law for the time being in force.

(7) Repairs and Maintenance of Field Channels and Field Drains:-

(a) After execution of this agreement with the Society and prior to start water supply, field channels, field drains and Onfarm Development structures on the same in the Command Area of the Society will be expected jointly and if necessary, requisite

development and repairs for water supply will be carried out at cost of the Board and after such repairs, it will be shown to the satisfaction of the Society, that desired carrying capacity is available in the system, by actual joint inspection.

(b) Responsibility of repairs and maintenance of Field Channel, Field Drains and Onfarm Development structures in the Command Area of the Society, will rest with the Society, the cost of which will be met from the fund made available to the Society as per the clause 6 (b) above. The Board reserves the right to stop water supply if proper maintenance is not done.

Following items are included in maintenance:-

- (i) to remove silt from Field Channel and Field Drains,
- (ii) to keep service road, inspection path in good condition,
- (iii) to remove grass shrubs etc.;
- (iv) to keep Onfarm Development structure in good condition,
- (v) to keep outlet gates in good condition.

The Board reserves the rights to stop water supply or carry out repairs on behalf of the Society and recover cost for the same as an arrear of land revenue under the Law for the time being in force, if proper maintenance is not done.

(8) Extra Facility For Encouragement:-

For achieving objective, such as, utilising all the available water proper manner, controlling unauthorised Irrigation, supply of water on maximum Command Area, for encouragement of the Society, the following special facility will be given to the Society, if demanded.

At present, managerial subsidy will be given at the following rate. First two years Rs. 100/- per hectare and Rs. 75.00 per hectare for the third year. The salary payment of one canal Supervisor who may be appointed by the Society will be reimbursed at the rate which will be at par of the salary of the Canal Supervisor of the Department of the Government, and which is at present in the scale of Rs. 800-1150.

This facility may be made available to the Society for maximum of three years after this Agreement.

(9) Irrigation on Percolation/Leakage :-

If water is used from the percolation/leakage from minor/water course and drainages in the Command Area of the Society, water charges will be imposed. However, the Society shall have no right on the percolated/leakage water from main canal and water in nallas.

(10) Rights of Government Officers :-

The concerned Canal Officer shall have the right to see that terms/conditions mentioned in the Agreement are properly implemented or not, by inspection of water supply system and Command Area of the Society at any time. Inspection of working record of the Society shall be carried out by the Canal Officer, from time to time, in a year and the Society shall be responsible for compliance of such inspection report.

(11) If there is any dispute regarding various provisions made in this Agreement between the concerned Canal Officer and the Society, then final decision shall be of the Board.

(12) The period of this Agreement shall be five years with effect from the day of its execution and the same may be extended by mutual consent of both the parties.

(13) The provisions in this Agreement will be reviewed after 3 years and will be decided whether this Agreement shall be continued or not.

(14) There will be one representative of the Government as standing honorary member on the executive committee of the society.

(15) The stamp duty payable on this presents shall be borne by _____.

In witness whereof the parties have signed these presents on the date _____ herein before mentioned.

Shri _____

Chairman of _____

Society, by virtue of _____

Dated _____

Witnesses

(1) _____

(2) _____

Shri _____

Canal Officer, for and on behalf

of the Board, by virtue of

dated _____

Witnesses

(1) _____

(2) _____

FORM - IX - A

Notification

(See rule 17)

In exercise of the powers conferred by sub-section (1) of section 28 of the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997), I _____ Chief Executive of the Command Area Development Board, hereby declares that the Command Area Development Board _____ is satisfied that for the better cultivation of the lands and for the optimum utilisation of the water resources of _____ it is expedient and desirable in the public interest, to regulate that the _____ crop/s should be grown in any area/land coming under the Command area of _____ and the sowing thereof should invariably start by _____

Chief Executive
(Command Area Development Board)

FORM - IX - B

Notification

(See rule 17)

Whereas the Command Area Development Board vide Notification No. _____ dated _____ 199 , publication in the Official Gazette, Series _____ No. _____ dated _____ 199 , has made a declaration under sub-section (1) of section 28 of the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997) (hereinafter called the 'said Act').

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 28 of the said Act, I _____ Canal Officer, hereby specify that whoever intends to cultivate _____ in the _____ season in any area/land coming under the Command Area of _____ should invariably start sowing the seeds by _____ (date) and _____ harvest the crop latest by _____ (date) in case _____ crop is standing in the above said area/land after _____ (date), no Irrigation water from the above said water source will be supplied to the same from _____ (date).

Canal Officer