GOVERNMENT OF GOA

CITIZEN'S CHARTER FOR

WATER RESOURCES DEPARTMENT

PANAJI-GOA
Irrigation Department was created in the year 1980 with the intention to optimise utilisation of available water resources of Goa. Earlier it was looked after by some Divisions in Public Works Department even prior to liberation of Goa from Portuguese rule. In the year 2000, the Irrigation Department was renamed as Water Resources Department.

Water Resources Department provides infrastructure facilities, deals with Minor Irrigation, Major and Medium Irrigation projects, wells / bore wells, bandharas, Tanks, flood protection, Anti-sea erosion measures and removal of drainage congestion, construction of field channels, Development of command area lands, and formation of Co-operative Societies under various schemes under Command Area Development Authority.

Water Resources Department also enlist the contractors for executing various works proposed by the Department. The department also issues N.O.C. for drawing the water from canal/ river/ nallah and looks after distribution of water to the fields.

Water Resources Department also undertakes the responsibility of training the farmers for their participation in the irrigation management and also provides the facility to improve marketing facility for agriculture produce in the command area.

Goa Tillari Irrigation Development Corporation is a part and parcel of W.R.D. and established to make a special provision for mobilization of resources for completion of the ‘Tillari Irrigation Project’ a joint venture of the Government of Goa and the Government of Maharashtra in time bound manner and or that purpose to establish the Goa Tillari Irrigation Development Corporation and for purposes -connected with the matters aforesaid.

Water Resources Department is headed by the Chief Engineer with its Office functioning at Junta- House, Second floor, Panaji.

The Organisation Chart of the Water Resources Department and Goa Tillari Irrigation Development Corporation
**CITIZEN'S CHARTER FOR WATER RESOURCES DEPARTMENT**

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REFER THE DEPARTMENT WEBSITE : [www.goawrd.gov.in](http://www.goawrd.gov.in)

OR

FOR/ACTS AND RULES

REFER GOVT. WEBSITE/DEPARTMENT WEBSITE : [www.goa govt.nic.in](http://www.goa govt.nic.in)

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C I T I Z E N ’ S   C H A R T E R

I. MINOR IRRIGATION WORKS

1. I / WE WANT ONE OPEN WELL/ BORE WELL, R.C.C SUNK WELL IN MY FIELD FOR IRRIGATION, WHAT I SHOULD DO?


The beneficiaries may approach below mentioned officers as per type of well/jurisdiction indicated below:

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Type of Work</th>
<th>Site in</th>
<th>Concerned Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Dug Wells</td>
<td>South Goa</td>
<td>Executive Engineer, Works Division-II (W.R.D.), Ravanfond, Salcete - Goa.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>except Canacona</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Irrigation wells</td>
<td>North Goa &amp;</td>
<td>Executive Engineer, Works Division-I ((W.R.D.)), Patto, Panaji-Goa.</td>
</tr>
<tr>
<td></td>
<td>under subsidy scheme</td>
<td>South Goa</td>
<td>Executive Engineer, Works Division-II, (W.R.D.), Ravanfond, Salcete - Goa.</td>
</tr>
</tbody>
</table>

The work will be taken up with the approval of the Government based on feasibility studies and availability of resources. The beneficiaries are required to pay water rates as per Notification No.309/83/CE-Irrg.Dt. 1/2./1988 (Vide Appendix-II) or its revision from time to time. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002 (Refer Appendix-I) to the concerned Officers of the Water Resources Department.
2. **WE ARE GROUP OF FARMERS WITH FIELDS ADJACENT TO PERENNIAL NALLAH WITH LOW BANKS. WHAT SHOULD WE DO FOR IRRIGATING OUR FIELDS?**

In case of perennial nallah with low banks, a Bandhara or Weir can be constructed for heading and diversion of water from the stream. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002( Refer Appendix-I) to the concerned Officers of the Water Resources Department. The Jurisdiction is mentioned below:

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>If nallah is located in</th>
<th>Concerned Officers</th>
</tr>
</thead>
</table>

The work will be taken with the approval of the Government based on feasibility studies and availability of resources. The beneficiaries will have to pay water rates as per Notification No.309/83/CE-Irrg.Dt. 1/2./1988 or its revision from time to time. (Vide Appendix-II).

3. **WE ARE THE FARMERS UNDER A KATCHA BANDHARA. WE WANT TO HAVE PERMANENT STRUCTURE FOR EASY MAINTENANCE. WHOM WE SHOULD APPROACH?**

The Water Resources Department takes up such works. The work will be taken up with the approval of the Government based on feasibility studies and availability of resources. The beneficiaries are required to pay water rates as per Notification No.309/83/CE-Irrg.Dt. 1/2./1988 (Vide Appendix-II) or its revision from time to time. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002( Refer Appendix-I) to the concerned Officers of the Water Resources Department.

4. **a) I WANT TO LIFT WATER FROM A NALLAH/ RIVER FOR IRRIGATING MY FIELDS. WHOM I SHOULD APPROACH?**

**b) I WANT TO DRAW WATER FROM A NALLAH/ RIVER/ CANAL FOR NON-IRRIGATION PURPOSE. WHAT SHOULD I DO?**

You are supposed to obtain N.O.C. for lifting of water from the Canal Officers with Jurisdiction mentioned below:

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Nallah Located</th>
<th>Concerned Officers/ Canal Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>District- South Goa</td>
<td>Executive Engineer, Works Division-II, (W.R.D.), Ravanfond, Salcete - Goa.</td>
</tr>
</tbody>
</table>

The application shall be submitted in the form No. 8 (Vide Appendix-III) along with Security Bond in the Form No. 6 (vide Appendix-VI) as per Irrigation Act, 1973.
5. **WE ARE FARMERS OWNING LAND ON THE SIDE OF PERENNIAL NALLAH/RIVER WITH HIGH BANKS. WE WANT IRRIGATION FACILITY TO OUR FIELDS. WHAT SHOULD WE DO?**

The Government is constructing lift irrigation schemes for benefits of the farmer. The Water Resources Department takes up such works. The work will be taken up with the approval of the Government based on feasibility studies and availability of resources. The beneficiaries are required to pay water rates as per Notification No.309/83/CE-Irrg.Dt. 1/2./1988 (Vide Appendix-II) or its revision from time to time. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002 (Refer Appendix-I) to the concerned Officers of the Water Resources Department and also should submit application for water for irrigation as per Form No.-5 (Pl. refer Appendix-V) after completion of the work and should execute Form of Security Bond in Form No. 6(Appendix : VI).

The documents should be sent to the following Officers of the Water Resources Department mentioned as per jurisdiction:

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>The Fields fall in</th>
<th>Concerned Officers</th>
</tr>
</thead>
</table>

6. **WE ARE GROUP OF FARMERS OWNING AGRICULTURAL LANDS. WE WOULD LIKE THE DEPARTMENT TO IMPROVE THE SPRING TANK AND PROVIDE WATER FOR IRRIGATION, WHAT DO WE DO?**

Water Resources Department carries out the improvement to the spring tanks and also construct new tanks for irrigation. The work will be taken up with the approval of the Government based on feasibility studies and availability of resources. The beneficiaries are required to pay water rates as per Notification No.309/83/CE-Irrg.Dt. 1/2./1988 (Vide Appendix-II) or its revision from time to time. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002 (Refer Appendix-I) to the concerned Officers of the Water Resources Department.
II. FLOOD PROTECTION ANTI-SEA EROSION MEASURES AND REMOVAL OR DRAINAGE CONGESTION.

7. WE ARE STAYING IN AN AREA WHERE WE ARE AFFECTED BY FLOODS RESULTING IN LOSS TO PROPERTY AND LIVES. IS THERE ANY PROGRAMME WITH WATER RESOURCES DEPARTMENT TO TAKE FLOOD PROTECTION MEASURES TO SAVE PROPERTY AND LIFE?

The Water Resources Department takes up the flood protection measures to avoid the damages due to flooding. The Department has built up embankments at Sanquelim and Bicholim for such purposes. If your area is affected by flooding resulting in damages to property and lives, the work will be taken up with the approval of the Government based on feasibility studies and availability of resources. You have to submit the proposal along with the documents mentioned in circular No.25-2/SE-CPO-DWR/2002-03/454 dated 17-12-2002(Refer Appendix-I) to the concerned Officers of the Water Resources Department.

8. WE ARE STAYING NEAR THE SEA COAST AND DUE TO THE EROSION OF SEA THE PROPERTY AND LIVES ARE IN DANGER. WE NEED PROTECTION AGAINST THE FURY OF THE SEA. WHOM SHOULD WE APPROACH?

In case your area is affected by sea erosion you may request to the Executive Engineer mentioned at Q.No. -2. The Department will take up the work after techno-economic studies and as per the availability of funds.

9. THE NALLAH / RIVULET WHICH CARRIES THE STORM WATER DURING MONSOON HAS SITTED UP, IS CAUSING FLOODING IN THE AREA. WHOM SHOULD WE APPROACH?

In case, the nallah siltation is in an area other than Municipal area you may write to the Panchayat to request the Executive Engineer mentioned at Q.No.-2 to take up above desilting of the nallah mentioning the details of beneficiaries. The Department will take up the work after techno-economic studies and as per the availability of funds.
III. COMMAND AREA DEVELOPMENT AUTHORITY

10. WHAT IS COMMAND AREA?

The agricultural land below the main canal water level forms command area.

11. WHAT IS COMMAND AREA DEVELOPMENT PROGRAMME?

It is an integrated programme involving both Irrigation and Agricultural activities to assist farmers in land, water and crop management.

12. WHAT IS COMMAND AREA DEVELOPMENT AUTHORITY (CADA)?

It is an organisation created for the implementation of Command Area Development Programme. In Goa it is headed by the Superintending Engineer in Water Resources Department since 1980.

The address of the Command Area Development Authority.

The Superintending Engineer, CADA Circle, Irrigation Complex, Gogal, Margao, Goa.

The addresses of the Executive Engineers in charge of Salaulim Irrigation Projects, Anjunem Irrigation Projects & Tillari Irrigation Projects and address of the Managing Director, GTIDC (Goa Tillari Irrigation Development Corporation) are given below:

<table>
<thead>
<tr>
<th>Name of the Project</th>
<th>Addresses of the canal Officers/ concerned officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anjunem Irrigation Project</td>
<td>Executive Engineer, Works Division-V (W.R.D.), Anjunem Irrigation Project, Karapur - Tisk, Sanquelim-Goa.</td>
</tr>
<tr>
<td>Tillari Irrigation Project (Bicholim Taluka)</td>
<td>Executive Engineer, Works Division-VI (W.R.D.), Tillari Irrigation Project, Bicholim - Goa.</td>
</tr>
<tr>
<td>Tillari Irrigation Project (Pernem Taluka)</td>
<td>Executive Engineer, Works Division-VII (W.R.D.), Tillari Irrigation Project, Tisk, Dhargal, Pernem - Goa.</td>
</tr>
<tr>
<td>Tillari Irrigation Project (Bardez Taluka)</td>
<td>Executive Engineer, Works Division-VIII (W.R.D.), Tillari Irrigation Project, Karaswada, Bardez - Goa.</td>
</tr>
<tr>
<td>Salaulim Irrigation Project</td>
<td>Executive Engineer, Works Division-XIV (W.R.D), Irrigation Complex, Gogol, Margao-Goa.</td>
</tr>
</tbody>
</table>

13. THERE EXISTS ONE WATER COURSE WITHIN 100-200 METERS FROM MY FIELD. I WANT WATER FOR IRRIGATION. WHAT SHOULD I DO TO GET UP TO MY FIELDS.

Under CAD Programme field channels are constructed within the Command of each outlet. You can approach the respective Executive Engineer in charge of your Command area with a request to construct field channels.

14. I AM A CULTIVATOR UNDER SALAULIM / ANJUNEM / TILLARI IRRIGATION PROJECT. A FIELD CHANNEL IS CONSTRUCTED UPTO MY FIELDS. WHAT SHOULD I DO TO GET WATER TO MY FIELDS?
The persons desiring to have supply of water to his fields for irrigation from the canal in the command area has to apply in Form No. 5 (Vide Appendix-V) along with the security bond in Form No. 6 (Vide Appendix-VI) as per Irrigation Act, 1973, to the Canal Officer/ concerned officers mentioned in Q.No.-12 above.

15. **I AM HAVING FIELDS ADJACENT TO WATER COURSE. BUT MY FIELDS ARE LITTLE HIGHER THAN CANAL WATER LEVEL. WHAT SHOULD I DO TO GET WATER FOR IRRIGATION?**

Land levelling and shaping is to be done for making changes in the topography of the land surface and easing of slope to make it fit for uniform distribution of water. Agricultural wings attached to CADA Divisions will advise you in development of your plot for getting water for Irrigation. You may approach the Executive Engineers and the Managing Director, GTIDC (Goa Tillari Irrigation Development Corporation) mentioned below:

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of the Project</th>
<th>Address of the Division/GTIDC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Anjunem Irrigation Project</td>
<td>Executive Engineer, Works Division-V,(W.R.D.), Karapur, Sanquelim-Goa.</td>
</tr>
<tr>
<td>3.</td>
<td>Tillari Irrigation Project</td>
<td>Executive Engineer, Works Division-VI (W.R.D.), Tillari Irrigation Project, Bicholim - Goa.</td>
</tr>
<tr>
<td>5.</td>
<td>Tillari Irrigation Project</td>
<td>Executive Engineer, Works Division-VIII (W.R.D.), Tillari Irrigation Project, Karaswada, Bardez- Goa.</td>
</tr>
</tbody>
</table>

16. **WHAT IS WARABANDI?**

Warabandi is system of rotation of supply of water according to a predetermine schedule as per area and crop needs specifying the day, time and duration of supply to each holding to ensure equitable water distribution among farmers of an outlet command.

17. **I AM NOT GETTING WATER REGULARLY FROM CANAL. BUT I FEEL I CAN GET WATER IF I DIG AN OPEN WELL TO SUPPLEMENT WATER TO MY CROPS. WHAT SHOULD I DO?**

One of the objective of the CAD- Programme is conjunctive use of surface and ground water. You can dig an open well at your cost with prior permission from local
authorities. You can approach the Canal Officer of your area mentioned at Q.No.-12 above.

18. **I AM A FARMER UNDER SALAULIM/ ANJUNEM/ TILLARI IRRIGATION PROJECT. I WANT TRACTOR FOR TILLING MY FIELD WHAT SHOULD I DO?**

   You can approach Executive Engineer mentioned above at Q. No. 15.

19. **I AM A CULTIVATOR IN THE COMMAND AREA AND GETTING WATER FOR IRRIGATION. I DONOT KNOW WHICH CROP WILL BE MORE SUITED TO MY FIELD. WHAT SHOULD I DO?**

   You may approach any one of the Officer mentioned below for proper advice.

   1. **THE DY. DIRECTOR(AGRICULTURE) CADA-CIRCLE, IRRIGATION COMPLEX, GOGAL, MARGAO.**

   2. **INPUT AND EXTENSION INCHARGE CADA-CIRCLE, IRRIGATION COMPLEX, GOGAL, MARGAO.**

      Note: Both Officers are of S.I.P.

   3. **THE WATER MANAGEMENT SPECIALIST, AGRICULTURE OFFICER, WORKS DIVISION-V, WATER RESOURCES DEPARTMENT, KARAPUR- TISK, SANQUELIM- GOA.**

20. **WE ARE THE FARMERS BELOW THE WATER COURSE UNDER SALAULIM/ ANJUNEM/ TILLARI IRRIGATION PROJECT. WE WANT TO FORM A SOCIETY. WHAT SHOULD WE DO?**

   The steps involved in formation of water distribution co-operative society are as follows:

   i. **The selection for command area for the formation of water distribution co-operative societies:** Generally 100 ha. Of land or area under one unit of distribution system is considered for formation of society. However, this can very depend on site situation. Documents such as command area, length of water-course, crops grown, list of beneficiaries and command map to be prepared for preparing the registration proposal.

   ii. **Motivation of farmers for the formation of the Society:**

      Selection of farmers leaders on each outlet/ water course, direct outlet etc. Regular meetings to be taken so that 100% farmers are motivated for the formation of the society. Minimum 51% of the total number of farmers should decide to form the water distribution co-operative society.
iii. Minimum of 51% of the total number of farmers should take a meeting for the formation of water distribution co-operative society and should take following resolution.

a) Election of promoters atleast 11 promoters and one chief promoter among them who will be authorised to sign documents for registration.

b) Selection of name of the society.

c) Selection of area of operation of the society.

d) Object of the society i.e. distribution of irrigation water maintenance and repairs of the structures, collection of water rates and remittance to the Water Resources Department. Keeping 10% of the total collection of the working capital.

iv On written request from the Chief Promoter of the proposed society, the Superintending Engineer, CADA will issue letter regarding the command area, length of water course and the financial assistance that will be made available to the society on registration and taking over of the water distribution system.

v. Preparation of registration proposal duly signed by the 11 promoters and submitting to the Assistant Registrar of the Co-operative Societies, along with letter from the Superintending Engineer, CADA at Sr. No. – IV above.

vi. Opening of the Bank account in the name of the Chief Promoter.

vii. On receipt of the registration order initiate formalities as per Co-operative Society's Act, Rules and the Bye-laws.

Item Nos. ‘i to iv’ are looked after by the concerned Assistant Engineers and item No. ‘v to vii’ are dealt by Credit incharge, CADA.

21. WHAT BENEFITS WE ARE GOING TO GET IF WE FORM WATER USER'S SOCIETY?

The water distribution Co-operative Societies formed by the farmers beneficiaries will get the following facilities from the Government.

A. The Societies will get 10% of the water rates collected based on the cropping pattern and approved rates by the Government. The amount can be kept as working capital.

B. For repair and maintenance of the water course in the command of the society, the Government will give Rs. 5/- per meter length of water course to the societies.

C. Managerial subsidy at the rate of Rs. 600/- per Ha for the once time payment will be granted by the Government, which will be contributed by the Central Government at the rate of Rs.270/- per Ha and State Government at the rate of Rs.270/- per Ha and W.U.A has to contribute Rs.60.00 per ha.

D. The Water User's Associations (W.U.A.) registered as Class-V in the Water Resources Department, the works of maintenance of canal/ water course/ Field channels is awarded without call of tender to the W.U.A. who have registered as Class-V contractor in W.R.D.at the estimated cost prepared based on prevailing Goa Scheduled of Rates.
The formation of societies and handing over the water distribution to the societies have helped in equitable distribution of water where earlier there were problems.

Person to be contacted for more details:

1. Superintending Engineer – CADA.
2. Credit Incharge in the office of the Superintending Engineer, CADA, Irrigation Complex, Gogal, Margao.

22. **I WANT TO CONSTRUCT FENCING TO MY FIELDS. WHOM I SHOULD APPROACH FOR CREDIT FACILITIES?**

The CAD Authority assists the farmer to obtain credit for fencing and also for crop cultivation by processing and forwarding the loan cases to the Co-operative / Nationalised banks according to their service area. For this purpose one credit incharge is posted in the CADA office of Gogol- Margao. The farmer may contact this officer for assistance.

23. **I AM OBSERVING THAT WATER IS NOT MOVING FREELY IN MY FIELDS AND GETTING STAGNATED, WHOM I SHOULD APPROACH?**

You can contact Dy. Director of Agriculture(CADA) or the Input or Extension Incharge(CADA) of the water management specialist at the address mentioned at Sl.No.-19.

24. **MY FIELD IS COMING UNDER COMMAND OF IRRIGATION SCHEME WHICH IRRIGATES AREA MORE THAN 500 HA. WHAT SHOULD I DO?**

You can contact Dy. Director of Agriculture(CADA) or the Input or Extension Incharge(CADA) of the water management specialist at the address mentioned at Sl.No.-19 and receive directions as per Form III (pl. refer Appendix-IX).

25. **THERE IS NO ROAD TO OUR FIELD. WE FACE PROBLEMS FOR TRANSPORTATION OF AGRICULTURE PRODUCE. WHAT WE SHOULD DO?**

Under CAD programme, the Department is taking up construction of village roads in order to enable the farmers to transport their farm produce.

These works are taken up as per funds availability. The land required for these roads is to be made available by the famers themselves. They have to approach the Executive Engineer of their area.

**CONSTRUCTION OF MARKET COMPLEX**

26. **IS THERE ANY SCHEME WITH CADA TO IMPROVE MARKETING FACILITIES FOR THE AGRICULTURE PRODUCE IN THE COMMAND AREA?**

In order to strengthen the existing market facilities available in the Command of Salaulim and Anjunem Irrigation Projects, two big market complexes have been construction as detailed below:
FACILITIES AVAILABLE AT THESE MARKET COMPLEX

a) CURCHOREM MARKET COMPLEX

i) No of shops 26 Nos.

ii) No of stalls for fish & vegetables vendors 45 Nos.

iii) Hall One No. available for different social activities on rent.

b) SANQUELIM IN A.I.P. COMMAND AREA

i) No. of shops 13 Nos.

ii) No. of stalls 48 Nos.

In addition to above smaller markets in some Panchayat areas within command area are also constructed.

c) SALAULIM COMMAND AREA

i) Rivona

ii) Morlem, with 7 shops each.

For details of the market complexes under SIP, Executive Engineer Works Division XIV, (W.R.D.), Irrigation Complex, Gogal, Margao may be contacted and similarly for A.I.P. Executive Engineer, Works Division-V(W.R.D), Anjunem Irrigation Project, Karapur-Tisk, Sanquelim-Goa, may be contacted.

IV. REGISTRATION/ ENLISTMENT AS A CONTRACTOR

27. I WANT TO EXECUTE WORKS ON CONTRACT IN YOUR DEPARTMENT. WHAT SHOULD I DO?

To execute any work in the Water Resources Department one has to enlist as a Contractor as per Notification No. 7/10-5-2004-PWD/EC/114, dt. 2-8-2004( Vide Appendix-X) or its modification from time to time; he has to apply in the application form(Vide Appendix-X) along with two identity card photos and documents/certificates according to class of registration in Notification mentioned above and payment of registration fees as per Notification 7/10-5/89-PWD-277, dated 1-01-2001 or its modification from time to time.( Pl. refer Appendix – XI).The fees for obtaining the tender documents is as per Notification No.2-3-80-CE-PWD-EO/278, dated 29-12-2000. or it's modification from time to time.( Pl. refer Appendix - XII).

For further details he may approach the Engineering Officer, Office of the Chief Engineer,(W.R.D.), Sinchai Bhawan, Alto Porvorim, Bardez -Goa. To get the works in the Department he will have to quote for the tender and succeed in competition.
V. TRANSPORTATION OF WATER

28. I WANT TO TRANSPORT WATER MORE THAN 30,000 LITRES ANNUALLY FROM A SOURCE OF WATER IN A SCHEDULED AREA/NON-SCHEDULED AREA BY ANY MEANS OF SURFACE TRANSPORT OR BY A PIPELINE. WHAT I SHOULD DO?

This governs under the Goa Ground Water Regulation Act 2002 (Pl. refer Appendix – XIV) and Rules 2003 (Pl. refer Appendix – XV) and Amendments Rules 2005 (Pl. refer Appendix – XVI) and Amendments time to time. The beneficiaries shall apply in the prescribed proforma to the Ground Water Officer as per the location of source jurisdiction as follows:

<table>
<thead>
<tr>
<th>Location of sources from where water is to be transported</th>
<th>Ground Water Officer concerned.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Talukas:</td>
<td></td>
</tr>
<tr>
<td>(1) Pernem, Bardez, Bicholim, Sattari and Tiswadi</td>
<td>Ground Water Officer North i.e. Executive Engineer, W.D.I., W.R.D. Patto, Panaji-Goa.</td>
</tr>
<tr>
<td>(2) Ponda, Sanguem, Salcete, Canacona, Quepem, Mormugao</td>
<td>Ground Water Officer South i.e. Executive Engineer, W.D.XIII, W.R.D., Irrigation Complex, Gogal- Margao</td>
</tr>
</tbody>
</table>

29. I HAVE GOT EXISTING WELL AND I WANT TO REGISTER THE SAID WELL WITH THE GOVERNMENT. WHAT SHOULD I DO?

To register any existing well it is to be declared to fall in the scheduled area as per Goa Ground Water Regulation Act 2002 (Goa Act 1 of 2002). Then he should apply to the Ground Water Officer as per Rule 3 (1) of North-Goa or South Goa as per the jurisdiction in the prescribed proforma – Form – I of Notification (Pl. refer Appendix : XV and XVI).

30. I WANT TO SINK A WELL. WHAT SHOULD I DO?
To sink a well one has to apply to the Ground Water Officer concerned i.e. North-Goa or South-Goa as per the jurisdiction depend on the location of the well. In case the well falls in scheduled area declared as per the Goa Ground Water Regulation Act-2002 one should use prescribed proforma Form – II for making application and that of non-scheduled area one should use prescribed proforma Form – IX of Notification Appendix : XV and XVI.
DETAILS OF ACQUIRED LAND

31. I WANT TO KNOW THE DETAILS OF ACQUIRED LAND FOR TILLARI IRRIGATION PROJECT IN NORTH–GOA.

To know the details of the land acquired he should contact Additional Chief Engineer (I & P) Sinchai Bhawan, Alto Porvorim Goa or the special land acquisition Officer (SLAO), North, Karaswada, Bardez–Goa and concerned Executive Engineers.

32. I WANT TO KNOW THE DETAILS OF ACQUIRED LAND FOR W.R.D. WORKS IN NORTH AND SOUTH GOA.

To know the details of the land acquired he should contact the special land acquisition Officer (SLAO), North, Karaswada, Bardez–Goa and SLAO, South, Gogal–Margao and concerned Executive Engineers.

Goa Tillari Irrigation Development Corporation was the part and parcel of W.R.D. and established to make a special provision and mobilization of resources for completion of the Tillari Irrigation Project, a joint venture of the Government of Goa and Govt. of Maharashtra in time bound manner.

RAIN WATER HARVESTING

33. WE ARE THE USERS OF RAW WATER, WHETHER THE GOVERNMENT GIVES ANY INCENTIVE FOR ‘ROOF TOP RAINWATER HARVESTING’?

Yes. To Know the details of roof top rainwater Harvesting you should contact Executive Engineer, -W.D.-I, W.R.D., Panaji for North-Goa and Executive Engineer, -W.D.-II, W.R.D., Ravanfond Salcete Goa for South –Goa, Please refer the Notification No.4-4/EO –WRD/450, dated 16/10/2008 Published in official Gazette Government of Goa Series-I No.30 dated 23/10/2008. This deals with policy on Rainwater Harvesting. The Government provides subsidies on reimbursement basis, also institute an ‘Annual Award’ carrying a citation and cash prize for the best Rainwater Harvesting practices in the State.

INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005

34. I, NEED THE INFORMATION UNDER RIGHT TO INFORMATION ACT, 2005, TO WHOM I SHOULD CONTACT?

To know the details please refer order No.37-1/98-CE-WR-ADM-II/492, dated 23/09/2005. to ask the information for ‘APIO/PIO’ of the concerned jurisdiction.

To know the Updated details please refer order No.4/5/EO-WRD/2010-2011/111 dated. 18/05/2011 and No.4/5/EO-WRD/2010-2011/112 dated. 18/05/2011 to ask the information for ‘APIO/PIO’ of the concerned jurisdiction and for First Appellate Authority.

**********
REDRESSAL OF GRIEVANCES

Public grievances may be addressed to:

1. **In respect of Water Resources Department,**

   Engineering Officer,
   
   O/o the Chief Engineer,
   
   Water Resources Department,
   
   2nd Floor, Junta House (Annexe),
   
   Panaji-Goa. Ph: 9420690079.

2. **In respect of Goa Tillari Irrigation Development Corporation,**

   Superintending Engineer, Circle II,
   
   Goa Tillari Irrigation Development Corporation,
   

1. **In respect of Water Resources Department North Goa,**

   Superintending Engineer, Circle - I,
   
   Data Centre, Sinchai Bhawan,
   
   Water Resources Department,
   
   Alto-Porvorim, Bardez – Goa
   
   Ph: 2414042.
2. In respect of Water Resources Department South Goa,

   Superintending Engineer, Circle III,
   Water Resources Department,
   Irrigation Complex,
   Gogal, Margao - Goa,
   Ph: 2759427.

3. In respect of Goa Tillari Irrigation Development Corporation,

   Superintending Engineer, Circle II,
   Goa Tillari Irrigation Development Corporation,
**OFFICE ADDRESSES:**

<table>
<thead>
<tr>
<th><strong>Water Resources Department</strong></th>
</tr>
</thead>
</table>
| **1.** The Chief Engineer,  
Water Resources Department,  
Sinchai Bhawan, Near Police station  
Porvorim, Bardez Goa.  
Ph: 0832-2412047 / 9420690085.  |
| **2.** Superintending Engineer,  
Central Planning Organization,  
Water Resources Department,  
Sinchai Bhawan, Near Police station  
Porvorim, Bardez Goa.  
Ph:2417044 / 9422063064  |
| **3.** Superintending Engineer, Circle I,  
Water Resources Department,  
Data Centre, Sinchai Bhawan, Near Police station Porvorim, Bardez Goa.  
Ph: 2414042.  |
| **4.** Executive Engineer,  
Water Resources Department,  
Works Division I,  
Patto, Panaji-Goa.  
Ph. 2425998 / 9420690046.  |
| **5.** Executive Engineer,  
Water Resources Department,  
Works Division X,  
Ravonfond Salcete -Goa.  
Ph. 2759439 / 9422437436.  |
| **6.** Executive Engineer,  
Water Resources Department,  
Works Division XIII, Govt. Office Complex,  
Ponda-Goa.  
Ph. 2312093 / 9420690046.  |
| **7.** Executive Engineer,  
Water Resources Department,  
Works Division XI,  
Ravanfond Salcete -Goa.  
Ph.2759168 / 9420690027.  |
| **8.** Superintending Engineer, Circle III,  
Water Resources Department,  
Gogal, Margao-Goa.  
Ph. 2759427 / 9422437435.  |
| **9.** Special Land Acquisition Officer (S),  
Water Resources Department,  
Gogal, Margao-Goa.  
Ph.9420690063  |
| **10.** Executive Engineer,  
Water Resources Department,  
Works Division X,  
Pajimol, Sanguem-Goa.  
Ph. 2604237 / 9420690017.  |
| **11.** Executive Engineer,  
Water Resources Department,  
Works Division IX,  
Gogal, Margao-Goa.  
Ph.2759559 / 9420690038.  |
| **12.** Executive Engineer,  
Water Resources Department,  
Works Division XIII,  
Gogal, Margao-Goa.  
Ph.2759168 / 9420690030.  |
| **13.** Executive Engineer,  
Water Resources Department,  
Works Division XII,  
Gogal, Margao-Goa.  
Ph. 2759880 / 9420690023.  |
| **14.** Superintending Engineer,  
Circle IV,  
Water Resources Department,  
Gogal, Margao-Goa.  
Ph. 2759921 / 9420690012.  |
| **15.** Executive Engineer,  
Water Resources Department,  
Works Division V,  
Karapur, Tisk Sanquelim-Goa.  
Ph. 2364338 / 9420690039.  |
| **16.** Executive Engineer,  
Water Resources Department,  
Works Division XIV,  
Gogal, Margao-Goa.  
Ph.2759207 / 9420690059.  |
<table>
<thead>
<tr>
<th>OFFICE ADDRESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EXECUTIVE ENGINEER UNDER TILLARI IRRIGATION PROJECT</strong></td>
</tr>
<tr>
<td>1. Additional Chief Engineer (I&amp; P), Tillari Irrigation Project, Sinchai Bhawan, Alto Porvorim, Bardez _Goa. Ph: 2411517/ 2411518</td>
</tr>
<tr>
<td>2. Superintending Engineer, Circle II, Tillari Irrigation project, Karaswada, Bardez-Goa. Ph. 2257521</td>
</tr>
<tr>
<td>3. Executive Engineer, Works Div. VI, Tillari Irrigation project, Bicholim-Goa. Ph. 2361375</td>
</tr>
<tr>
<td>5. Executive Engineer, Works Div. VIII, Tillari Irrigation project, Karaswada-Goa. Ph: 2257265</td>
</tr>
<tr>
<td>6. Special Land Acquisition Officer (N), Tillari Irrigation project, Karaswada-Goa. Ph: 2257833</td>
</tr>
</tbody>
</table>
### TIME FRAME FOR DIFFERENT WORKS

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Name of Works</th>
<th>No. of days.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Application for drawing water for Irrigation from River/Nallha/Stream</td>
<td>15 days.</td>
</tr>
<tr>
<td>2.</td>
<td>Application for water for Irrigation</td>
<td>15 days.</td>
</tr>
<tr>
<td>3.</td>
<td>Enlistment of Contractors</td>
<td>30 days</td>
</tr>
<tr>
<td>4.</td>
<td>Grant of permission to transport water</td>
<td>10 days</td>
</tr>
<tr>
<td>5.</td>
<td>Refusal of permission to transport water.</td>
<td>90 days.</td>
</tr>
<tr>
<td>6.</td>
<td>Registration of existing well</td>
<td>10 days</td>
</tr>
<tr>
<td>7.</td>
<td>Sinking of well</td>
<td>10 days</td>
</tr>
</tbody>
</table>

**Note:** Above time frame is subjected to submission of required document complete in all respect and compliance of all other procedural formalities.
To,
The Director,
Directorate of Public Grievances,
D-5-C, D type Quarters, 1st floor,
Opp. Living Comfort showroom,
St. Inez, Panaji – Goa.

Sub: Providing services under the The Goa (Citizens Right to Delivery of Public Services) Act 2013.

Sir,

With reference to above, please find enclosed herewith the rescheduled information pertaining to Water Resources Department for further needful along with soft copy.

Yours faithfully,

(S.T.Nadkarni)
Chief Engineer (WR)
<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Designated Officer</th>
<th>Services Deliverables to the Citizens</th>
<th>Time limit within which Services are to be provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Executive Engineer (Canal Officer &amp; Ground Water Officer), Work Division – I, Water Resources Department, Patto, Panaji – Goa (Jurisdiction - North Goa) AND Executive Engineer (Canal Officer &amp; Ground Water Officer), Work Division – II, Water Resources Department, Ravaonfond Salcete – Goa (Jurisdiction - South Goa)</td>
<td>Grant of permission /N.O.C. for drawing water for agriculture purpose from canals under the Irrigation Act 1973 subject to availability of water.</td>
<td>15 days.</td>
</tr>
<tr>
<td>2.</td>
<td>Executive Engineer (Canal Officer &amp; Ground Water Officer), Work Division – II, Water Resources Department, Ravaonfond Salcete – Goa (Jurisdiction - South Goa)</td>
<td>Grant of permission / N.O.C. for drawing water for commercial/Industrial purpose from canals under Irrigation Act 1973 subject to availability of water and approval of competent Authority.</td>
<td>21 days.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grant of permission for registration of existing ground water structures under the Goa Ground Water Regulation Act, 2002.</td>
<td>21 days.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grant of permission for transportation of ground water under the Goa Ground Water Regulation Act, 2002 subjected to approval of Ground Water Cell.</td>
<td>21 days.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grant of permission for sinking of wells under the Goa Ground Water Regulation Act, 2002 subjected to approval of Ground Water Cell.</td>
<td>21 days.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sanction of proposals under subsidy schemes namely open wells subjected to clearance of documents. (Jurisdiction except Canacona Taluka of South Goa)</td>
<td>21 days.</td>
</tr>
<tr>
<td>3.</td>
<td>Executive Engineer Work Division – III, Water Resources Department, Ponda - Goa</td>
<td>Disposal of applications for digging borewells /shallow wells / tubewells for agriculture purpose subject to techno-economical feasibility and approval of competent Authority</td>
<td>21 days.</td>
</tr>
<tr>
<td>4.</td>
<td>Executive Engineer Work Division – V, Water Resources Department, Karapur Tisk, Sakhali - Goa</td>
<td>Disposal of applications for release of water for agriculture purpose under the command area of Anjunem Irrigation Project (AIP) subject to availability of water.</td>
<td>15 days (After notifying a date for release of water every year)</td>
</tr>
<tr>
<td>5.</td>
<td>Executive Engineer Work Division – X, Water Resources Department, Pajimol, Sanguem - Goa</td>
<td>Disposal of applications for release of water for agriculture purpose for the PAP's of Salaulim Irrigation Project (SIP) under the Lift Irrigation Scheme at Vaddem &amp; Valkinim of area in Sanguem Taluka subject to availability of water.</td>
<td>15 days (After notifying a date for release of water every year)</td>
</tr>
<tr>
<td></td>
<td>Executive Engineer Work Division – XI, Water Resources Department, Gogal, Margao - Goa</td>
<td>Disposal of applications for release of water for agriculture purpose under the Irrigation Act 1973 subject to availability of water of the Lift Irrigation Scheme. Disposal of applications for release of water for agriculture purpose under the command area of Chapoli Minor Irrigation Project subject to availability of water. Sanction of proposals under subsidy schemes namely open wells subjected to clearance of documents.(Jurisdiction Canacona Taluka)</td>
<td>15 days (After notifying a date for release of water every year)</td>
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<tr>
<td></td>
<td>Executive Engineer Work Division – XIV, Water Resources Department, Gogal, Margao - Goa</td>
<td>Disposal of applications for release of water for agriculture purpose under the command area of Salaulim Irrigation Project subject to availability of water.</td>
<td>15 days (After notifying a date for release of water)</td>
</tr>
</tbody>
</table>
Acts, rules and circulars to be referred to Citizen’s Charter of Water Resources Department Goa.

Also available on following web sites:
Water Resources Department web site:- www.goawrd.gov.in
and
Government web site:- www.goa.govt.nic.in
C I R C U L A R

Sub: Implementation of Irrigation schemes for construction of wells for irrigation purpose.

It has come to the notice of undersigned that, while implementing Irrigation schemes for construction of wells for Irrigation purpose, the implementing officers are finding difficulty due to wells taken up under three programmes i.e. under Minor Irrigation, Western Ghats Development programme and Irrigation well scheme (subsidy). **Please note that all the three schemes are to be implemented as per criteria.**

The following criteria should be followed while taking up wells under various programme as per table at Annexure I.

Hence it is enjoined upon all the implementing officers to follow the criteria strictly and make the programme successful.

Sd/-

( S. D. Sayanak )
Chief Engineer (WR)

Dated: 17th December, 2002

Authorised to issue.

Sd/-

( P. J. Bhobe)
Superintending Engineer, CPO

Copy to: 1) Superintending Engineer, Circle I, Water Resources Department, Panaji.
2) Executive Engineer, Works Division-I / II / III /XI, W.R.D., Panaji / Margao / Ponda for information and necessary action.
<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Name of programme /scheme</th>
<th>Jurisdiction</th>
<th>Criteria</th>
<th>Notification No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minor Irrigation - Construction of open wells (shallow/deep)/ Construction of bore wells.</td>
<td>Entire Goa</td>
<td>Beneficiaries</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>a. Request/Resolution from Local Bodies, Panchayat, Public Representatives i.e. Zilla Panchayat Member/MLA/Member of Parliament.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>b. List of beneficiaries.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>c. Form I &amp; XIV of the area to be cultivated.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>d. N.O.C./Gift of land required for construction of well in favour of The Executive Engineer Department of Water Resources from the owners on which property the structure is to be constructed and for approach to site. The portion of land required for construction of Minor Irrigation works, is required to be transferred to Government after Government sanction is accorded to the proposal.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>e. Group of farmers.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>f. Number of beneficiaries should be more than one B.C. ratio more than 1.25</td>
<td></td>
</tr>
<tr>
<td>Sr.No.</td>
<td>Name of programme /scheme</td>
<td>Jurisdiction</td>
<td>Criteria</td>
<td>Notification No.</td>
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<tr>
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</tr>
<tr>
<td>2.</td>
<td>Western Ghats Development programme const. of open wells (shallow /deep) Construction of bore wells</td>
<td>Only in Sattari, Sanguem, Canacona</td>
<td><strong>Beneficiaries:</strong>&lt;br&gt;a. Request/Resolution from Local Bodies, Panchayat, Public Representatives i.e. Zilla Panchayat Member/MLA/Member of Parliament&lt;br&gt;b. List of beneficiaries.&lt;br&gt;c. Form I &amp; XIV of the area to be cultivated. N.O.C. / Gift of land required for construction of well in favour of the Executive Engineer Department of Water Resources from the owners on which property the structure is to be constructed and for approach to site. The portion of land required for construction of Minor Irrigation works, is required to be transferred to Government after Government sanction is accorded to the proposal.&lt;br&gt;d. Group of farmers.&lt;br&gt;e. Number of beneficiaries should be more than one B.C. ratio more than 1.25</td>
<td></td>
</tr>
<tr>
<td>Sr.No.</td>
<td>Name of programme /scheme</td>
<td>Jurisdiction</td>
<td>Criteria</td>
<td>Notification No.</td>
</tr>
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<td>------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3.</td>
<td>Irrigation well scheme– subsidy Const. of open wells (shallow/deep) Const. of borewells</td>
<td>Entire Goa</td>
<td><strong>Beneficiary shall be</strong></td>
<td>No.80-1/CE-DWR-EO/1394 Dated 24-1-02(Pl. refer Appendix-IV) And Designated Executive Eng. Assistant Engineer vide No.80-1/CE-DWR-EO/2002-03/650 dated 8-11-2002. (Pl. refer Appendix-V)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>i) Individual farmer having agricultural land with minimum holding 0.2 ha</td>
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<td>ii) Group of farmers (having agricultural land with adjacent survey Nos.)-minimum holding 1 Ha. Scheme shall be applicable for const. of following type of irrigation wells:-</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>a)Shallow wells – i) Minimum diameter – 2 mts. or ii) Minimum length x breath. 2 mts. X 2 mts. iii) Minimum depth-3mts.</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td>Providing and installation of single/three phase electrical/diesel water pump set of minimum 1 H.P. capacity with accessories like suction pipe foot valve etc.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Installation and commissioning of pump etc. complete.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>b)Deep wells i) Minimum diameter-4 mts. or ii) Minimum length x breath 4 mts. x 4 mts. iii) Minimum depth – 6 mts.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>c)Bore wells i) Minimum diameter 100 mm ii) Minimum depth – 20 mts.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>d) Providing and installation of three phase electrical/diesel water pump set with accessories like suction pipe foot valve etc. installation and commissioning of pump of capacity 3 H.P. and above shall be incase of having benefiting area 1 Ha. and above.</td>
<td></td>
</tr>
<tr>
<td>Sr.No.</td>
<td>Name of programme /scheme</td>
<td>Jurisdiction</td>
<td>Criteria</td>
<td>Notification No.</td>
</tr>
<tr>
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<td>---------------------------</td>
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</tr>
<tr>
<td></td>
<td>Financial Assistance Pattern of subsidy</td>
<td></td>
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<tr>
<td></td>
<td>Shallow wells:- 50% of cost or Rs.10000/- whichever is less.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Deep wells &amp; bore wells:- 50% of cost or Rs. 75000/- whichever is less.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td><strong>Strategy:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Farmer or group of farmers intending to avail irrigation subsidies for the scheme shall apply to the Assistant Engineer at Taluka level designated for the purpose and shall include the following namely:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>I) Name and address of the applicant;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>II) Location of land to be irrigated including site plan and land details such as Name of Ward or Wadda/Village/Taluka, Survey No., area and type of crop propose to be raised/number of trees to be irrigated/ownership of land.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>III) Source of water such as type of well and its exact location.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>IV) Details of subsidy already availed in past, for the same purpose, if any. (Please refer)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. The benefit would be provided to the individual or a group of farmers (with adjacent survey number with authorized leader to accept the subsidy).</td>
<td></td>
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<tr>
<td></td>
<td>3. The scheme will provide assistance to a beneficiary to the extent of the ceiling prescribed under each components.</td>
<td></td>
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<tr>
<td></td>
<td>4. Subsidy is not applicable for repairs or improvement of existing well and repairs/replacement of existing pumpsets.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>5. Subsidy will be given to bonafide owner of the property.</td>
<td></td>
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<tr>
<td></td>
<td>6. An agreement Bond cum undertaking on non judicial stamps paper worth Rs.20/- (Proforma copy enclosed) is to be executed by the beneficiaries for keeping the scheme operational for minimum period of 5 years.(Please refer annexure-2).</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sr. No.</td>
<td>Name of programme /scheme</td>
<td>Jurisdiction</td>
<td>Criteria</td>
<td>Notification No.</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>7.</td>
<td>On receipt of the application by the designated Assistant Engineer of the Taluka, with land document and site plan etc. from the farmers who are intending to avail the irrigation subsidy, he will inspect the site and on report with recommendation to the designated Executive Engineer who will in turn approve the proposal which will be communicated to the applicant by the designated Assistant Engineer.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>On the receipt intimation of the approval to the proposal, applicant farmers/Group farmers shall undertake the work of construction with due intimation to the designated Assistant Engineer at the start of the work and at various stages of the work and on completion of the work.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>On completion of the work, completion report with proof of relevant original receipts/vouchers, towards purchase of items and construction works has to be submitted by the applicant to the designated Assistant Engineer of the Taluka.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Details inspection report along with the case and completion certificate of the project as per components, receipt, vouchers, documents etc. duly certified shall be submitted by the designated Assistant Engineers to the Executive Engineer within 30 days of submission of complete details by the applicant.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sr.No.</td>
<td>Name of programme /scheme</td>
<td>Jurisdiction</td>
<td>Criteria</td>
<td>Notification No.</td>
</tr>
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<tr>
<td>11</td>
<td></td>
<td></td>
<td>11. Subsidy will be granted and sanction by the Executive Engineer designated after scrutiny of documents (a) completion certificate, receipt/vouchers, land documents etc. and after site inspection. (b) Subsidy case application will be considered on first come first serve basis as per date of submission of cases to the Division Office. The case with incomplete documents, certificates and information in respective columns will be considered at the end as per turn after re-submission.</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td>12. Subsidy will be disbursed/released only upon certification of completion and commissioning of irrigation to the crop to be issued by the respective Assistant Engineer and further verification of the confirmation by the Executive Engineer. No subsidy will be released to the irrigation well which is kept incomplete or in abeyance for whatsoever reason.</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td>13. The subsidy is also admissible to the installation of diesel pumpsets were electrical connection have not reached for which respective Assistant Engineer has to certify after verification of relevant certificate</td>
<td></td>
</tr>
<tr>
<td>LIST OF DESIGNATED OFFICERS.</td>
<td>JURISDICTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Executive Engineer, Works Division I, WRD, Patto Panaji</td>
<td>Designated Executive Engineer for the talukas Pernem, Bardez, Bicholim, Sattari, Tiswadi in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Assistant Engineer, Sub-Div. I, W.D. I, Panaji</td>
<td>Designated Assistant Engineer for taluka Bardez and Tiswadi in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Assistant Engineer, Sub-Div. III, W.D. I, Pernem</td>
<td>Designated Assistant Engineer for Taluka Pernem in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Assistant Engineer, Sub-Div. IV, W.D. I, Bicholim</td>
<td>Designated Assistant Engineer for Taluka Bicholim in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Assistant Engineer, Sub-Div. V, W.D. I, Valpoi</td>
<td>Designated Assistant Engineer for Taluka Sattari in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Assistant Engineer, Sub-Div. II, W.D. II, Sanguem</td>
<td>Designated Assistant Engineer for Taluka of Sanguem in South Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Assistant Engineer, Sub-Div. IV, W.D. II, Ponda</td>
<td>Designated Assistant Engineer for Taluka of Ponda in North Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Executive Engineer, Works Division XI, Ravanfond, Salcete - Goa.</td>
<td>Designated Executive Engineer, for Canacona taluka in South Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Assistant Engineer, Sub-Div. II, W.D. X I, Canacona</td>
<td>Designated Assistant Engineer for Canacona Taluka in South Goa.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
NOTIFICATION

In exercise of powers conferred by section 33 of the Goa, Daman and Diu Irrigation Act, 1973 (Act 18 of 1973), The Government of Goa, hereby determines the rates leviable for water supplied for the purpose of Irrigation for all the crops during the dry seasons of the year as under:-

A. Canal water supplied for irrigation from canal constructed and maintained by the Government.

SCHEDULE

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Type of Crop</th>
<th>Rate per hectare per year</th>
<th>Flow Irrigation</th>
<th>Lift Irrigation Schemes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>In Rs.</td>
<td>In Rs</td>
</tr>
<tr>
<td>1.</td>
<td>Paddy</td>
<td></td>
<td>150.00</td>
<td>300.00</td>
</tr>
<tr>
<td>2.</td>
<td>Sugarcane</td>
<td></td>
<td>300.00</td>
<td>600.00</td>
</tr>
<tr>
<td>3.</td>
<td>Garden crops such as Arecanuts, Banana, Papaya and plantation on annual basis</td>
<td></td>
<td>150.00</td>
<td>300.00</td>
</tr>
<tr>
<td>4.</td>
<td>a) Nasni</td>
<td></td>
<td>60.00</td>
<td>120.00</td>
</tr>
<tr>
<td></td>
<td>b) Jowar/ Maize</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Hill millets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>a) Ground nut</td>
<td></td>
<td>100.00</td>
<td>200.00</td>
</tr>
<tr>
<td></td>
<td>b) Chillies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Onions</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>d) Vegetables</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

NOTE:

1. The rates shown above are applicable for irrigated areas irrespective of the number of crops grown. The rates shall be payable even a single short duration crop is grown during the year.

2. For crops other than those mentioned in this Notification, the Government may specify the water rates from time to time taking into consideration the water required for those crops.

3. If two or three crops with different water rates are grown in one year, the weighted average water rate for those crops will be levied.
4. The Irrigation year shall be reckoned from the 15th June to 14th June of the next year.

The water rates shown in the schedule above are subject to the below mentioned concessions.

i. The water for Irrigation will be supplied free of cost during the first year, after the completion if the Irrigation work or after the release of water for Irrigation when the first part of the Irrigation work is completed.

ii. 50% (fifty percent) of the water rates shown in the Schedule above shall be levied for Irrigation for respective crops during the second and the third year after release of water for Irrigation.

iii. The rates shown in the Schedule above shall be levied from the fourth year after release of water for Irrigation onwards and shall be payable every year.

B) Water rates for water drawn from a canal or an Irrigation structure for purposes other than Irrigation, including industrial uses, shall be as under:-

A flat rate of Rs. 2.00 for every 10,000 litres of water drawn or part thereof shall be levied. The person drawing water shall make arrangements to draw water and also for measurement of flow.

C) Water rates for water drawn from any canal other than the one constructed and maintained by the Government, shall be as under:-

i. For authorised irrigation purposes, the water rates shall be 20% of the above rates for respective crops.

ii. For authorised use of purposes other than irrigation, Rs. 1.00 per 10,000 litres or part thereof of water drawn shall be levied. The person drawing water shall make arrangements for measuring the flow of water.

D) Penalty for unauthorised use of water.

a) Penalty for unauthorised use of water for purposes other than irrigation shall be 10 times the above rates for the respective authorised uses.

b) Penalty for unauthorised use of water for growing crops other than the approved cropping patterns as notified under the Goa, Daman and Diu Irrigation Act, 1973 shall be five times the above rates.

By Order and in the name of the Governor of Goa

Sd/-
( D.V. Sathe)
Under Secretary to the Govt. of Goa.

( Irrigation)

Copy to:
1. The Chief Engineer (Irrigation), Water Resources Department, Panaji.
2. The Chief Engineer, Public Works Department, Altinho, Panaji.
3. The Director of Accounts, Panaji.
4. The Manager, Government Printing Press, Panaji for publication in the Official, Gazette. A copy of the Gazette may be endorsed to this Department, for record.
5. The Finance Department, Secretariat, Panaji.
6. O/c
APPENDIX – III
FORM- 8
[See Rule 36(1)]

Application for drawing water for irrigation from nallah, rivers, streams etc. vesting in Water Resources Department on which Government has not incurred any expenditure.

No. of application:

To,

The Canal Officer

1. I ___________________________ resident of ___________________________ Taluka ___________________________ District ___________________________ make this application for the purpose of irrigation of the undermentioned land hereinafter described subject to the provisions of the Goa, Daman & Diu Irrigation Act, 1973 and Government orders issued thereunder from time to time for supply of water from

       ----------------- River
       ----------------- Nallah
       ----------------- Drain
       ----------------- Tank

and subject to the conditions on the reverse of this application to which I agree. I attach a plan herewith showing the land to be irrigated by me.

2. I am the ___________________________ of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which order on this

   Date       Month       Year       Signature or thumb impression of the Applicant.

   Signature of the witness       Signature or thumb impression of the occupant or joint occupants or superior holder in which applicant is not the occupant or superior holder.
Forwarded for Sanction as follows:

1. Area to be sanctioned
2. Name of the sanctioning crop
3. Period of sanction

__________________ hectares

from_________ to__________

Sub- Divisional Engineer

Date                          Month       Year            Sanctional Canal Officer

Note: Details of the security bond to be invariably furnished by non-owner applicants as per details below:

Name of the sureties:

Survey No. of:

1. Given a security as per Form-7

INSTRUCTIONS:

1. This form is to be used for the permission to supply water from rivers, nallahs, streams, drains, tanks vesting in Water Resources Department on which no expenditure has been incurred by the Government.
2. This application shall be submitted in duplicate to the Canal Officer or any officer authorised by him to receive such applications. It may be sent by hand, presented personally or sent by post.
3. This application shall be tendered three months in advance for the season in which the supply of water is required by the applicant.
4. No sanction will ordinarily be given for irrigation any land to any person other than. 1) The sole occupant or all joint occupants. 2) The sole superior holder or all joint holders. 3) A person having the right to carry on irrigation/ cultivation of the land for the period of the sanction. 4) A person authorised on behalf of any of these to receive such sanction.
5. The applicant should submit the plan of land in the survey number concerned with application.
6. The applicant must state in paragraph-2 in the form of application the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state in paragraph-3 in the said form the name of the person and his address on which the sanction is to be communicated.
7. On completion of the application and after due inquiry of the application, the Canal Officer having regard to the existing rights of cultivation on the
source of water may be either sanctioned fully or partly or reject it. In case the application is sanctioned a pass for the use of water shall be issued to the applicant. Such pass shall be valid only for the period specified. In case the application is rejected the duplicate copy of the application shall be returned to the applicant after stating reasons for rejection.

8. Sanctions shall be refused for the supply of water for growing crops where there is danger of canal water being taken surreptitiously.

**Conditions:**

1. Sanction will be granted for the use of water for growing food and fodder crops including onions.
2. The applicant shall make a channel or channels for taking water to his land at his own cost and responsibility.
3. Crops irrigated by the water supplied under Part IX of the Goa, Daman & Diu Irrigation Rules shall be separated from all crops irrigated by water supplied otherwise under rules by at least 15.00 meters at all places.
4. The applicant shall not interfere with the natural drainage or the artificial channels in utilizing the water sanctioned for his land.
5. The area for which the water has been sanctioned by the Canal Officer shall be marked in a plan which shall be signed by the applicant.
6. No claim for compensation account of damage to crops due to failure or deficiency of water shall be entertained.
7. For using water after expiry of the period of past or without obtaining a pass for use of water or for breach of the aforesaid conditions the applicant shall be charged full water rate leviable to the penalties imposed under the provisions of Goa, Daman & Diu Irrigation Act, 1973 & the rules framed thereunder.
8. No canal water shall be granted or utilised for the areas brought under cultivation under the pass.
9. Areas of crops grown in excess of the sanctioned area shall be liable to be charged at full water unauthorised irrigation under Goa, Daman & Diu Irrigation Act, 1973 & the rules framed thereunder.
10. No water shall be taken by the applicant before his application has been sanctioned and before a pass has been delivered to him.
APPENDIX - IV

FORM- 7

[ See Rule 12(3)]

This deed of mortgage made on ________________ day of ________________, two thousand ________________ between the Government of Goa of the first part and Shri ________________________ Son of ________________________ resident of ________________________ of the second part.

Whereas Shri ________________________ resident of ________________________ of ________________________ Taluka / District ________________ Son of ________________________ of canal to ________________ irrigate the land described namely.

<table>
<thead>
<tr>
<th>Village</th>
<th>Taluka</th>
<th>Survey No.</th>
<th>Plot No.</th>
<th>Area of Field to be Irrigated</th>
<th>Name of the Crop</th>
<th>Period of Irrigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

And whereas the party of the second part has been required to furnish security for the payment of water rates and other charges in respect of water supply.

1. That party of the second part hereby mortgage to the Government the land encumbrances and of which he is the rightful owner.

<table>
<thead>
<tr>
<th>District</th>
<th>Taluka</th>
<th>Village</th>
<th>Survey No.</th>
<th>Plot</th>
<th>Area of No.</th>
<th>Remarks Holding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

2. That the party of second part hereby agree for himself and heirs, executors and Administrators.
3. That in the event of his failure to pay any part of said water rate and other charges at the appointed time and the place Governor shall be at liberty to cause the said land to be sold and sell process to be applied in payment of the whole amount that may be outstanding from him at the time of sale in respect of the said supply of water.

4. That the party of the second part further agrees that it shall be lawful for the Government of Goa to cause the said land to be sold without the intervention of the court under section 69 of the Transfer of the Property Act, 1882, in case the said water rate and other charges or any part thereof have not been paid by him within three months from the date on which notice is served on him after the later rate and other charges have become due.

In witness hereof the parties herein have sent their hands to this deed on the day of ______________________ of ____________________ 20__. 

Signature and name

Signature of witness (1)

Signature of witness (2)

Signed and sealed for and on behalf of
Governor of Goa by

Shri_________________
APPENDIX-V
Form- 5
[See Rule 9(3)]

APPLICATION FOR WATER FOR IRRIGATION

No. of application
To,
The Canal Officer

1. I __________________________ resident of ___________________________Taluka_______________District ____________________________ make this application for irrigation of land hereinafter described subject to the provisions of Goa Irrigation Act, 1973 and any other law for the time being in force relating to irrigation and provisions of Goa Irrigation Rules,1975 and subject to the conditions specified on this application to which I agree.

2. I am the ____________________________of the land for which the water has been applied for.

3. I have paid all the arrears of water rate upto and including the ____________________________season of 2000. I am in arrears of water rates for the ____________________________only.

4. The name and address of the applicant to whom the orders on this application should be communicated.

Date               Month             Year     Signature or left thumb impression of the applicant

Signature of witness:

1.

2.

(All the details of the application have to be filled up by the applicant)

Forwarded for sanction as follows:
1. Area to be sanctioned_______________________________.

2. Period of sanction from__________________________ to_______.

3. Water rate to be charged per hectare_______________________________.

Date:
Sanctioned date: ____________________________

Signature

___________________________________________________________________________

**RECEIPT**

Received application
No__________________________of ____________________________Shri__________for supply of water from ______________________

_____Canal______.

Signature of receiver
For Executive Engineer, Minor Irrigation , (North)

<table>
<thead>
<tr>
<th>Name of the Village</th>
<th>Name of the distributary</th>
<th>Name of the sub-distributary</th>
<th>Outlet No.</th>
<th>Survey No. and Sub-Survey No.</th>
<th>Area of Survey No.</th>
<th>Area of Holding</th>
<th>Area to be irrigated</th>
<th>Crop</th>
<th>Period for which water is required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
</tr>
</tbody>
</table>

**CONDITIONS:**

1. After an application has been sanctioned full water rates shall be payable for the area and period sanctioned by the Canal Officer whether the area is irrigated or not provided water was available during the period. No water rates shall be charged in case of perennial crops when the applicant gives a written intimation to the Canal Officer within one month from the date of sanction to the application that water is not required.

2. Each type of crop( namely Sugarcane pan ordinary perennial two seasons and seasonal) shall be grown only to the extent of the sanctioned shown on the pass but an equal area of lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply of any crop irrigated under the sanction liable to be withheld or stopped entirely without notice
for breach of any provision of the Goa Irrigation Act,1973 or rules made thereunder or any of the conditions.

5. Water shall be given for the all season if available or at the discretion of the Canal Officer for as many waterings as may be possible.

6. Full water supply is not guaranted but an intimation of the possibilities of shortage of water during the seasons for which application is made shall be given at earliest date possible.

7. When no permanent water channel exists the irrigator shall allow the construction of temporary channel to his land, if necessary along the line fixed by the Canal Officer or his Representative for the benefit of irrigators whose fields are situated below his lands.

8. Water of any area of sugarcane sanctioned subject to the conditions that water is liable to withheld from the new sugarcane area 31st May. If necessary each consecutive watering after 31st May, shall require the sanction of Canal Officer. Such sanction shall be accorded if water is available in the canal for agriculture purpose but if it is insufficient at any time of the season all further waterings may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crops due to shortage of water.
FORM OF SECURITY BOND

Whereas ________________________________ resident of ______

Taluka /District 

has applied for supply of water to irrigate land herein below described namely:

<table>
<thead>
<tr>
<th>Village</th>
<th>Taluka</th>
<th>Survey No.</th>
<th>Plot No.</th>
<th>Area of Field to be Irrigated</th>
<th>Name of the Crop</th>
<th>Period of Irrigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

And whereas he has been required to furnish security for the payment of water rates and other charges.

We ________________________________ resident of ____________ Taluka __________ District __________

and resident of Taluka __________ District ___________ do here declare ourselves sureties for the above mentioned ________________________________

______________________________________________________________________________

That he shall duly pay at the prescribed times or times every rate charge. Penalty or the sum whatsoever that shall become due from him in respect of the supply of water granted to him in pursuance of his said application and in case of his making default therein we each of us for himself, his heirs, executors and administrators agree to pay to the Government of Goa such sum not exceeding in the aggregate Rupees __________ demanded of us, or of either of us, or of any heir, executors and administrators of either of us, on account of any such rate, charge or a penalty or other sum aforesaid.

And we do further agree that the amount of any such rate, charge, penalty or other sum aforesaid may, if necessary recovered from either of us or from any heir, executors and administrators of either of us, as if the same were an arrear of land revenue due from us, either from us to Government.

Dated and signed on this day of _____________________________ 2000 in the presence of (1) & (2).

(Signature of Surety)

(Signature of Witness)

(Signature of Surety)

(Signature of Witness)
Accepted for and on behalf of the Government of Goa.
APPENDIX-VII
No. 80-1/CE-DWR-EO/2001-02/1394
Government of Goa
Department of Water Resources
Junta House(Annexe),
Panaji-Goa.


NOTIFICATION

The Government is pleased to introduce Irrigation Well Scheme which aims to help construction of new wells in Minor Irrigation Sector by Individual / Group of Farmers by extending them Grant-in Aid in the form of subsidy, to boost the agriculture in the State as under:

Implementing Department: Department of Water Resources, Govt. of Goa.

Scope: 1) This is a beneficiary—oriented programme limited to agriculture purpose inclusive of horticulture, crops but excluding agriculture based industries.

2) Beneficiary shall be--
   i) Individual farmer having agricultural land with minimum holding 0.20 Ha.
   ii) Group farmers (having agricultural land with adjacent survey Nos)—minimum holding –1.0 Ha.

3) Scheme shall be applicable for construction of following type of irrigation wells.
   a) Shallow well: i) minimum diameter –2.0 m
      or
      minimum length x breadth : 2.00m x2.00m
      ii) Minimum depth –3.00 m.

      Providing and installation of single / three Phase electrical / Diesel water pumpset of minimum 1.00 H.P., capacity with accessories like suction pipe, footvalve etc. installation and commissioning of pump etc. complete.

   b) Deep wells: i) minimum diameter –4.0 m
      Or
      minimum length x breadth : 4.00m x 4.00m
      ii) Minimum depth –6.00 m.

   c) Bore wells: i) Minimum diameter –100.00 mm.
      ii) Minimum depth –20.00 m.

   d) Providing and installation of single / three Phase electrical / Diesel water pumpset with accessories like suction pipe, footvalve etc. installation and commissioning of pump of capacity 3.00 H.P., and above, shall be in case of having benefiting area 1.00 Ha. and above capacity etc. complete.
Financial Assistance:

**Pattern of Subsidy**

i) Shallow wells: 50% of cost of Rs. 10,000.00 whichever is less.

ii) Deep wells and Borewells: 50% of cost or Rs. 75,000.00 whichever is less.

**Strategy:**

1. Farmer or group of farmers intending to avail irrigation subsidies for the scheme shall apply to the Assistant Engineer at Taluka level designated for the purpose and shall include the following namely (as per Annexure-I)
   1. Name and Address of the applicant:
   2. Location of the land to be irrigated including the site plan and land details such as – Name of ward or wadda / village / Taluka, survey No., Area and type of crop proposed to be raised / number of trees to be irrigated / ownership of land.
   3. Source of water such as type of well and its exact location.
   4. Details of subsidy already availed in past, for the same purpose, if any.

2. The benefit would be provided to the individual or a group of farmers (with adjacent survey number with authorised leader to accept the subsidy).

3. The scheme will provide assistance to a beneficiary to the extent of ceiling prescribed under each component.

4. Subsidy is not applicable for repairs or improvement of existing wells and repairs / replacement of existing pumpsets.

5. Subsidy will be given to a bonafide owner of the property.

6. An agreement Bond cum undertaking on non-Judicial stamp paper worth Rs. 20.00 (Proforma copy enclosed) is to be executed by the beneficiaries for keeping the scheme operation for minimum period of 5 years. (as per Annexure-II).

7. On receipt of the application by the designated Assistant Engineer of the Taluka, with land document and site plan etc. from the farmers who are intending to avail the irrigation subsidy, he will inspect the site and on scrutiny and verification of required documents etc. shall submit his report with recommendation to the designated Executive Engineer who will in turn approve the proposal which will be communicated to the applicant by the designated Assistant Engineer.

8. On the receipt of intimation of the approval to the proposal, applicant farmers / Group farmers shall undertake the work of construction with due intimation to the designated Assistant Engineer at the start of the work and at various stages of the work and on completion of the work.

9. On the completion of the work, completion report with the proof of relevant original receipts / vouchers towards the purchase of items and construction works has to be submitted by the applicant to the designated Assistant Engineer of the Taluka.

10. Detailed inspection report along with the case and Completion Certificate of the project as per components, receipts, vouchers, documents etc. duly certified shall be submitted by the designated Assistant Engineers to the Executive Engineer within 30 days of submission of complete details by the applicant.

11. Subsidy will be granted and sanction by the Executive Engineer designated after scrutiny of documents (a) completion certificate,
receipt / vouchers, land documents etc. and after site inspection (b) subsidy case application will be considered on first come first serve basis as per date of submission of cases to the Division office. The case with the incomplete documents, certificates and information in respective columns will be considered at the end as per turn after re-submission.

12. Subsidy will be disbursed / released only upon certification and commissioning of irrigation to the crops to be issued by the respective Assistant Engineers and further verification by the Executive Engineer. No subsidy will be released to the irrigation well which is kept incomplete or in abeyance for whatsoever reasons.

13. The subsidy is also admissible to the installation of diesel pumpsets were electrical connection have not reached for which respective Assistant Engineer has to certify after verification of relevant certificate from Electricity Department and/or Panchayat or self assessment.

The scheme is put up for approval of Government. It is proposed to put into implementation immediately in current financial year after the approval of the same. The major financial implication is not anticipated during the financial year as wells are to be tested for assured water supply, during the dry season. Further being a new scheme, new unit of appropriation will have to be open.

This Notification will come into force with immediate effect and will apply to the entire State of Goa.

This issues with concurrence of Finance (Exp.) Department, vide their U.O. No. FS/23/02/F, dated 3-01-2002.

By Order and in the name of the Governor of Goa

Sd/-

(S.D. Sayanak)

Chief Engineer (WR) and

Ex-Officio Additional Secretary to the Government of Goa.

Copy to:-

1. All Secretaries to the Government.
2. Secretary to Governor, Raj Bhavan, Dona Paula, Goa.
3. All the Departments in the Secretariat, Panaji.
4. All the Heads of Department

Copy for information to
1. Secretary to Chief Minister
2. P.S. to Minister for Water Resources.
3. P.S. to Minister for Agriculture.
ANNEXURE-I
(Format for application)

Office of the Assistant Engineer:

Entry No. Full name:
Wada / ward
Village:
Post: Pin Code
Taluka:
Phone No. if any.
DATE / Month / year

To,

The Assistant Engineer

Sub: Application for subsidy for irrigation well scheme for agricultural crops / Horticultural crops / Plantation.

Sir,

I wish to avail the subsidy under the state sector scheme for irrigation well for my / our property as described below:

1. Name and address of owner:

2. Location and address of the property:
   i. Wada / ward
   ii. Village
   iii. Taluka

3. Survey No._____ (Land Index and Plan attached)

4. Total area of the property under survey No.____ Ha.____

5. Crop Area of each crop No. of Plants

   a) 
   b) 
   c) 

6. Source of water – Type of well

7. Area to be irrigated

8. Subsidy availed already in the past for well / pump etc. if any.
   If Yes –
   a) Survey No. of the property
   b) Area under irrigation
   c) Crops
   d) Subsidy amount availed
   e) From whom availed.

Yours faithfully,

Signature

Name of the Applicant
ANNEXURE-II
DEPARTMENT OF WATER RESOURCES

(Rs.20/-Non-Judicial Stamp paper)

UNDERTAKING

I, undersigned ______________________ son/ wife of ____________ age _____ Indian National, resident of ______ do hereby state that I own the agriculture crop/ Horticultural plantation at ______ surveyed under No._____ Admeasuring an area______ Ha.

I further state that I have constructed irrigation well system in my landed property as detailed above. The details of irrigation well system is as given below:

1. Well
   a) Dimension __________
   b) Details of construction____

2. Pump
   a) Make _____________
   b) H.P./K.V._______

I, hereby abide to use above irrigation well system for the purpose of irrigation my above described plantation at least for the period of five years. In default of the same, I hereby undertake to repay entire amount of subsidy of Rs. ___ (Rupees _________ only) that my sanctioned and disbursed to me vide Order No. ____ dated ___ as arrears of Land Revenue.

I, hereby also undertake to allow the official of the Department of water Resources, to inspect the above system at any time.

Deponent.

In the presence of –

1.

2.

Name and Address.
APPENDIX-VIII

No.80-1/CE-DWR-EO/2002-03/650
Government of Goa
Office of the Chief Engineer,
Department of Water Resources
Junta House, Panaji-Goa.


ORDER


In pursuance to above Notification to introduce irrigation well scheme which aims to help construction of new wells in minor irrigation sector by individual or group of a farmers by extending them grant in aid in the form of subsidy, to boost the agriculture in the state, the Government is pleased to appoint the following officers as designated Executive Engineers and Assistant Engineers for the purpose of implementation of the above scheme as under:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Designated Officers</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Executive Engineer, Works Division I, WRD, Patto Panaji</td>
<td>Designated Executive Engineer for the talukas Pernem, Bardez, Bicholim, Sattari, Tiswadi in North Goa.</td>
</tr>
<tr>
<td>3.</td>
<td>Assistant Engineer, Sub-Div. I, W.D. I, Panaji</td>
<td>Designated Assistant Engineer for Taluka Bicholim in North Goa</td>
</tr>
<tr>
<td>4.</td>
<td>Assistant Engineer, Sub-Div. III, W.D. I, Pernem</td>
<td>Designated Assistant Engineer for taluka Bardez and Tiswadi in North Goa.</td>
</tr>
<tr>
<td>5.</td>
<td>Assistant Engineer, Sub-Div. IV, W.D. I, Bicholim</td>
<td>Designated Assistant Engineer for Taluka Sattari in North Goa.</td>
</tr>
<tr>
<td>6.</td>
<td>Assistant Engineer, Sub-Div. V, W.D. I, Valpoi</td>
<td>Designated Executive Engineer for Taluka Ponda, in North Goa and Taluka of Salcete, Marmagoa, Quepem, Sanguem in South Goa.</td>
</tr>
<tr>
<td>8.</td>
<td>Assistant Engineer, Sub-Div.</td>
<td>Designated Assistant Engineer for Taluka</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td>---</td>
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</tr>
<tr>
<td>9.</td>
<td>Assistant Engineer, Sub-Div. IV, W.D. II, Ponda</td>
<td>Designated Assistant Engineer for Taluka of Ponda in North Goa.</td>
</tr>
<tr>
<td>10.</td>
<td>Executive Engineer, Works Division XI, Margao</td>
<td>Designated Executive Engineer, for Canacona taluka in South Goa.</td>
</tr>
<tr>
<td>11.</td>
<td>Assistant Engineer, Sub-Div II, W.D.X I, Canacona</td>
<td>Designated Assistant Engineer for Canacona Taluka in South Goa.</td>
</tr>
</tbody>
</table>

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

Sd/-
(S.D. Sayanak)
Chief Engineer (WR) and Ex-Officio Additional Secretary to the Government of Goa.

Copy with compliments to :-
1. P.S. to Hon. Minister for Water Resources.
2. The Secretary (WR), Secretariat, Panaji
3. The Secretary, Agriculture, Secretariat, Panaji
4. The Director of Agriculture, Directorate of Agriculture, Panaji.
APPENDIX-IX

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 Department 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)
Appendix-X

NOTIFICATION

No. 7/10-5/2004 –PWD/E.C/114

The enlistment of Contractors in the Public Works Department (PWD)/ Water Resources Department (WRD), Government of Goa, shall be governed as per the revised “Rules of Enlistment of Contractors in PWD/WRD, Goa-2004” annexed hereto, with effect from the publication of this Notification in the Official Gazette.


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

P.P. Borkar, Principal Chief Engineer, P.W.D. & ex officio Additional Secretary.


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1.0 Title:-- These rules shall be called the Rules of Enlistment of Contractors in PWD/WRD Goa 2004” and shall come into force with effect from the date of publication of Notification.

2.0 Short Title:-- Hereinafter these rules shall be referred to as “Enlistment Rules, 2004” for the sake of brevity.

3.0 Repeal and Saving:-- All rules regarding Enlistment/ Renewal of Contractors in PWD/WRD Goa existing before coming into force of Enlistment Rules, 2004 are repealed. Notwithstanding such repeal, the Contractors already enlisted on the basis of rules hitherto in force shall continue to enjoy the status of enlisted Contractors of PWD/WRD, Goa till the period of such enlistment, including Renewal/ Extension granted before coming into effect of the Enlistment Rules, 2004, expires. However, in regard to all other matters and further Renewal/Extension of their enlistment, the Enlistment Rules, 2004, shall govern them.

4.0 Applicability:-- Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Public Limited Company or a Private Limited Company is entitled to get enlistment as a Contractor in PWD/WRD, Goa under these rules, provided the eligibility criteria and other conditions are satisfied. The enlisted Contractors have to abide by all the rules made herein and as amended from time to time during the currency of their enlistment.

4.1 No individual, or a firm having such individual as one of the partners, who is a dismissed Government servant; or removed from the approved list of contractors; or having business banned/suspended by any Government Department in the past; or convicted by a Court of Law shall be entitled for enlistment.
4.20 No Engineer of Gazetted rank or other Gazetted Officer employed in Engineering or Administrative duties in the Engineering Department of the Government of Goa shall be allowed to work in the PWD/WRD, Goa either as contractor or as an employee of a contractor for a period of two years from the date of his retirement from Government Service, without the prior permission of the Government as aforesaid, his name is liable to be removed from the list of approved contractors.

4.3 A Contractor is permitted to have enlistment in more than one category and under more than one enlistment authority but not in more than one class of the same category in PWD/WRD, Goa.

4.4 A Contractor is not permitted to have enlistment in more than one name.

4.5 A partner of a firm or a Director of a company enlisted as a Contractor, cannot be a partner/Director in any other enlisted firm/company.

5.0 Scope:--

5.1 The enlistment of a contractor in PWD/WRD, Goa shall only entitle him to be considered for issue of tender papers subject to the conditions laid down in individual Notice Inviting Tenders. It shall not confer any right on him either to be necessarily issued the tender papers or for award of work.

5.2 No tender form shall be issued to contracting firm unless it is registered in PWD WRD, Goa in appropriate Class and Category except for specialized jobs, for which pre-qualification and pre-conditions are required to be decided by the Head of the Department of PWD/WRD, Goa.

5.3 The registered Contractor in PWD/WRD either individual, partnership firm or Company who have four or more works in hand in their names in each category viz. (i) Buildings(BLDGS), (ii) Roads, Bridges & Land Development(RBLD), (iii) Water Supply & Waste Water Disposal(WS&WWD), (iv) Water Resources works including Hydraulics & Marine Works(WR), (v) Electrical(ELECT) and (vi) Furniture(FUR), obtained from PWD/WRD Goa shall not be entitled to have any fresh tender forms for further works in the same category unless they complete at least one work out of four in hand.

6.0 Enlistment Procedure:--

6.1 The Contractor shall have to submit the application in the prescribed form(Annexure-I) to the enlistment authority, complete with all documents as per Annexure-II.

6.2 Incomplete application and application not accompanied with necessary documents are liable to be rejected.

6.3 The enlistment authority shall have the right to independently verify the details furnished by the Contractor and to get the works done by the Contractor inspected and/or to get such other reports as may be considered necessary.

6.4 If the enlistment authority finds the Contractor suitable for enlistment, it shall issue the enlistment order and, otherwise, send a letter of rejection of the application to the Contractor. The decision of the enlistment authority shall be final and binding on the Contractor.
7.0 **Period of Enlistment:**-- The enlistment shall be valid for a period of five years. The enlistment can, however, be renewed in accordance with rules in this regard. Each renewal shall be for a period of five years from the date of expiry of the previous enlistment/renewal. The enlistment shall be opened to review by the enlistment authority and able to termination, suspension or any other such action at any time if considered necessary by the enlistment authority, after issue of show cause notice.

8.0 **Categories, Classes and Tendering Limits:**-- The enlistment shall be done in the following

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Category</th>
<th>Class</th>
<th>Tendering Limits in Lakhs (For all Categories)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(i) Buidings</td>
<td>(a) I-A</td>
<td>No Limit (Any Amount)</td>
</tr>
<tr>
<td></td>
<td>(ii) Roads, Bridges and Land Development</td>
<td>(b) I-B</td>
<td>Rs. 200.00</td>
</tr>
<tr>
<td></td>
<td>(iii) Water Supply and Waste Water Disposal</td>
<td>(c) II</td>
<td>Rs. 45.00</td>
</tr>
<tr>
<td></td>
<td>(iv) Water Resources Works, including Hydraulics &amp; Marine works</td>
<td>(d) III</td>
<td>Rs. 15.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(e) IV</td>
<td>Rs. 4.50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(f) V</td>
<td>Rs. 1.50</td>
</tr>
<tr>
<td>2</td>
<td>(i) Electrical</td>
<td>(a) I</td>
<td>No Limit (Any Amount)</td>
</tr>
<tr>
<td></td>
<td>(ii) Furniture</td>
<td>(b) II</td>
<td>Rs. 10.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(c) III</td>
<td>Rs. 4.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(d) IV</td>
<td>Rs. 1.00</td>
</tr>
</tbody>
</table>

9.0 **Authorities for Enlistment:**-- The Principal Chief Engineer, PWD-Goa and the Chief Engineer, WRD-Goa shall be the Appropriate Authorities for Enlistment/Renewal of registration of Contractors in the respective departments. The Enlistment Authorities shall constitute a Committee for the purpose of Enlistment/Renewal.

10.0 **Eligibility criteria:**-- The contractors shall have to satisfy the minimum eligibility criteria as detailed below, before they can be considered for enlistment under the respective Categories and Classes.

**CATEGORIES:**--

- **BUILDINGS (BLDGS)**
- **ROADS, BRIDGES AND LAND DEVELOPMENT (RBLD)**
WATER SUPPLY AND WASTE WATER DISPOSAL (WS&WWD)

WATER RESOURCES WORKS INCLUDING HYDRAULICS & MARINE WORKS (WR)

Class I—A

(a) Contractors desiring enlistment in this class shall be private or public limited concerns.

(b) Contractors desiring enlistment in this class should have a Permanent Engineering Organisation capable of dealing with large works in all stages. They should have sufficient machinery and tools, etc. at their disposal for which they should also submit details. They should submit along with their application, full details about their Engineering Organisation.

(c) The applicant should have successfully completed at least three works of Central/State Government departments/Organisations/Autonomous Bodies/Corporations in the respective category viz. BLDGS/RBLD/WS & WWD/WR each costing not less than Rs.5.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma (Annexure-IV).

(d) The applicant should furnish a solvency certificate for not less than Rs.1.5 crores in the prescribed Proforma (Annexure V-A) from his bankers. Such Certificate shall be issued by a scheduled Bank and shall be submitted, in original, in a bank sealed cover, addressed to the Enlistment Authority.

Class I—B

(a) Contractors desiring enlistment in this class shall be private or public limited concerns.

(b) Contractors desiring enlistment in this class should have permanent Engineering Organisation capable of dealing with large works in all their stages. They should have sufficient machinery and tools, etc. at their disposal for which they should also submit details. They should submit their application, full details about their Engineering Organisation.

(c) The applicant should have successfully completed at least three works of Central/State Government Departments/Organisations/Autonomous Bodies/Corporations in the respective category viz. BLDGS/RBLD/WS & WWD/WR each costing not less than Rs. 25.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma (Annexure-IV).

(d) The applicant should furnish a solvency certificate for not less than Rs.1.0 Crore in the prescribed Proforma (Annexure V-A) from his bankers. Such certificate shall be issued by a scheduled bank and shall be submitted, in original, in a bank sealed cover, addressed to the Enlistment Authority.
CLASS II

(a) Firms desiring enlistment in this class should have satisfactorily executed at least three works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations in the respective category viz. BLDGS/RBLD/WS &WWD/WR each costing not less than Rs. 10.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificate of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(b) The contractor or the firm having no past experience of work shall also be eligible for enlistment in this class provided:

   (i) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.4.00 lakhs from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

   (ii) The individual or one of the partners of the firm should however be qualified graduate Civil Engineer of recognised University with not less than ten years experience.

CLASS III-

(a) Firms desiring enlistment in this class should have satisfactorily executed at least three works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations in the respective category viz. BLDGS/RBLD/WS &WWD/WR each costing not less than Rs. 3.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(b) The contractor or the firm having no past experience of work shall also be eligible for enlistment in this class provided:

   (i) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.1.50 lakhs from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

   (ii) The individual or one of the partners of the firm should however be qualified graduate Civil Engineer of recognised University with not less than three years experience or a diploma Civil Engineer from recognised Board with not less than 10 years experience.
CLASS IV-

(a) Firms desiring enlistment in this class should have satisfactorily executed at least three works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations in the respective category viz. BLDGS/RBLD/WS &WWD/WR each costing not less than Rs. 1.00 lakh during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(b) The contractor or the firm having no past experience of work shall also be eligible for enlistment in this class provided:

(i) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.0.50 lakh from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

(ii) The individual or one of the partners of the firm should however be qualified graduate Civil Engineer of recognised University with not less than three years experience or a diploma Civil Engineer from recognised Board with not less than 5 years experience.

CLASS V-

(a) This class of contractors will include petty suppliers as well as those who may be carrying out petty repair works. It is not necessary to have any qualification for contractors for enlistment in this class.

(b) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.0.25 lakh from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

ELECTRICAL CONTRACTORS

CLASS I

(a) Contractors desiring enlistment in this class shall be private or public limited concerns.

(b) Contractors desiring enlistment in this class should have a Permanent Engineering Organisation capable of dealing with large works in all their stages, possessing a valid Electrical License. Their office should have sufficient technical personnel for preparing estimates, submitting tenders, for supervision of works and for submitting bills for work done. They should submit with their application, full details about their Engineering Organisation.

(c) The applicant should have successfully completed at least three electrical works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations each costing not less than Rs. 10.00 lakhs
during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(d) The applicant should furnish a solvency Certificate for not less than Rs.25.00 lakhs in the prescribed Proforma(Annexure-V-A) from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

CLASS II

(a) Contractors desiring enlistment in this class shall should possess a valid Electrical License.

(b) The applicant should have successfully completed at least three electrical works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations each costing not less than Rs. 3.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(c) The contractor or the firm having no past experience of Electrical works shall also be eligible for enlistment in this class provided:--

(i) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.3.00 lakhs from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

(ii) The individual or one of the partners of the firm should however be qualified Engineer possessing a recognised University Degree in Electrical Engineering having experience of not less than 5 years experience or a diploma in Electrical Engineering with not less than 15 years experience.

CLASS III

(a) Contractors desiring enlistment in this class shall should possess a valid Electrical License.

(b) The applicant should have successfully completed at least three electrical works of Central/ State Government Departments/ Organisations/ Autonomous Bodies/ Corporations each costing not less than Rs.1.00 lakhs during the last five years, on the date of application. The applicant shall submit along with the application the certificates of the aforesaid works from the clients in the prescribed Proforma(Annexure-IV)

(c) The contractor or the firm having no past experience of Electrical works shall also be eligible for enlistment in this class provided:--

(i) The applicant furnishes a Working Capital Certificate in the prescribed Proforma(Annexure-V-B) for not less than Rs.1.00 lakh from his bankers. Such certificate shall be issued by the scheduled bank and shall be
submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

(ii) The individual or one of the partners of the firm should however be qualified Engineer possessing a recognised University Degree in Electrical Engineering or a Diploma in Electrical Engineering with not less than 5 years experience.

CLASS IV

(a) They must have a valid Electrical License.
(b) This class of contractors will include petty suppliers as well as those who may be carrying out petty repair works. It is not necessary to have any qualification for contractors for enlistment in this class.
(c) The applicant shall furnish a Working Capital Certificate in the prescribed Proforma (Annexure-V-B) for not less than Rs. 0.50 lakh from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

FURNITURE CONTRACTORS

CLASS I

(a) Contractor desiring enlistment in this class should possess properly fitted wood worksop with sufficient large stock of timber. They should have paint, polish and other finishing equipment and they should employ designers who are capable of producing well thought out schemes for furnishing large buildings.

(b) Firms desiring enlistment in this class should have satisfactorily executed at least three works of not less than Rs. 10.00 lakhs each and aggregate of all works executed should not be less than Rs. 50.00 lakhs during last five years, on the date of application.

(c) The applicant should furnish a solvency Certificate for not less than Rs. 25.00 lakhs in the prescribed Proforma (Annexure-V-A) from his bankers. Such certificate shall be issued by the scheduled bank and shall be submitted, in original, in a bank sealed cover addressed to the Enlistment Authority.

CLASS II

(a) Contractor desiring enlistment in this class should have a wood workshop, maintain a sufficient stock of timber and have arrangements for production of good quality furniture. They should also have adequate arrangements for good quality polishing and painting.

(b) Firms desiring enlistment in this class should have satisfactorily executed at least three works of not less than Rs. 3.00 lakhs each and aggregate of all works executed should not be less than Rs. 10.00 lakhs during last five years, on the date of application.

CLASS III
(a) Contractor desiring enlistment in this class should have a wood workshop and have arrangements for production of good quality furniture. They should also have adequate arrangements for good quality polishing and painting.

(b) Firms desiring enlistment in this class should have satisfactorily executed at least three works of not less than Rs. 1.00 lakhs each and aggregate of all works executed should not be less than Rs. 4.00 lakhs during last five years, on the date of application.

CLASS IV
This class of contractors will consists of petty suppliers engaged in the trade of furniture supply.

11.0 Earnest Money Deposit

Contractors desiring enlistment shall be required to deposit earnest money with each tender as prescribed in the tender documents.

12.0 Security Deposit

The security deposit will be collected by deductions from the running bills of the contractors as specified in the tender documents and the earnest money, if deposited at the time of tender, will be treated as part of security deposit.

13.0 Employment of Technical Staff

Contractors enlisted in class I-A, I-B, II, III & IV under below mentioned categories shall be required to employ technical staff of respective branch whenever they execute works in the Department as given below:

CATEGORIES

- **BUILDINGS (BLDGS)**
- **ROADS, BRIDGES AND LAND DEVELOPMENT (RBLD)**
- **WATER SUPPLY AND WASTE WATER DISPOSAL (WS&WWD)**
- **WATER RESOURCES WORKS INCLUDING HYDRAULICS & MARINE WORKS (WR)**
i. For works costing over Rs. 10 lakhs. One Graduate in Civil Engineering

ii. For works costing more than Rs. 5.00 lakhs but less than Rs. 10.00 lakhs One qualified Diploma Holder in Civil Engineering having experience of not less than 3 years.

iii. For works costing more than Rs. 2.50 lakhs but less than Rs. 5.00 lakhs One qualified Diploma holder in Civil Engineering.

ELECTRICAL CATEGORY

Contractors enlisted in all classes for Electrical works, shall employ the following technical staff whenever they execute works in this department.

(i) For works costing more than Rs. 5,00,000/- One qualified Engineer possessing a recognised University Degree in Electrical Engineering having experience of not less than 3 years or a recognised Diploma holder in Electrical Engineering with not less than 7 years experience.

(ii) For works costing more than Rs. 2,00,000/- and less than Rs. 5,00,000/- One qualified Diploma holder in Electrical Engineering and having experience of not less than 3 years or a Graduate Engineer in Electrical Engineering with 2 years experience.

(iii) For works costing more than Rs. 1,00,000/- but less than Rs. 2,00,000/- One qualified Diploma holder in Electrical Engineering and having experience of not less than 3 years.

(iv) For works costing more than Rs. 15,000/- but less than Rs. 1,00,000/- One Licensed Supervisor having experience of not less than 3 years.
14.0 **Enlistment Fee:** The Contractor shall pay Registration / Renewal fees (non-refundable) for enlistment as Contractors in Public Works Department/ Water Resources Department, Goa for different classes of contractors, as shown in the Schedule below:

<table>
<thead>
<tr>
<th>Class of Validity Registration</th>
<th>Fees for fresh Registration/ Upgradation (Reg. Validity For 5 years)</th>
<th>Fees for Renewal (Reg. for 5 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-A</td>
<td>Rs. 25,000.00</td>
<td>Rs. 12,500.00</td>
</tr>
<tr>
<td>I-B</td>
<td>Rs. 20,000.00</td>
<td>Rs. 10,000.00</td>
</tr>
<tr>
<td>II</td>
<td>Rs. 10,000.00</td>
<td>Rs. 5,000.00</td>
</tr>
<tr>
<td>III</td>
<td>Rs. 6,000.00</td>
<td>Rs. 3,000.00</td>
</tr>
<tr>
<td>IV</td>
<td>Rs. 4,000.00</td>
<td>Rs. 2,000.00</td>
</tr>
<tr>
<td>V</td>
<td>Rs. 2,000.00</td>
<td>Rs. 1,000.00</td>
</tr>
</tbody>
</table>

Note: The Registration and the Renewal fees in respect of Class I- Electrical/ Furniture Contractors shall be the same as prescribed in the given table for Class I-A Contractors.

15.0 **Income tax Clearance:** The Contractor shall produce a copy of Permanent Account Number (PAN) issued by Income Tax Department along with his application for enlistment. In case of individual contractors the PAN shall be in their own name and in case of Partnership Firm/ Company the PAN shall be in the name of the Firm/ Company. After enlistment, he shall have to file his Annual Income tax Returns with the Income Tax Department every year and submit the copy of the same to the enlistment authority by the end of December every year. Failure to do so without any justifiable reason will render the Contractor liable to be removed from the approved list of Contractors. In case of partnership firms, Income tax Returns shall be filed in the name of firm and in case of a Company in the name of Company.

16.0 **Electrical License:** The Contractors of Electrical category shall have to produce valid Electrical License from the competent Authority in the name of the applicant Contractor/Partnership Firm/Company. They shall keep valid license throughout the period of enlistment by getting it renewed at suitable intervals and submit an attested copy of the same to the enlistment authority after each renewal.

17.0 **Change in Constitution of Firm:** The Contractor/ Firm shall not modify the existing partnership or enter into any fresh partnership without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/ sole proprietorship along with the draft partnership Deed/ Affidavit and documents as per Annexure-VI. Any change in status of the Contractor as an “Individual” or in constitution of the firm without prior approval of the enlistment authority will render the Contractor/Firm liable to be removed from the approved list of Contractor.
If a firm is converted in two or more firms by any action of its partners, the new firm(s) or any separated partner(s) in his (their) individual/joint capacity shall have to apply for the enlistment afresh on the basis of work experience gained as a separate entity.

If new partners are taken in the firm, each new partner shall have to satisfy the eligibility conditions mentioned in Rule 4.0.

If the number of original partners of a firm reduces to less than half due to any reason including death of partner(s), the enlistment of the firm shall be withdrawn.

Change in Address:

(a) While applying for enlistment, the Contractor should mention address of his registered Office as well as Head Office, if different. All documents, i.e. PAN Card, Income Tax returns, Solvency Certificate, Working Capital Certificate, Electrical License, etc, should bear one of the above addresses, otherwise the same shall not be accepted.

(b) The Contractor shall intimate the change, if any, in any of the above addresses, in advance or maximum within one month of such change. Failure to do so may result in removal of his name from the approved list of Contractors.

Near Relatives Working in PWD/WRD, Goa:

Contractors whose near relatives are Divisional Accountant or Engineering Officers between the grades of Superintending Engineer and Assistant Engineer (both inclusive) in the Public Works Department (PWD)/ Water Resources Department (WRD) will not be allowed to tender for works if the circle responsible for award and execution of contract is the one where near relative is working. For this purpose, a near relative shall mean wife, husband, parents, children, brothers, sisters and their corresponding in-laws.

Review of approved list of Contractors:

Contractors shall be liable to be weeded out for non-observance of enlistment rules. For this purpose, the enlistment authority shall have the power to periodically review the approved list of contractors.

Renewal of Enlistment:

The validity of initial enlistment of the contractor shall be for the period of 5 years. It shall however, be renewed on merits if desired by the Contractor.

Only the contractor who has secured atleast one work of the quantum equivalent to the tendering limit of the next lower Class from Goa State Government. Departments/Organisations/ Autonomous Bodies/ Corporations in the respective category viz. BLDGS/RBLD/WS& WWD/ WR/ ELECT/ FURN during the period of enlistment or last renewal period of enlistment, as the case may be shall be considered for renewal.

In case they fail to secure any work, they should at least produce three certificates each of the quantum equivalent to the tendering limit of the next lower Class in the prescribed Proforma (Annexure – X) from Goa State Government. Departments/Organisations/ Autonomous Bodies/ Corporations in the respective category viz. BLDGS/RBLD/WS& WWD/ WR/ ELECT/ FURN during the period of enlistment or last renewal period of enlistment, as the case may be, certifying
therein that they have participated in tendering and submitted their valid tenders with E.M.D and other necessary requisites. Based on such documentary proof, their registration shall be considered for renewal.

22.0 Application for Renewal

22.1 The Contractor shall apply for renewal of his enlistment in the prescribed form (Annexure-VIII) along with all documents as per Annexure-IX, so as to reach the enlistment authority at least 2 months before expiry of his enlistment.

22.2 The contractor should submit a list of all works secured by him during the last five years in the proforma as given in Annexure-III.

22.3 The renewal application with all documents shall however, be accepted up to the date of expiry of enlistment with late fee, which shall be 50% of the normal renewal fees.

22.4 For delay beyond, the date of expiry of registration, the existing registration shall be treated as cancelled and the contractor will have to apply for fresh registration on payment of prescribed registration fee, subject to fulfillment of eligibility conditions for fresh registration.

23.0 Performance Reports:

For all the civil works executed by the contractor costing over Rs. 10.00 lakhs and for all electrical works costing over Rs. 2.00 lakhs, the Divisional Engineers shall submit Confidential Reports in Appendix 54 of CPWD Manual Vol.II to the next higher authority for assessment (Annexure-VII).

24.0 Contractor’s Obligation:

The Contractor shall fulfill all his obligations under these rules in time and manner as specified, failing which he shall be liable for the action as mentioned therein. Some of the obligations are summarized below.

a. Prior approval shall be obtained from the enlisting authority before changing the constitution of the firm/company.

b. Intimation of change of address should be given in advance or within one month.

c. He should obtain valid electrical license for the state in which he wants to tender.

d. He should secure at least one work/ participate in tendering of three works of specified magnitude during the period of enlistment/ renewal as per Clause 21.1/21.2.

e. He shall abide by these rules.

f. He should not indulge in unethical practices.

g. He shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.

25.0 Disciplinary Actions:

The Contractor have to abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice
Inviting Tenders. He shall have to execute the works satisfactorily, on time and with good quality. The enlisting authority shall have the right to demote a Contractor to a lower class, suspend business with him for any period, debar him or remove his name from the approved list of Contractors after issue of Show Cause Notice. Decision of the Enlistment Authority shall be final and binding on the Contractor. The following actions of the Contractor shall, in general, make the liable to disciplinary actions.

25.1  Demotion to a lower class:-- Unless otherwise decided for reasons to be recorded in writing, the Contractor shall be liable to demotion of a lower class, by the enlisting authority, if he:
   a. No longer has adequate equipment, technical personnel or financial resources; or
   b. Is litigious by nature; or
   c. Violates any important condition of contract; or
   d. Is responsible for a conduct which may justify his demotion to a lower class.

25.2  No Contractor, who is demoted to a lower class shall be eligible for enlistment in a higher class and minimum period of five years from the date of demotion.

25.3  Suspension of business:-- The enlisting authority may suspend business with a Contractor the definite period where, pending full enquiry the allegations, the enlisting authority is prima facie of the view that the Contractor is guilty of an offence in relation to business dealings which, when established would result in his removal/ banning business and it is not considered desirable to entrust new works or continue business with the Contractor.

25.4  Removal from the approved list:-- Unless otherwise decided for reasons to be recorded in writing, the name of the Contractor may be removed from the approved list of Contractors, by the enlisting authority, if he;
   (a) Has, on more than one occasion failed to execute a contract or has executed it unsatisfactorily; or
   (b) Is proved to be responsible for constructional defects in two or more works; or
   (c) Persistently violates any important conditions of the contract; or
   (d) Fails to abide by the conditions of enlistment; or
   (e) Is found to have given false particulars at the time of enlistment; or
   (f) Has indulged in any type of forgery or falsification of records; or
   (g) Changes constitution of the firm or individual without prior approval of the enlistment authority; or
   (h) Changes permanent address/ business address without intimation to the enlistment authority; or
(i) is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or

(j) persistently violates the labour regulations and rules; or

(k) is involved in complaints of serious nature received from other departments which prima facie appear to be true; or

(l) is at default in settlement of tax dues like Income Tax, Contract Tax, Sales Tax, Octroi, Duties, etc.

25.5 If the name of the contractor is removed from the approved list by the Enlistment Authority under any of the sub clauses (a) to (l) of Clause 25.4 & above, the contractor shall not be entitled for re-enlistment.

26.0 Revision of the Rules:-- The Enlistment Authority PWD/WRD may modify, add, delete and/ or change any of the above rules and the same shall be binding on all the enlisted contractors.

27.0 Removal of Doubts:-- If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Principal Chief Engineer, PWD, who shall decide the same.
APPLICATION FOR ENLISTMENT AS CONTRACTOR

( The applicant should study carefully the Rules of enlistment and the list of documents to be annexed with the application form before filling the form. Applications found deficient in any respect are liable to be rejected without any further correspondence)

CLASS …………….

CATEGORY……………………

1. Name of applicant Shri/M/s…………………………………………………………….
2. Nationality                 Indian…………………… Other……………………………..
3. Address
   Regd. Office ………………………………………………………………………….
   …………………………………………………………………………….
   …………………………………………………………………………….
   Head Office ………………………………………………………………………….
   …………………………………………………………………………….

4. Telephone Number ……………………………       Fax No ………………………
5. Constitution               Individual ………… Sole Proprietorship concern………….
                                        Partnership Firm………….  Public Ltd. Company …………
                                        Private Ltd. Company…………..
6. If partnership firm, names of the partners/ if Company, name of Directors
   1. ………………………………
   2. ………………………………
   3. ………………………………
   4. ………………………………
   5. ………………………………
   6. ………………………………

7. Is the individual / Sole propriitor/ any partner / Directors of Company:
   (a) Dismissed Government Servant Yes ………… No …………
   (b) Removed from approved list of Contractors Yes ………… No …………
   (c) Demoted to a lower class of Contractors Yes ………… No …………
   (d) Having Business banned/ suspended by any Government in the past Yes ………… No …………
   (e) Convicted by a Court of law Yes ………… No …………
   (f) Retired Engineer/ Official from Engineering Department ferom Govt. of Goa within last two years Yes ………… No …………
   (g) Director or Partner of any Company / Firm enlisted with PWD or any other Dept. Yes …… No …………

If answer to any of the above is “Yes” furnish details on a separate sheet.

8. (a) Name of person holding power of attorney
   (b) Nationality Indian ………… Other…………
   (c) Liabilities
9. Name of bankers with full address ..............................................

10. Place of business ..............................................................................................................

11. Full time technical staff in applicant’s employ:
   (a) to (e) for Civil, Electrical, (f) for Furniture.
   (a) Graduate Engineers with minimum 5 years experience Nos.
   (b) Graduate Engineers with minimum 3 years experience (excluding (a) above) ............
   (c) Graduate Engineers with less than 3 years experience (excluding (a) and (b) above) ..
   (d) Diploma Engineers with minimum 3 years experience ..............................................
   (e) Diploma Engineers with minimum 3 years experience ..............................................
   (f) Furniture / Furnishing Designers .............................................................................

12. Does the applicant have sufficient T&P Machinery, Equipment and workshop as per requirements mentioned in the Enlistment Rules for the class and category applied For (Attach details on separate sheet) Yes No.

13. Does the applicant possess valid Electrical License (For Electrical) Yes No.

14. (a) Whether already enlisted with Goa PWD/WRD or any other Department. Yes No.
   (b) If yes, give details:
      (i) Name of department .................................................................
      (ii) Class and category ...............................................................
      (iii) Enlistment authority and address ...........................................
      (iv) Enlistment No. and date ......................................................
      (v) Date of validity .....................................................................
      (vi) Tendering limit .....................................................................

15. Is any person working with the applicant is a near relative of the Officer/ Official of Goa PWD/ WRD (see Rule 19 of the Enlistment Rules) If answer to above is Yes, give details Yes No.
   Details of Works completed and in progress (which were secured during the last five years) (to be filled in proforma as given in Annexure-III). This list should include all works done whose gross amount of work done is more than the required magnitude for the class in which registration is required.
   Certificates from clients in original as per proforma given in Annexure IV for all eligible works.
   Certificates :

1. I/We (including all partners) certify that I/We have read the Rules of Enlistment of Contractors in Goa PWD/WRD as amended up to-date and shall abide by them.
2. I/ We certify that I/We will not get myself/ ourselves registered as Contractor(s) in the Department under more than one name.

3. I/We certify that the information given above is true to the best of our knowledge. I/ We also understand that if any of the information is found wrong, I am liable to be debarred.

4. (a) I certify that I did not retire as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in any Engineering Department of the Government of Goa during the last two years. I also certify that I have neither such a person under my employment nor shall I employ any such person within two years of his retirement except with the prior permission of the Government. (For individuals seeking enlistment in their own name.)

   (b) We certify that none of the partners/ Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last two years. We also certify that we have neither under our employment any such person nor shall we employ any such person within two years of his retirement except with the prior permission of the Government. (For partnership firms and limited companies).

   (Strike out whichever is not applicable)

   Signature(s) of applicant(s):

   Name                                           Signature                                           Address

   1.                                              
   2.                                              
   3.                                              
   4.                                              
   5.                                              

   Date:                                           
   No. of documents attached.....................
**Annexure –II**  
**DOCUMENTS ATTACHED FOR ENLISTMENT**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Document</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Proof of constitution ( Sl. No.5):</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) In case of sole proprietorship/ HUF: an affidavit executed before a 1&lt;sup&gt;st&lt;/sup&gt; Class Magistrate that the applicant is the sole proprietor of the firm/ Karta of HUF.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) In case of partnership firm: (Submit attested copies)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) Partnership deed attested by Notary Public.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) Form “A” or equivalent form issued by Register of Firms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) Form “B” or equivalent form issued by Register of Firms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv) Form “C” or equivalent form issued by Register of Firms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) In case of Private/ Public Ltd. Co. Article of Association duly attested by Notary Public.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Power of attorney, if any (Sl. No.8) attested by Notary Public.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Solvency Certificate/ Working Capital Certificate from scheduled bank in the proforma given in Annexure- V-A / V-B. the certificate should be on the banks letterhead and in sealed cover and shall be addressed to the concerned Enlistment Authority (Sl.No.9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Technical Staff: (Sl. No. 11)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) List of full time technical staff/ Designers with qualification and experience of each.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) Attested copies of the degrees/ diplomas of the technical staff/ Designers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) Declaration from the technical staff/ Designers that they are employed with the applicant.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>List of M/C, T&amp; P i.e steel centering and shuttering, possessed by the applicant. Full details and location of the workshop including details of Machines and Equipment provided and proof of sufficient stock of materials as required for Furniture Category.(Sl. No. 12)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Attested copy of valid Electrical License(Sl.No.13)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Attested copy of Enlistment order(Sl.No.14)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>List of all near relatives working in PWD/WRD, including their addresses(Sl.No.15). See also Rule 19.0 of Enlistment Rule.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
9. Original or attested copies of certificates for works done, form concerned clients, in proforma as given in Annexure-IV

10. Attested copies of award letters for works included in Annexure-III.

11. Valid and attested copy of Permanent Account Number.
Annexure –III

WORKS COMPLETED AND IN PROGRESS DURING THE LAST FIVE YEARS (INCLUDING ALL WORKS AWARDED)

(Add additional sheets, if necessary)

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Name of the work &amp; agreement No</th>
<th>Date of start</th>
<th>Stipulated date of completion</th>
<th>Actual date of completion</th>
<th>Reasons for delay &amp; compensation levied, if any</th>
<th>Tendered Cost</th>
<th>Gross cost of completion</th>
<th>Net amount received</th>
<th>Name, designation and complete address of the authority for whom the work was done</th>
</tr>
</thead>
</table>

(Add additional rows as necessary.)
Annexure–IV

CLIENTS CERTIFICATE REG. PERFORMANCE OF CONTRACTOR

Name and address of the Client……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………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Annexure – V-A

PROFORMA FOR SOLVENCY CERTIFICATE

CLASS I-A/ I-B

SOLVENCY CERTIFICATE

This is to certify that to the best of our knowledge and information M/s………………… having partner/ Directors……………………having marginally noted address, a customer of our Bank are respectable and can be treated as good for any engagement up to limit of Rs…………………(Rupees…………………………………)

Bank Seal                                                                   (Signature with rubber stamp
of the Branch

Manager.

Note: In case of partnership firm, certificate to include names of all partners as recorded with the Bank.

Annexure—V-B

PROFORMA FOR WORKING CAPITAL CERTIFICATE CLASS II/ III/ IV/ V

WORKING CAPITAL CERTIFICATE

Certified that Shri/ Smt./ M/s……………………….S/o/W/o…………………………and resident of…………………………. has /have been maintaining a Saving Bank Account/ Current Account/ Fixed Deposit Account with this Branch of Bank since…………And an amount not less than Rs……………(Rupees……………) has been available to the credit in his/ her/ their Account No…………………… for the last six months.

(Signature with rubber stamp)

Bank Seal

for the Bank
Annexure—VI

FOR CHANGE OF CONSTITUTION LIST OF DOCUMENTS/ INFORMATION REQUIRED TO BE SUBMITTED

DOCUMENTS TO BE SUBMITTED

1. Copy of proposed partnership deed duly signed/ proposed Memorandum of articles.
2. Attested copy/ copies of valid Permanent Account Number in respect of each proposed partner.
3. An undertaking sworn in before a 1st Class Magistrate by all the partners to the effect that the new firm will take over all assests and liabilities.
4. Dissolution deed/consent of retiring partners/ death certificate in case of death of a partner.

FURNISH THE FOLLOWING DETAILS IN RESPECT OF EACH PARTNER WITH WHOM CONTRACTOR’S FIRM WANT TO ENTER INTO PARTNERSHIP.

i) Whether he is enlisted with PWD/MES/Railway/P&T/ State PWD/WRD.
ii) Whether he is dismissed Government Servant.
iii) Whether he is a partner/Director of any other firm enlisted with this Department/ MES/Rly./ P&T/ State PWD/WRD.
iv) Whether he is the member of Indian Parliament or State Legislature.
v) Whether his name has ben black-listed or removed from the approved list of Contractors or demoted to lower class or orders if any issued for banning/ suspending business with him by any Department in the past.
vi) Whether he is dismissed/ removed/ retired Government Servant within 2 years.
vii) Whether he has any relative working in PWD/ WRD, if yes, give details.
viii) Whether he has any civil or criminal case pending in any court in India, if yes, give details.

Signature of Contractor
Annexure—VII

PERFORMANCE REPORT OF CONTRACTORS

(Refer Para 35.5)

Period of Report: 1\textsuperscript{st} July, 20\ldots\ldots\ldots\ldots to 30\textsuperscript{th} June, 20\ldots\ldots\ldots

Part I

1. Contractor -
   
   (a) Name
   (b) Address
   (c) Registered with (Department and Class and Reg.No.)

2. Work –
   
   (a) Name
   (b) Agreement amount
   (c) Date of start
   (d) Date of completion
   (e) Progress till Report (approximate percentage)

Part – II- Executive Engineer’s Assessment

1. Quality of work
   (Very Good, Good, Average, Poor, Very Poor)
   
   (a) Materials used
   (b) Structural work
   (c) Finish
   (d) Speed of execution

2. Sub-standard/defective work executed
   (Yes/No. If yes, appropriate value below)
   
   (a) Defective works rejected
   (b) Sub-standard work accepted at reduced rates

3. Was work delayed?
   (Yes/No. If yes, approximate value below)
   
   (a) Were reasons beyond control of Contractor?
   
   (b) Was delay due to lack of Contractor’s resources or lack of adequate efforts by Contractor.

4. Behaviour of Contractor and his employees

5. Is Contractor financially sound? (Yes/No)

6. Is Contractor litigious? (Yes/No)
Does he habitually prefer boosted up claims for arbitrations? (Yes/ No)

7. Overall performance of Contractor
   (Very Good, Good, Average, Poor, Very Poor)

Signature and Date
   (Name) Executive Engineer
   ……………….. Division

Date:

Part – III – Superintending Engineer’s Remarks

1. Does SE agree with EE’s report and assessment?
   (Yes/ No. Specify points of disagreement, if any)

2. SE’s overall assessment of Contractor
   (Very Good/ Good/ Average/ Poor/ Very Poor)

3. Does SE recommend any disciplinary action against the Contractor?
   (Warning, demotion, suspension of business for a specific period, removal from list).

Signature and Date
   (Name) Superintending Engineer
   ……………….. Circle
   Date:

Part - IV – Chief Engineer’s Remarks

Signature and Date
   (Name) Chief Engineer
   ……………….. Zone
Annexure – VIII

PUBLIC WORKS DEPARTMENT/ W A T E R R E S O U R C E S D E P A R T M E N T
APPLICATION FOR RENEWAL OF ENLISTMENT

(The applicant should study carefully the Rules of enlistment and the list of documents to be annexed with the application form before filling the form. Applications found deficient in any respect are liable to be rejected without any further correspondence)

CLASS ............................ CATEGORY...............  

1. Name of applicant  Shri/M/s. .................................................................  
2. Nationality               Indian ...................... Other ......................  
3. Address  
   Regd. Office  ........................................................................  
   ........................................................................  
   ........................................................................  
   Head Office  ........................................................................  
   ........................................................................  
   ........................................................................  
4. Telephone Number  ........................................ Fax No  .........................  
5. Constitution  
   Individual ............... Sole Proprietorship  
   Partnership Firm......... Public Ltd. Company ............  
   Private Ltd. Company ..........  
6. If partnership firm, names of the partners/ if Company, 
   name of Directors               1. ........................................  
   2. ........................................  
   3. ........................................  
7. (a) Name of person holding power of attorney  
   (b) Nationality                Indian .....................  
   Other.....................  
   (c) Liabilities 
8. Name of bankers with full address  ..........................................................  
9. Place of business  ........................................................................  
10. Full time technical staff in applicant’s employ:  
    (a) to (e) for Civil, Electrical, (f) for Furniture.  
    (a) Graduate Engineers with minimum 5 years experience Nos............  
    (b) Graduate Engineers with minimum 3 years experience (excluding (a) above) ..................  
    (c) Graduate Engineers with less than 3 years experience (excluding (a) and (b) above) ..................  
    (d) Diploma Engineers with minimum 3 years experience ..................  
    (e) Diploma Engineers with minimum 3 years experience ..................  
    (f) Furniture / Furnishing Designers ..................  
11. Does the applicant have sufficient T&P Machinery, Equipment and workshop as per requirements mentioned in the Enlistment Rules for the class and category applied  
    For (Attach details on separate sheet) Yes...........  No...........  

12. Does the applicant possess valid Electrical License
( For Electrical) Yes……… No……..

13. (a) Details of enlistment with PWD/ WRD
   (i) Enlistment No. and Date …………………
   (ii) Date of validity …………………

14. Is any person working with the applicant is a near relative of the Officer/ Official of Goa PWD/ WRD
   ( see Rule 19 of the Enlistment Rules)
   If answer to above is Yes, give details Yes…………..No……

Details of Works completed and in progress( which were secured during the last five years)( to be filled in proforma as given in Annexure-III). This list should include all works done whose gross amount of work done is more than the required magnitude for the class in which registration is required.

Certificates from clients in original as per proforma given in Annexure IV for all eligible works.

Certificates:

1. I/We (including all partners) certify that I/We have read the Rules of Enlistment of Contractors in Goa PWD/ WRD as amended up to-date and shall abide by them.

2. I/ We certify that I/We will not get myself/ ourselves registered as Contractor(s) in the Department under more than one name.

3. I/We certify that the information given above is true to the best of our knowledge. I/ We also understand that if any of the information is found wrong, I am liable to be debarred.

4. (a) I certify that I did not retire as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in any Engineering Department of the Government of Goa during the last two years. I also certify that I haven either such a person under my employment nor shall I employ any such person within two years of his retirement except with the prior permission of the Government. (For individuals seeking enlistment in their own name.)

   ( Strike out whichever is not applicable )

Signature(s) of applicant(s):

Name Signature Address

1. 
2. 
3. 
4. 
5. 
6. 

Date:

No. of documents attached………………
NOTIFICATION

No. 7/10-5/89-PWD-277

In supersession of Government Notification No. 7/10-5/89-PW& UD dated 5-2-1996, the Government of Goa hereby specifies the registration fees and renewal fees (non refundable) for enlistment as Contractors in Public Works Department for different classes of contractors, as shown in the schedule below:

<table>
<thead>
<tr>
<th>Class of Registration/Upgradation</th>
<th>Existing fees for fresh Registration/Upgradation (Reg. validity for 5 years)</th>
<th>Revised fees for fresh Registration/Upgradation (Reg. validity for 5 years)</th>
<th>Existing Renewal fees (Reg. validity for 5 years)</th>
<th>Revised Renewal fees (Reg. validity for 5 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I – A</td>
<td>Rs. 10,000/-</td>
<td>Rs. 25,000/-</td>
<td>Rs. 4,000/-</td>
<td>Rs. 12,500/-</td>
</tr>
<tr>
<td>I – B</td>
<td>Rs. 8,000/-</td>
<td>Rs. 20,000/-</td>
<td>Rs. 3,000/-</td>
<td>Rs. 10,000/-</td>
</tr>
<tr>
<td>II</td>
<td>Rs. 6,000/-</td>
<td>Rs. 10,000/-</td>
<td>Rs. 2,000/-</td>
<td>Rs. 5,000/-</td>
</tr>
<tr>
<td>III</td>
<td>Rs. 4,000/-</td>
<td>Rs. 6,000/-</td>
<td>Rs. 1,500/-</td>
<td>Rs. 3,000/-</td>
</tr>
<tr>
<td>IV</td>
<td>Rs. 2,000/-</td>
<td>Rs. 4,000/-</td>
<td>Rs. 500/-</td>
<td>Rs. 2,000/-</td>
</tr>
<tr>
<td>V</td>
<td>Rs. 1,000/-</td>
<td>Rs. 2,000/-</td>
<td>Rs. 250/-</td>
<td>Rs. 1,000/-</td>
</tr>
</tbody>
</table>

Terms and Conditions:

1. Contractor desiring to enlist as contractor in PWD should make the application in the prescribed form available in the office of the Chief Engineer, PWD Altinho, Panaji.
2. On scrutiny of the application, applicant will be intimated for payment of appropriate registration fee. Applicant should deposit the amount into Government Treasury and produce the challan to the office of the Chief Engineer, PWD. Altinho, Panaji. Within one month from the date of issue of intimation letter else the contractor’s application will be treated as cancelled.
3. The fees mentioned above shall be paid for each registration in different categories.
4. The validity of the above registration shall be for a period of 5 years subject to renewal on payment of renewal fee as shown above.
5. The renewal period shall be for 5 years subject to further renewal on payment of renewal fee as shown above.
6. The Contractor should apply for renewal of Registration two months prior to expiry of Registration/ Renewal.
7. A grace period of 60 days will be granted for the renewal of registration. If the request for renewal is not received within 60 days of expiry of registration/ renewal period, the existing registration will be treated as
cancelled and the contractor will have to apply for fresh registration on
payment of prescribed registration fee.

(8) In case of loss/ damage, etc., of original Registration, a duplicate
registration certificate will be issued on payment of a fee of Rs. 400/-
(Rupees four Hundred Only).

(9) The Chief Engineer, PWD will review the list of Contractors periodically in
order to weed out the names of Contractors who are involved in
malpractices or otherwise unsuitable for Government contract.

(10) This notification shall also be applicable to Irrigation Department except
that the words “Office of the Chief Engineer, PWD, Altinho, Panaji” and “Chief Engineer-PWD” shall be read as “Office of the Chief Engineer,
Irrigation Department” Panaji and “Chief Engineer, Irrigation Department” respectively.

(11) This notification shall come into force with immediate effect.

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

T.K. Mohandas, Chief Engineer (P.W.D).
Panaji, 1st January, 2001
Appendix-XII

1176
OFFICIAL GAZETTE

SERIES II No. 42

Department of Public Works
Office of the Chief Engineer

Order
No. 2-3-80-CE-PWD-EO-278

With a view to mobilise revenue earnings, Government is pleased to revise the fees for the sale of tender documents with effect from 1-1-2001 as under:

<table>
<thead>
<tr>
<th>Sr.No.</th>
<th>Value of works costing</th>
<th>Fees for tender documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Upto Rs. 1.00 lakh</td>
<td>Rs. 500/-</td>
</tr>
<tr>
<td>2.</td>
<td>Rs. 1.00 lakh to Rs. 5.00 lakhs</td>
<td>Rs. 1,000/-</td>
</tr>
<tr>
<td>3.</td>
<td>Rs. 5.00 lakhs to Rs. 25.00 lakhs</td>
<td>Rs. 1,500/-</td>
</tr>
<tr>
<td>4.</td>
<td>Rs. 25.00 lakhs to Rs. 50.00 lakhs</td>
<td>Rs. 2,500/-</td>
</tr>
<tr>
<td>5.</td>
<td>Rs. 50.00 lakhs to Rs. 2.00 crores</td>
<td>Rs. 5,000/-</td>
</tr>
<tr>
<td>6.</td>
<td>More than Rs. 2.00 crores</td>
<td>Rs. 7,500/-</td>
</tr>
</tbody>
</table>

T.K. Mohandas, Chief Engineer, PWD & Ex- Officio Addl. Secretary.

Panaji, 29th December, 2000.
Ref. No.6-11-80-PCE-PWD-EO/315

To,
The Chief Engineer,
Water Resources Department,
Junta House,
PANAJI-GOA.


Sir,

With reference to above, the doubts by you in the interpretation of Enlistment Rules, 2004 are clarified as under:

(I) Fees to be collected from the contractors for issuing duplicate copies of Registration Certificates.

Due to oversight the provision for issue of duplicate registration certificate in the event of loss, theft, etc. on payment of fees of Rs.400/- as envisaged in the earlier Notification No.7/10-5/89-PWD-277 dated 1st January, 2001 has been skipped off. The above provision shall be inserted in the subsequent amendment after approval of the Committee. However, in the meantime the duplicate copies of the registration certificate may be issued to the applicant contractors on their request on payment of fees of Rs.400/-.

(II) Need for producing working capital certificates.

Rule 10.0 “Eligibility Criteria” of the Enlistment of Contractors in PWD/WRD Goa, 2004 provides in detail the modes of enlistment of contractors viz-a-viz the eligibility criteria. However, it is clarified that registration of contractors under Classes II, III and IV in various categories under para”(a)” of Rule 10.0 may be made without insisting upon Working Capital Certificate.

Though Item No.2 of Annexure IX mentions about working capital certificate, the same may not be insisted upon at the time of renewal of registration of contractors under Classes II, III, IV and V in various categories as Rule 21.0 clearly provides for the eligibility criteria for renewal of registration of contractors in various categories wherein the production of working capital certificate at the time of renewal of registration is not stipulated.
Whether the work experience of a partnership firm under Class II could be considered for registration under Class I-B or Class I-A ever after the partnership firm is dissolved and reconstituted as a Private Limited Company.

It is clarified that Registration can be granted to the newly constituted Private Limited Companies in Class I-B or I-A on the strength of the works executed by the dissolved partnership/proprietory firms under Class-II or I-B.

However the following guidelines may be observed while effecting such change over from partnership/proprietory firm into a private limited company.

(i) The sole proprietor in case of proprietary firm or partners in case of partnership firms has to be mandatorily the directors of the newly constituted company registered under Companies Act.

(ii) The newly constituted Company should produce the following documents.

(a) Copies of Memorandum of Association, Articles of Association and Certificate of Incorporation. The Memorandum of Association should clearly spell out as one of its main objectives that the existing proprietory firm/partnership firm shall be taken over by the newly constituted company.

(b) The Memorandum (in original) of handing over all assets and liabilities including ongoing works under old caption and taking over duly signed by the proprietor/partners of the old firm and Directors of the newly constituted Company.

(c) The balance sheet of the old firm as on the date of formation of the company and the same shall be taken over by the newly constituted company.

(d) The duly signed photographs of the Board of Directors on the Company’s Letter Head.

(e) The Resolution of the Board of Directors appointing one of the Directors as Managing Director delegating all the powers.

(f) The PAN Card in the name of Company as well as PAN Card of each of the Directors of the Company.

The above guidelines however shall be placed before the Committee for its formal consideration and post facto approval in its next sitting.

Yours faithfully,

Sd/-

( K.P. Nambiar)  
Principal Chief Engineer.  
P.W.D.

Copy to:
**PRESCRIBED PROFORMAS**  
( Please Refer Notification Appendix – XIII to XX )

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**Amendments**

- **Notification No.** 4/4/EO-WRD/2012-1325 dated 4th April 2012
- **Notification No.** 4/4/CE-WRD-EO/28 dated 19th April 2012
The Goa Ground Water Regulation ACT, 2002

EXTRA ORDINARY

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GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

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Notification

7/2/2002-LA

The Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002), which has been passed by the Legislative Assembly of Goa on 17-1-2002 and assented to by the Governor of Goa on 25-1-2002, is hereby published for the general information of the public.

S.G. Marathe, Under Secretary (Drafting).


AN

ACT

to regulate and control the development of ground water resources and matters connected therewith.

BE it enacted by the Legislative Assembly of Goa in the Fifty-second year of the Republic of India as follows:-

1. Short title, extent and commencement. – (1) This Act may be called the Goa Ground Water Regulation Act, 2002.

(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.

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

(a) “Act” means the Goa Ground Water Regulation Act, 2002;

(b) “Cell” means the ground water cell constituted under the Act;

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

(d) “ground water” means the water under the surface of the earth regardless of the geological structure in which it is stationary or moving and includes all ground water reservoirs;

(e) “Ground Water Officer” means the Ground Water Officer authorized and/or appointed by the Government to perform the functions of the Ground Water Officer under this Act;

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

(g) “sink” with all its grammatical variations and cognate expressions in relation to a well shall include any digging, drilling or boring of a well or deepening carried out to the existing wells;

(h) “source of water” means the water which exists in the nallahs, wells, rivulets, rivers, lakes, ponds, borewells, tubewells, canals, springs, etc;

(i) “user of ground water” means the person or persons or an institution including a company or an establishment, whether Government or not, who or which own or use
or draw ground water for any purpose, including domestic, industrial, environmental, ecological and agriculture use, made either on a personal, institutional or community basis;

(j) “well” means sunk for the search or extraction of ground water by person or persons except by the authorized Officials of the State or Central Government’s, for carrying out scientific investigations, exploration, development or management work for the survey and assessment of ground water resources and includes open well, dug well, sunk well, bore well, tube well, tank, pond, dug-cum-borewell, filter point, collector well and infiltration gallery.

3. **Constitution of Ground Water Cell**.- (1) The Government shall constitute a ground water cell for carrying out the purposes of this Act.

   (2) The Chief Engineer of the Department of Water Resources of the Government shall be the ex-officio Head of the cell besides other members who may be appointed by the Government.

   (3) The Government, in consultation with the Cell, may designate, by notification, any person serving in connection with the affairs of the Government including any person serving in the Cell itself, as the Ground Water Officer for the purposes of this Act.

   (4) The Ground Water Officer shall function under the direct control and superintendence of the Cell.

4. **Declaration of Scheduled, Water Scarcity and over exploited areas**.- (1) Having regard to the potential of availability of ground water and other relevant factors, the Government, in consultation with the Cell, may declare, by notification, any area in the State as a Scheduled area.

   (2) Having regard to the quantum and pattern of rainfall and other relevant factors, the Government, in consultation with the Cell, may declare, by notification, any area in the State as Water Scarcity area for a period not exceeding six months at a time.

   (3) Having regard to the depleted levels of water table and other relevant factors, the Government, in consultation with the Cell, may declare, by notification, any area in the State as an over exploited area.

5. **Registration of existing well and permission for sinking a new well in the Scheduled area**.- (1) The user of an existing well in a Scheduled area shall, within a period of sixty days from the date of commencement of this Act, apply to the Ground Water Officer for registration of an existing well, in the prescribed form and manner:

   Provided that the Ground Water Officer may entertain any application for registration of an exiting well after the expiry of the said period of sixty days, on payment of such late fee as may be prescribed, if he is satisfied that the owner of the existing well was prevented by sufficient cause from filling the application in time.

   (2) The details to be furnished in an application under sub-section (1) shall include the following namely:-
(i) the description of the source of water, such as type of wells, its exact location;

(ii) the lifting device used;

(iii) the quantity of drawal of ground water and hours of operation per day;

(iv) the total period of use in each year;

(v) the purpose or purposes for which ground water is being extracted;

(vi) in case of irrigation well, the location and extent of area irrigated;

(vii) in case of State, municipalities or community run water supply schemes, the details of the services involved in the addition to the quantities of water extracted, the diversion or pumping points and their locations;

(viii) the year of construction and the year of commissioning.

(3) No person shall sink a well in a Scheduled area unless he has obtained permission in this behalf from the Ground Water Officer. Any person desirous of sinking a well shall apply, in the prescribed form and manner, to the Ground Water Officer for grant of permission and shall not proceed with any activity connected with sinking of the well unless permission is granted to him by the Ground Water Officer.

(4) On receipt of an application under sub-section (1) or sub-section (3), if the Ground Water Officer is satisfied that it shall not be against the public interest to do so, he may grant a certificate of registration of an existing well authorizing the continued use of the well or grant permission for the sinking of new well, as the case may be, subject to such conditions and restrictions and collection of such charges as may be prescribed from time to time:

Provided that no person shall be refused a certificate of registration of an existing well or permission for sinking a new well unless he has been given an opportunity of being heard.

(5) The decision regarding the grant or refusal of the certificate of registration, or grant or refusal of permission, as the case may be, shall be intimated by the Ground Water Officer to the applicant as far as possible within a period of 90 days from the date of receipt of application. Where it is not possible for the Ground Water Officer to grant the certificate of registration of an existing well or to grant permission for sinking a new well, as the case may be, the Ground Water Officer shall intimate the reasons therefore to the applicant so that he may make a fresh application after curing the defects if any specified therein.

(6) In granting or refusing a certificate of registration or granting or refusing permission under sub-section (4), in the prescribed form and manner the Ground Water Officer shall have regard to:-

(a) the purpose or purposes for which the water is to be used or well is to be sunk;
(b) the existence of other competitive users;

c) the existence of other wells in the locality;

d) the availability of ground water;

e) quality of ground water with reference to the use;

f) spacing of the ground water structures keeping in consideration the purpose for which water is to be used;

g) long term ground water behaviour;

h) the lifting devices proposes to be used;

(i) the quantity of ground water withdrawal and hours of operation per day;

(j) the effect of water availability in the nearby well; and

(k) any other relevant or connected factors.

(7) The certificate of registration in respect of an existing well or the permission for sinking a new well shall be valid for a maximum period of five years from the date of issue of certificate of registration or permission, as the case may be, and after expiry of the period of five years, the well shall have to be freshly registered in accordance with the procedure laid down herein.

(8) If a registered well, whether an existing well or a newly sunk well, becomes defunct, this fact should be immediately brought to the notice of the Ground Water Officer, by the user of the ground water of the said well.

6. **Grant of permission to transport ground water in the Scheduled area.**

(1) No person shall transport ground water from a source of water in Scheduled area, more than 30,000 litres annually, by any means of surface transport or by pipeline without the permission of the Ground Water Officer.

(2) Any person desirous of transporting more than 30,000 litres of ground water annually from a source of water in a Scheduled area by any means of surface transport or by pipeline shall apply, in the prescribed form and manner, to the Ground Water Officer for the grant of permission and shall not proceed with any activity connected with the transportation unless permission has been granted by the Ground Water Officer.

(3) On receipt of an application under sub-section (2), if the Ground Water Officer is satisfied that it shall be in the public interest to do so, he may grant permission for transporting the ground water, subject to such terms, conditions and restrictions as may be prescribed, or refuse to grant the permission:

Provided that no permission shall be refused unless the applicant has been given an opportunity of being heard.

(4) The decision regarding the grant or refusal of permission shall be intimated by the Ground Water Officer to the applicant as far as possible within a period of 90
days from the date of receipt of the application. Where it is not possible for the Ground Water Officer to grant the permission for transportation of ground water, the Ground Water Officer shall intimate the reasons therefore to the applicant so that he may make a fresh application after curing the defects if any specified therein.

(5) In granting or refusing to grant permission under sub-section (3) the Ground Water Officer shall have regard to the following matters, namely:-

(a) the purpose or purposes for which permission to transport ground water is sought;

(b) the existence of other competitive users;

(c) the existence of other wells in the locality;

(d) the availability of ground water;

(e) the quality of ground water with reference to use;

(f) the long term ground water behaviour;

(g) the lifting device proposed to be used;

(h) the quantity of ground water drawal and hours of operation per day;

(i) the effect on the availability of water in the near by well.

(j) any other relevant or connected factor.

(6) Every permission granted under sub-section (3) shall be valid for a maximum period of one year and after expiry of said period of one year, the permission, if required again, shall have to be freshly applied for, in accordance with the procedure laid down herein.

(7) **Powers to alter, amend or vary the terms of registrations and permissions:** At any time after the grant of registration or permission under section 5 or section 6 as the case may be, the Ground Water Officer may, for technical reasons, alter, amend or vary the terms of the registration or permission after providing the holder of registration or permission, as the case may be, an opportunity of being heard.

8. **Cancellation of permission / certificate of registration.** If the Ground Water Officer is satisfied, either on a reference made to him in this behalf or otherwise, that,-

(a) the registration or permission granted under section 5 or section 6, as the case may be, is not based on the true facts; or

(b) the holder of the registration, or permission, as the case may be, has without a reasonable cause, failed to comply with the conditions subject to which the registration or permission had been granted or contravened any provisions of this Act or the rules made thereunder; or
a situation has arisen which warrants limiting the use of extraction of ground water,

without prejudice to any penalty to which the holder of the registration or permission, as the case may be, may be liable under this Act, the Ground Water Officer may, after giving the holder of the registration or permission, as the case may be, an opportunity to show cause, by order, cancel the registration or permission, as the case may be.

9. **Protective measures in Water Scarcity Areas or over exploited areas.**

   (1) Upon declaration of any area as Water Scarcity Area or as over exploited area, the Ground Water Officer may, for the duration of the period for which the area remains so declared, by order,

   (a) prohibit the sinking of new wells in such area for any other purpose other than drinking, except with the permission of the Ground Water Officer, and the procedure laid down in section 5 of this Act shall, mutatis mutandis, apply to the disposal of an application received for sinking a well in that area for the said duration:

   Provided that no restriction shall be imposed in a water scarcity area to the sinking of a well on behalf of the Government or a local authority for being used as a public drinking water resource:

   Provided further that the Ground Water Officer shall grant the permission to sink a well subject to,

   (i) the condition that the Ground Water Officer may, for reasons to be recorded in writing, by order, prohibit, restrict or regulate the extraction of water from such a well for such a period as may be specified in such order, if, in his opinion, it is necessary to do so in the public interest; and

   (ii) such other conditions and restrictions as may be prescribed.

   (b) prohibit the extraction of water or impose such restrictions as may be considered necessary on the drawal of water from any existing well in such area if it is found to be adversely affecting any public drinking water source.

10. **Protective measures in over exploited areas.**

    (1) Upon declaration of any area as an exploited area,

    (a) no person shall sink a well in that area unless he has obtained the permission of the Ground Water Officer and the procedure laid down in section 5 of this Act shall, mutatis mutandis, apply to the receipt and disposal of an application received for sinking a well in that area:

    Provided that no restrictions shall be imposed in an over exploited area to the sinking of a well on behalf of the Government or a local authority for being used as a public drinking water source:

    Provided further that the Ground Water Officer shall grant the permission to sink a well in that area subject to.
(i) the condition that the Ground Water Officer may, for reasons to be recorded in writing, by order, prohibit, restrict or regulate the extraction of water from such a well for such a period as may be specified in such order, if, in his opinion, it is necessary to do so in the public interest; and

(ii) such other conditions and restrictions as may be prescribed.

(iii) the Ground Water Officer may prohibit, by order, the extraction of water from any existing well during the period of six months from 1st February to 31st July, every year.

11. **Closing down of existing well in over exploited area.**- If an existing well is found to be adversely affecting any public drinking water source, the Ground Water Officer may, by order, after giving the owner a reasonable opportunity of being heard, direct him to stop the extraction of water forthwith and close or seal the well, either temporary or permanently, having regard to the extent to which it so adversely affects.

12. **Payment of compensation for closing down an existing well in over exploited area.**- Where an order of permanently closing down or sealing of an existing well is made under section 11, the Ground Water Officer may, on making such enquiry and requiring the owner to produce such evidence as he may deem necessary, make an order for payment of compensation which shall not be less than the market value of the well and structures thereon and the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894), with regard to the determination of compensation of the well shall apply in determining the market value of the well under this section as though the well is sought to be acquired under that Act. No such compensation shall be paid in the case of temporary closing down of an existing well in an over exploited area:

Provided that, in the case of closing down of an existing well, permanently or temporarily, in an over exploited area, if water from that well was being used for irrigating crops standing at the time of making such an order, the compensation for such crops which shall be the market value of the standing crops based on the average yield of the preceding three years, shall be payable under this section:

Provided further that, if, for any reason, any well which has been permanently closed or sealed, is allowed to be re-opened for extracting of water therefrom, any subsequent order made for permanently sealing or closing down such well again, shall not entitle the owner thereof to claim compensation for the well and the structures thereon except the compensation for the standing crops which shall be determined as aforesaid in the foregoing provision.

13. **Power of Ground Water Officer.**- (1) The Ground Water Officer or any person authorized by him in writing in this behalf, shall have the following powers, namely:-

   (a) to enter on any property (private or Government) with the right to investigate and make any measurements concerning the land or water located on the surface or underground;

   (b) to inspect the well which has been or is being sunk and the soils and materials excavated therefrom;
(c) to take specimens of such soils or other materials or of water extracted from such wells;

(d) to require, by order in writing, the person sinking a well to keep and preserve in the prescribed manner specimens of soils or any materials excavated therefrom for such period not exceeding three months from the date of completion or abandonment of the work as may be specified by the Ground Water Officer and thereupon such person shall comply with such order;

(e) to inspect and to take copies of the relevant record or documents and ask any question necessary for obtaining information (including diameter or depth of the well which is being sunk; the level at which the water is or was struck and subsequently restored/rested, the type of strata encountered in sinking of the well and the quality of the water struck) required for carrying out the purposes of this Act;

(f) to require the user of ground water to install water measuring device on any water supplies when necessary to properly administer the water or where there is a reason to believe that the user does not comply with the provisions contained in this Act or any other sufficient reason for defending the public interest:

Provided that whether the user of ground water doesn't comply with the requisition issued to him within a period of thirty days, the Ground Water Officer may install such water measuring device and recover the cost from the defaulting user of ground water;

(g) to seize and keep custody of any equipment/device utilized for illegal sinking and close the work executed, partly or fully;

(h) to require any user of ground water, who does not comply with the provisions of this Act and the rules framed thereunder, to close down any water supply or destroy any hydraulic work found to be illegal according to the provisions of this Act and the rules framed thereunder:

Provided that where the user of ground water does not comply with the requisition issued to him within a period of thirty days, the Ground Water Officer may himself carry out the necessary work and recover the cost from the illegal user as arrears of land revenue;

(i) to enter and search with assistance, if any, as he considers necessary, any place in which the Ground Water Officer has reason to believe that offence under this Act has been or is being committed and order in writing the person who has been or is committing the offence not to extract or use the ground water for a specified period;

(j) to exercise such other powers as may be necessary for carrying out the purposes of this Act or any rules made thereunder;

(k) to advise the State Electricity Department for withdrawing/ stopping power supply to the existing well in case of violation of any provision of this Act;

(l) to monitor that the State Electricity Department does not energise the wells without clearance from the Ground Water Officer;
(m) to close the use of toilet/ septic tank/ soak pit if it is found that it is polluting the well.

(2) The power conferred by this section includes the power to break open the door of any premise where sinking, extracting and use of ground water may be going on:

Provided that the power to break open the door shall be exercised only after the owner or any other person in the occupation of the premises, if he is present therein, refuses to open the door on being called to do so.

(3) The provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), shall so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 93 of the said Code.

14. **Powers of the Ground Water Officer regarding closure of the well and seizure of materials and equipment.**- (1) On a complaint made or otherwise, about any contravention of any of the provisions of this Act, the Ground Water Officer may, by an order in writing, call upon the owner or the person in possession of the well to stop the extraction of water and any other contravention forthwith.

(2) Where the owner or person in possession of the well fails to comply with the order given under sub-section (1), the Ground Water Officer or an Officer duly authorized by him, may enter upon the land, remove obstructions, if any, close the pumping of water, disconnect the power supply, seize any material or equipment used with such extraction of water and take such action as may be required, and may close or seal the well.

(3) The closure of a well shall be made and a list of all materials and equipments seized shall be prepared in the manner prescribed.

(4) Where the Ground Water Officer or an Officer authorized by him has closed or sealed the well under sub-section (2), the cost incurred thereof shall be recovered from such owner or person as arrears of land revenue.

15. **Service of orders, etc.**- (1) Every Order under this Act shall be served,-

(a) by giving or tendering the order or notice or by sending it by post to the user for whom it is intended; or

(b) if the user cannot be found, by affixing the order or notice on some conspicuous part of his last known abode or place of business or by giving or tendering the order or notice to some adult male member of his family or servant or by causing it to be affixed on some conspicuous part of the land or building in which the well is being sunk.

(2) Where the person on whom the order or notice is to be served is a minor, service upon his guardian in the manner provided in sub-section (1) shall be deemed to be notice served upon the minor.

16. **Protection against action taken in good faith.**- No prosecution, suit or other legal proceedings shall be instituted against the Government, the Ground Water
Officer or his authorized representatives for anything done or intended to be done in good faith under this Act, or the rules made thereunder.

17. **Offences and Penalties.**- 

(A) For non-receipt of information:

   If any user,---

   (a) contravenes or fails to comply with any of the provisions of this Act or rules made thereunder, in supplying information as prescribed; or 

   (b) obstructs the Ground Water Officer or any other person authorized by him to exercise any powers under this Act,

   he shall be punishable---

   (i) for the first offence, with fine which may extend to rupees one thousand; and

   (ii) for the second and subsequent offence, with fine which may extend to rupees two thousand, every time.

(B) For illegal sinking/ construction and/or use of wells and/or transportation of water and/or polluting and contaminating ground water:

   If any user---

   (a) contravenes or fails to comply with any of the provisions of this Act or rules made thereunder;

   (b) obstructs the Ground Water Officer or any other person authorized by him to exercise any powers under this Act,

   he shall be punishable---

   (i) for the first offence, with fine which may extend to rupees five thousand;

   (ii) for the second and subsequent offence, with imprisonment for a term which may extend to six months and/or with fine which may extend upto rupees ten thousand, every time.

18. **Compounding of offences.**- Any offence under this Act may be compounded by the Ground Water Officer, either before or after the institution of proceedings, subject to such conditions as may be prescribed.

19. **Offences by Companies.**—whenever an offence under this Act has been committed by a Company, every person who, at the time the offence is committed, was incharge of, or was responsible to the Company for the conduct of the business of the Company, shall be deemed to be guilty of the offences and shall be liable to be proceeded against and punished accordingly:
Provided that nothing contained in this section shall render any such person liable to any punishment under this Act 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.

Explanation.- For the purpose of this section, “Company” means any body corporate and includes a firm or other association of individuals.

20. Appeals.-- (1) Any person aggrieved by a decision or action of the Ground Water Officer under this Act, may, within a period of thirty days from the date on which the action is taken or the decision is communicated to him and on payment of such fees as may be prescribed, prefer an appeal to the prescribed authority:

Provided that the prescribed authority may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the applicant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the prescribed authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

21. Requisition of wells.-- (1) The Ground Water Officer may, in public interest, for providing water for drinking purposes, requisition any well or water source from its owner after due notice in such a manner and in such a prescribed and for such period as may be specified in the order but in no case exceeding six months at a time.

(2) For a well requisitioned under sub-section (1), a compensation for the use of the well for extraction of water therefrom shall be paid to the owner, and such compensation shall be decided by the Ground Water Officer.

(3) In determining the compensation to be awarded for the compulsory requisitioning of a well or a water source under this Act, the Ground Water Officer shall take into consideration,-

(a) the market value of the standing crop, if any, based on average yield of the preceding three years;

(b) the damage sustained by the owner of the well or the water source by depriving him of the use thereof; and

(c) the generation charges including wear and tear of the pump and other accessories in cases where the Ground Water Officer decides to retain such facilities while requisitioning the well or the water source.

22. Power to charge fees.-- The Government may charge such fees as may be prescribed for any permission granted under this Act.

23. Protection measures for public drinking water source and existing ground water structures in non-scheduled areas.-- (1) Having regard to the interest of the general public to have supply of the requisite quantity of water for
drinking purposes from the drinking water sources and to protect the existing ground water structures used for drinking and other essential purposes, no person shall sink any well for any purpose in the vicinity of the drinking water source within a distance of one hundred metres of such source or ground water structure. No person shall extract for the purpose of transporting water from a well if another well or ground water source is located within a limit of one hundred metres.

(2) A person desirous of sinking a well for any purpose, within a distance of one hundred metres of a drinking water source or existing ground water structure, may do so only with the prior permission of the Ground Water Officer.

(3) A person desirous of transporting ground water from a well, if another well is located within a distance of one hundred metres of a drinking water source or ground water structure, may do so only with the prior permission of the Ground Water Officer.

(4) An application made for the permission under sub-section(2) or sub-section (3) shall be made to the Ground Water Officer in the prescribed form and manner and the procedure laid down for the grant of permission to sinking of a well or transportation of water in a Scheduled area under sections 5 or 6 of this Act, shall, mutatis mutandis, apply to an application made for sinking of a well or transportation of water in a non-scheduled area:

Provided that every permission granted under this section shall be subject to:

(a) the condition that the Ground Water Officer may, for reasons to be recorded in writing, by order, prohibit, restrict or regulate from time to time the extraction of water from such well if in his opinion it is necessary to do so in the public interest;

(b) such conditions and restriction, as may be prescribed.

24. Offences under this Act to be cognizable.- (1) Any offence punishable under this Act shall be cognizable offence within the meaning of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(2) No court shall take cognizance of any offence punishable under this Act, except upon a complaint in writing by the Ground Water Officer or an Officer generally or specially authorized by the Government in this behalf.

25. Provisions of this Act to have overriding effect.- The provisions of this Act and the orders issued or made under this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

26. Power to make rules.- (1) The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for:

(a) the form and manner in which the application shall be made under this Act;

(b) the form and manner in which orders shall be passed by the Ground Water Officer;
(c) the manner in which the specimens of soils or other materials shall be kept and preserved;

(d) conditions subject to which offences may be compounded;

(e) prescribing the authority to hear appeals;

(f) the fees to be charged under the Act;

(g) any other matter which is to be or may be prescribed.

27. **Laying of the notifications and rules before the Legislative Assembly.** All notifications and rules made under this Act shall be laid before the Legislative Assembly as soon as may be when the Legislative Assembly is in session and if not in session, immediately on reassembly of the Legislative Assembly and the Legislative Assembly shall have power to annul or modify the notification or rules so laid by the resolution adopted for that purpose. On adoption of a resolution for annulment or modification of any notification or any rule, the notification or the rule shall be of no effect or shall stand modified accordingly.

Secretariat Annexe, Panaji.                         V.P. SHETYE, Secretary to the Government of Goa, Law Department

Dated: 29-1-2002
APPENDIX- XIV

GOVERNMENT OF GOA

DEPARTMENT OF WATER RESOURCES

NOTIFICATION

No.28-1/CE-WR-EO/ 987 Date: 13/02/2003

In exercise of the powers conferred by section 26 of the Goa Ground Water Regulation Act, 2002 (Goa Act No.1 of 2002), the Government of Goa hereby makes the following rules, namely:-

1. Short title and commencement. (1) These rules may be called the Goa Ground Water Regulation Rules, 2003.

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

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

(a) “Act” means the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002);

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

(c) “over exploited area” means an area declared by the Government as over exploited area under sub section (3) of section 4 of the Act.

(d) “permission” means a permission for sinking a well in terms of sub section (3) of section 5 of the Act;

(e) “registration” means a registration of the existing well in terms section 5 of the Act;

(f) “scheduled area” means an area declared by the Government as scheduled area under sub section (1) of section 4 of the Act;

(g) “water scarcity area” means an area notified by the Government as water scarcity area under sub section (2) of section 4 of the Act;

Words and expressions used in these rules but not defined shall have the same meaning as assigned to them under the Act.
3. **Registration of an existing well or permission for sinking a new well in the Scheduled area.**— (1) Every application under sub-section (1) of section (5) of the Act for registration of an existing well in a Scheduled area, shall be in form I hereto.

(2) Every application under sub section (3) of section 5 of the Act for sinking a new well in a Scheduled area shall be in form II hereto.

(3) When an application for registration of an existing well or sinking a new well in a Scheduled area is personally delivered, the counterfoil receipt for the application attached to the duplicate form shall be initialed and dated by the officer receiving such application and handed back to the person from whom such application is received. In other cases, the counterfoil shall be similarly initialed and dated and shall be dispatched to the applicant as soon as may be practicable after the application is received.

(4) On receipt of an application under sub section(1) or sub section (3) of section 5 of the Act, if the Ground Water Officer is satisfied that it shall not be against the public interest to do so, he may grant a certificate of registration of an existing well in form III hereto authorizing continued use of the well or grant permission for sinking of new well in form IV hereto.

(5) No person shall be refused a certificate of registration of an existing well or permission for sinking a new well unless he has been given an opportunity of being heard. The decision regarding the grant or refusal of the certificate of registration and grant or refusal of permission for sinking a new well, as the case may be, shall be intimated by the Ground Water Officer to the applicant as far as possible within a period of ninety days from the date of receipt of the application. Where it is not possible for the Ground Water Officer to grant the certificate of registration of an existing well or to grant permission for sinking a new well, as the case may be, the Ground Water Officer shall intimate the reasons therefor to the applicant so that the applicant may make a fresh application after curing the defects, if any, specified therein.

4. **Grant of permission to transport ground water in the Scheduled area.**— (1) Every application for grant of permission to transport ground water from a source of water in a Scheduled area shall be in form V hereto.

When application for grant of permission to transport ground water under sub section (2) of section 6 of the Act is personally delivered, the counterfoil receipt for the application attached to the duplicate form shall be initialed and dated by the officer receiving such application and handed over back to the person from whom such application is received. In other cases, the counterfoil shall be similarly initialed and dated and shall be dispatched to the applicant as soon as may be practicable after the application is received. The Ground Water Officer may grant permission for transportation of ground water from a source of water in the Scheduled area in form VI hereto.

(2) No person shall be refused a permission to transport ground water from a source of water in the Scheduled area unless he has been given an opportunity of being heard. The decision regarding the grant or refusal of the permission to transport ground water from a source of water in the Scheduled area shall be intimated by the Ground Water Officer to the applicant as far as possible within a period of ninety days from the date of receipt of the application. Where it is not possible for the Ground Water Officer to grant the permission for transportation of ground water, the Ground Water Officer shall intimate the reasons therefor to the applicant so that he may make a fresh application after curing the defects, if any, specified therein.
5. **Order for stopping extraction of water.** - An order of the Ground Water Officer under sub section (1) of section 14 of the Act, for stopping the extraction of water or contravention of the provisions of the Act, shall be in *form VII* hereto.

6. **Compounding of offences.** – (1) Any offence under the Act may be compounded by the Ground Water Officer by accepting from any person who has committed an offence punishable under the Act, a sum of money not exceeding the sum as stipulated in section 17 of the Act.

(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 regards to the offence so compounded.

(3) A valid receipt is to be issued for the money so received and the same is to be remitted to the Government Treasury.

(4) The composition of the offences shall be done only if the custody of the offender is no more required for further proceedings whatsoever.

7. **Appellate Authority to hear the appeals.** - Any person aggrieved by a decision or action of the Ground Water Officer may prefer an appeal to the Chief Engineer, Department of Water Resources, within a period specified in Section 20 of the Act.

8. **Requisition of wells.** - (1) A notice under section 21 of the Act, requisitioning any well or water source from its owner shall be in *form VIII* hereto.

9. **Permission to sink a well in non-Scheduled area.** - (1) An application asking permission under sub section (2) of section 23 of the Act for sinking a well in the non-scheduled area, shall be made in *form IX* hereto to the Ground Water Officer.

(2) An application seeking permission under sub section (3) of section 23 of the Act for transporting ground water from a well in non-scheduled area, shall be made in *form X* hereto.

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

*(A.Venktaratnam)*

Secretary(Water Resources)

FORM - I

[See Rule 3(1)]

Application for registration of well in the Scheduled area under section 5(1) of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002).

1a. (i) **Name of the Applicant**  
(Surname) (First name) (Middle name)
(ii) Age in years
(iii) Father’s/Husband’s name
(iv) Full Address

1b (i) State, Govt. body/ Municipality/ Panchayat/ Community
(ii) Full Address

2. Name and address of owner of land, on which the well proposed to register exists, if the Applicant himself is not the owner of the land and in what capacity applicant has applied.

3. **Nature of Registration**  
New/ Renewal

4. If renewal, reference to original registration

5. Location of the well
   (i) Survey number & subdivision number
   (ii) Name of the land
   (iii) Revenue Village/ Village Panchayat
   (iv) Taluka
   (v) District

6. Type of well  
Open well/Dug well/ sunk well/ bore well/ tube well/ pond/ Dug-cum-Bore well/ filter point/ collector well/ infiltration gallery.

7. Details of the well
   (A) Diameter/size of the well
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)
   (C) Distance from the nearest well

8. (i) Year of construction
   (ii) Year of commissioning

9. The device used for lifting the ground water

10. Details of power supply
    1. Type of pump: centrifugal/turbine/ submersible /jet/compressor/others
    2. Horse Power
    3. Pump capacity
    E.D Power Supply Connection No

11. (i) Number of hours pumping per
(ii) day
Quantity of drawal of ground water per day
Total period of use in each year

12. (i) Purpose for which the groundwater is being used.  
Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/other use (specify)

(ii) Extent of area irrigated in Ha. if purpose is for irrigation/agriculture/horticulture

13 Details of services involved in case of State, Community, Municipality run water supply schemes.

Signature of the Applicant with date

DECLARATION

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS

(1) This application shall be submitted in duplicate to the Ground Water Officer or any other officer authorised by him to receive such application. It may be sent by hand, presented personally or sent by post.

(2) Incomplete applications and applications not received in the prescribed form are liable to be summarily rejected.

(3) The consent of the owner of the land (if such owner is not the applicant) should invariably accompany the application.

ACKNOWLEDGEMENT (For Office use only)

1. Name of the Applicant and address

2. Location of well
   i. Type of well
   ii. Survey No/ Sub Division No.
   iii. Name of the land
   iv. Revenue Village/village Panchayat
   v. Taluka/District

3. Entry Number & Date

Signature of receiving officer
Application for sinking well in the Scheduled area under section 5(3) of the Goa Groundwater Regulation Act, 2002 (Goa Act 1 of 2002)

1. (i) **Name of the Applicant** (Surname) (First name) (Middle name)
   
   (ii) Age in years
   
   (iii) Father’s /Husband’s name
   
   (iv) Full Address

2. Name of owner of land, on which the well is proposed to be sunk, if the Applicant himself is not the owner of the land Address

3. Location where the well is proposed to be sunk
   
   (i) Survey number & subdivision
   
   (ii) Name of land
   
   (iii) RevenueVillage/ Village Panchayat
   
   (iv) Taluka
   
   (v) District

4. Purpose for which well is to be sunk
   
   Domestic/Hotel/Industry/Construction/irrigation/ Agriculture/Horticulture/Commercial/other use (specify)

5. Type of well proposed
   
   Open well/Dug well/ sunk well/ bore well/ tube well/ pond/ Dug-cum-Bore well/ filter point/ collector well/ infiltration gallery.

6. Details of the proposed well
   
   (A) Diameter of the well
   
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)
   
   (C) Distance from the nearest existing well

7. The device proposed for lifting groundwater

8. Details of lifting devices
   
   1. Type of pump proposed
   
   2. Horse power
   
   3. Pump capacity
   
   4. Type of energy

9. (A) Quantity of drawal of ground water per day
   
   (B) Number of hours pumping per day
   
   The total period of use in each year.

10. (i) In case of Irrigation well
    
    The extent of area proposed to be irrigated

    (ii) Proposed cropping pattern

11. In case of State, Municipalities or community run water supply schemes.
    
    The details of service involved. The diversion of pumping points and their locations.
12. The probable period of sinking the well
   The probable date of commissioning

   Signature of the Applicant with date
DECLARATION

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS

(1) This application shall be submitted (in duplicate) to the Ground Water Officer or any officer authorized by him to receive such applications. It may be sent by hand, presented personally or sent by post.
(2) This application shall be enclosed with site plan with survey number and showing the location of the proposed well to be sunk and details of all existing structures within a radius of 50m from the center of the proposed well.
(3) Incomplete applications and applications not received in the prescribed form are liable to be summarily rejected.
(4) The consent of the owner of the land (if such owner is not the applicant) should invariably accompany the application.

ACKNOWLEDGEMENT (For Office use)

1. Name of the Applicant and address

2. Location of well
   i. Type of well
   ii. Survey No/ Sub Division No.
   iii. Name of the land
   iv. Revenue Village/ village Panchayat
   v. Taluka/ District

3. Entry Number & Date

   Signature of receiving officer
FORM - III

[See Rule 3(6)(2)]

Certificate of Registration of an existing well and permission for its continuous use in the Scheduled area under section 5(4) of the Goa Groundwater Regulation Act, 2002 (Goa Act 1 of 2002).

Registration Certificate

No. Date:

1. Register Number of well
2. Location of well
   a) Survey Number & Sub. Division
   b) Name of land
   c) Revenue Village/Village Panchayat
   d) Taluka
   e) District

3. Type of well
   Dug well/dug-cum Bore well/
   Bore/open well/Tube well/
   others (to be specified)

4. Details of well
   a) Diameter/size of well
   b) Depth of well
   c) Year of construction
   d) Year of commissioning

5. Name of occupant and address

6. The device used for lifting the groundwater

7. Details of power supply
   a) Type of pump: Centrifugal/turbine/submersible/Jet/Compressor/Others.
   b) Horse power
   c) Pump Capacity
   d) E.D. Power supply connection number

8. (a) Number of hours of pumping allowed per day
    (b) The quantity of drawl of groundwater allowed per day
       (a) The total period of use permissible in each year.

9. Validity period of registration:

This is subject to the following conditions:

1. The certificate holder should not deviate in any way from specification regarding well, pump etc. mentioned above without pre-intimation and approval of the Ground Water Officer.

2. The drawal of groundwater under this license should not interfere with the normal activities of the locality nor should it cause any traffic hazard.

3. The Ground Water Officer or any person duly authorized by him shall have the right to inspect the place with such assistance as may necessary to satisfy itself or himself whether the conditions of restrictions specified are complied.

Place Date Signature of the Ground Water Officer

Copy to:
1. The Member Secretary, Ground Water Cell
2. The Assistant Engineer, Sub.Div.____, Works Div.____, DWR.
FORM - IV
[See Rule 3(6)(2)]

Permit for sinking well under section 5(4) of the Goa Groundwater Regulation Act, 2002 (Goa Act 1 of 2002).

No.___________________________________________________date_________________.

Shri/Smt.__________________________________________________ son/wife/daughter of
____________________________________________________ is hereby granted permit for
sinking well in Plot No._______ of sub Division No.____________ of Survey No._______
in Village___________________________ of Taluka _____________________ of District
___________________ for the purpose of (to be specified such as Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/any other purpose).

This permit is granted for sinking a well confirming to the specifications given below:-

1. Permit No.

2. Type of well Dug well/ Dug-cum- bore well/ Bore
well/ Open well/tube well/others

3. Details of the well
   A Diameter /size of the well
   B Depth of well (In case of dug-cum-
bore well give details of both the open and bore well)

4. The device approved for lifting the groundwater

This permit is subject to the following conditions:-

1. The permit holder should not deviate any way from the specifications regarding well mentioned above.

2. The Ground Water Officer or any persons duly authorized by it shall have the right to enter and inspect the place with such assistance as may be necessary to satisfy itself or himself whether the conditions and restrictions specified in the permit are being complied with.

3. Any other conditions to be specified.

4. The quantity of drawl of groundwater allowed per day

5. Validity period pf permit to sink a well

Place:                                                Signature of the Ground Water Officer

Date:                                                  

Copy to:1. The Member Secretary , Ground Water Cell

2. The Assistant Engineer, Sub.Div.____, Works Div.____, DWR
**FORM - V**

[See Rule 4(1)]

Application for grant of permission for transportation of ground water in the Scheduled area under section 6(2) of the Goa Groundwater (Regulation) Act, 2002 (Goa Act 1 of 2002)

1. **Name of the Applicant**
   (i) Name of the Applicant
   (ii) Age in years
   (iii) Father’s / Husband’s name
   (iv) Full Address

2. **Nature of Permit**
   New/ Renewal

3. **If renewal, reference to existing permit**

4. **Name of owner of land, from where water is proposed to be transported, if the Applicant himself is not the owner**
   Address

5. **Place of groundwater extraction**
   (i) Survey number & subdivision
   (ii) Name of land
   (iii) Revenue village/Village Panchayat
   (iv) Taluka
   (v) District

6. **Whether permit has been obtained for extraction or use of ground water from the well?**
   If so, give detail

7. **Purpose for which water is to be transported.**
   Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/other use (specify)

8. **Details of the well**
   (A) Diameter of the well (in Meters)
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)

9. **Type of well**
   Dug well/ Dug-cum-Bore well/ Bore well/
   Open well/ Tube well

10. **Quantity proposed to be transported (liters per day)**
    Liters per day

11. **Mode of transport**
    Tanker/ lorry/ Trailer/ Any other goods vehicle or pipe line

12. **Whether the consent of the owner of the source of water is enclosed, if the Applicant himself**
13. **Particulars of the vehicle use for transport**

   (a) **Registartion / Licence Number**
   (b) **Number of trips proposed each day**

**DECLARATION**

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

**INSTRUCTIONS:-**

1. In complete applications and applications not received in the prescribed form are liable to be summarily rejected.

2. The consent of the owner of the source of water (if such owner is not the applicant) should invariably accompany the application.

3. Permit will be issued, if approved by the competent authority within a period of 90 days from the date of receipt of the Application on payment of the prescribed fee.

4. Separate permit should be obtained for each vehicle.

**ACKNOWLEDGEMENT (For Office use)**

1. Name of the Applicant and address

2. Location of well
   - i. Type of well
   - ii. Survey No/ Sub Division No.
   - iii. Name of the land
   - iv. Revenue Village/ village Panchayat
   - v. Taluka/ District

3. Mode of Transport (to specify the registration number of the vehicle).

4. Entry number and date.

Signature of receiving officer
FORM - VI

[See Rule 4(5)(2)]

Grant of permission for transportation of Ground Water in the Scheduled area under section 6 of the Goa Ground water Regulation Act, 2002 (Goa Act 1 of 2002)

License No. ________

Shri/Smt. _____________________________ son/wife/daughter of ___________ resident of ___________________________ is hereby granted new/renewal license for extraction and transport of groundwater from a well _________ in dia. and _________ m in depth and existing in Sub Div. No. _______ Survey No. _________ in Village ______________________ of ___________ Taluka _______________ District and bearing permit number _________ for the purpose of __________________________ by means of _________,(type of vehicle).

a. Registration/ License Number of vehicle 

b. Capacity of tanker

c. Number of trips permitted each day

d. Maximum quantity of water permitted to transport per day _____ liters.

The license is valid upto 31st March _________

The license is issued subject to the following conditions:-

(i) The licensee should not deviate in any way from the specifications regarding vehicle licensed to transport, well, pump and quantity of water transported per day mentioned above.

(ii) The drawal and transport of ground water under this license shall not interfere with the normal activities of the locality nor shall it cause any traffic hazard.

(iii) The Ground Water Officer or any persons duly authorized by it shall have the right to enter and inspect the premises/vehicle with such assistance as may be necessary to satisfy itself or himself whether the conditions and restrictions specified in the permit are being complied with.

(iv) The license shall always be kept in the vehicle used for transport and shall be produced for verifications by the Ground Water Officer or any person duly authorized by it. The Ground Water Officer shall have right to restrict the use or withdraw or cancel the license giving notice for the license specifying the reasons for doing so and giving reasonable opportunity of being heard.

(v) The License is also subject to the following conditions.( to be specified if any )

Place:

Date: ___________________________ Signature of the Ground Water Officer

Copy to: 1. The Member Secretary, Ground Water Cell
        2. The Assistant Engineer, Sub.Div._____, Works Div.____, DWR
FORM – VII

[ See Rule 10]


ORDER

No. ______________

date ____________

Whereas you are the owner /person in possession of the well in Sub.div No._________ Survey No._____________ Village ___ Taluka_______ District_________

Whereas it has come to my notice that you have done such act which is in contravention to the provisions of sub-Section_________ section_________ of Goa Groundwater Regulation Act,2002 (Goa Act –1 of 2002) by (enter the act of contravention).

Now, therefore in exercise of the power vested in me under Section of the Goa Groundwater Regulation Act,2002 (Goa Act –1 of 2002). I _______________ Ground Water Officer direct you to stop the drawal of water (mention if any other) from the above said well and mention here any other contravention). Forthwith/ within_____ days, failing which the same will be executed by me and expenses incurred towards such execution will be recovered from you as arrears of land revenue.

Signature of the Ground Water Officer

To

Shri/Smt._______________

____________________

Copy to:

1. The Member Secretary, Ground Water Cell
2. The Assistant Engineer, Sub.Div.___. Works Div.___. DWR
FORM – VIII
[ See Rule13(2)]
Order under Section 21 (1) of the Goa Ground Water Regulation Act 2002 (Goa Act 1 of 2002) (Goa Act 1 of 2002).

ORDER

No. ___________________________ date _______________

Whereas you are the owner /person in possession of the well in Sub.div No.__________
Survey No.__________ Village _______ Taluka_______ District_________ ________and ;
Whereas it has come to my notice that there is acute shortage of drinking water in the above
area and there is a need for the requisition of above well in public interest for providing water for
drinking purpose.

Now, therefore in exercise of the power vested in me under Section of the Goa Groundwater
Regulation Act, 2002 (Goa Act –1 of 2002). I ___________________ Ground Water Officer hereby
requisite well mentioned above for a period of ____ months from the date of this order ( to be
specified).

Place: __________________________
Date: _______________ Signature of the Ground Water Officer

To
Shri/Smt. ______________________

_________________________.

Copy to:
1. The Member Secretary, Ground Water Cell
2. The Assistant Engineer, Sub.Div.____. Works Div.____. DWR
**FORM - IX**

[See Rule 9(2)] Application for sinking well in the Non-Scheduled area under section 23(2) of the Goa Groundwater Regulation Act, 2002 (Goa Act 1 of 2002)

1. (i) **Name of the Applicant**  
   (Surname) (First name) (Middle name)
   (ii) Age in years
   (iii) Father’s/Husband’s name
   (iv) Full Address

2. Name of owner of land, on which the well is proposed to be sunk, if the Applicant himself is not the owner of the land
   Address

3. Location where the well is proposed to be sunk
   (i) Survey number & subdivision
   (ii) Name of land
   (iii) Revenue Village/Village Panchayat
   (iv) Taluka
   (v) District

4. Purpose for which well is to be sunk
   Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/other use (specify)

5. Type of well proposed
   Open well/Dug well/sunk well/bore well/tube well/pond/Dug-cum-Bore well/filter point/collector well/infiltration gallery.

6. Details of the proposed well
   (A) Diameter of the well
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)
   (C) Distance from the nearest existing well

7. The device proposed for lifting groundwater

8. Details of lifting devices
   1. Type of pump proposed
   2. Horse power
   3. Pump capacity
   4. Type of energy

9. (A) Quantity of drawal of ground water per day
   (B) Number of hours pumping per day
   (C) The total period of use in each year.

10. (i) In case of Irrigation well
     (ii) The extent of area proposed to be irrigated
         Proposed cropping pattern
11. In case of State, Municipalities or community run
   water supply schemes
   The details of service involved
   The diversion of pumping points and their locations.

12. The probable period of sinking the well
    The probable date of commissioning

Signature of the Applicant with date

DECLARATION

I, ____________________________________________ hereby declare
that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS

(5) This application shall be submitted (in duplicate) to the Ground Water Officer or
any officer authorized by him to receive such applications. It may be sent by hand,
presented personally or sent by post.

(6) This application shall be enclosed with site plan with survey number and showing
the location of the proposed well to be sunk and details of all existing structures
within a radius of 50m from the center of the proposed well.

(7) Incomplete applications and applications not received in the prescribed form are
liable to be summarily rejected.

(8) The consent of the owner of the land (if such owner is not the applicant) should
invariably accompany the application.

ACKNOWLEDGEMENT (For Office use)

1. Name of the Applicant and address

2. Location of well
   vi. Type of well
   vii. Survey No/ Sub Division No.
   viii. Name of the land
   ix. Revenue Village/ village Panchayat
   x. Taluka/ District

3. Entry Number & Date

Signature of receiving officer
FORM - X
[See Rule 9(2)]
Application for grant of permission for transportation of ground water in the Non-Scheduled area under section 23(3) of the Goa Groundwater (Regulation) Act, 2002 (Goa Act 1 of 2002)

1. (i) Name of the Applicant
   (ii) Age in years
   (iii) Father's/Husband's name
   (iv) Full Address

2. Nature of Permit
   New/ Renewal

3. If renewal, reference to existing permit

4. Name of owner of land, from where water is proposed to be transported, if the Applicant himself is not the owner
   Address

5. Place of groundwater extraction
   (i) Survey number & subdivision
   (ii) Name of land
   (iii) Revenue village/Village Panchayat
   (iv) Taluka
   (v) District

6. Whether permit has been obtained for extraction or use of ground water from the well?
   If so, give detail

7. Purpose for which water is to be transported. Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/other use (specify)

8. Details of the well
   (A) Diameter of the well (in Meters)
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)

9. Type of well
   Dug well/ Dug-cum-Bore well/ Bore well/ Open well/ Tube well

10. Quantity proposed to be transported (liters per day)
    Liters per day

11. Mode of transport
    Tanker/lorry/Trailer/Any other goods vehicle or pipe line

12. Whether the consent of the
owner of the source of water is enclosed, if the Applicant himself is not the owner of the source.

13. Particulars of the vehicle use for transport
   (a) Registration / Licence Number
   (b) Number of trips proposed each day

DECLARATION

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS:-
   (1) In complete applications and applications not received in the prescribed form are liable to be summarily rejected.
   
   (2) The consent of the owner of the source of water (if such owner is not the applicant) should invariably accompany the application.
   
   (3) Permit will be issued, if approved by the competent authority within a period of 90 days from the date of receipt of the Application on payment of the prescribed fee.
   
   (4) Separate permit should be obtained for each vehicle.

ACKNOWLEDGEMENT (For Office use)

1. Name of the Applicant and address

2. Location of well
   i. Type of well
   ii. Survey No/ Sub Division No.
   iii. Name of the land
   iv. Revenue Village/ village Panchayat
   v. Taluka/ District

3. Mode of Transport (to specify the registration number of the vehicle).

4. Entry number and date.

Signature of receiving officer

APPENDIX-XV
GOVERNMENT OF GOA
DEPARTMENT OF WATER RESOURCES
NOTIFICATION

No.207/CE-WR-CPO/2005-06/ 22 Dated:- 13/04/ 2005


In exercise of the powers conferred by section 26 of the Goa Ground Water Regulation Act, 2002 (Goa Act No.1 of 2002), the Government of Goa hereby makes the following rules so as to amend to the Goa Ground Water Regulation Rules, 2003 as follows, namely:-

1. Short title and commencement - (1) These rules may be called the Goa Ground Water Regulation (Amendments), Rules, 2005 (2) They shall come into force from the date their publication in the Official Gazette.

2. Amendment of Rule 4 - In Rule 4 of the Goa Ground Water Regulation Rules, 2003 (herein after referred to as the “Principal Rules”) after sub rule .

(1) The following sub rule shall be inserted, namely:-

(1A) “Every application to be submitted under sub rule (1) above shall be accompanied with following documents, namely:-

(1) A certificate issued by the Goa State Pollution Control Board as to the fitness of the source of water for potable use.

(2) A Certificate obtained from the Directorate of Transport that body of water tanker transporting potable water have internal stainless steel linings or an undertaking to ensure compliance with this requirements positively within six months period from the date of application.

(3) No Objection Certificate obtained from the Directorate of Health Services, on the suitability of the tanker for carrying potable water, to be submitted every six months.

ii) After Sub-Rule (3), the following sub-rule shall be inserted, namely:-

(4) “The Ground Water Officer or any person authorized by the Government shall carry out periodical inspection of quality of water at source of water and in the water tankers. Such inspections shall be carried out in general regularly with monthly intervals during the
monsoon period (June to September) and at interval of three months during the remaining months of the year.

3. **Amendment of Rule 9** – In rule 9 of the principal Rules, after sub-rule (2) The following sub-rules shall be inserted namely:

(3) “Every application to be submitted under sub-rule (2) above shall be accompanied with the following documents:

1). A certificate issued by the Goa State Pollution Control Board as to the fitness of the source of water for potable use.

2) A Certificate obtained from the Directorate of Transport that body of water tanker transporting potable water have internal stainless steel linings or an undertaking to ensure compliance with this requirements positively within six months period from the date of application.

3) No Objection Certificate obtained from the Directorate of Health Services on the suitability of the tanker for carrying potable water, to be submitted every six months.

4) When an application under sub-rule (2) above is personally delivered, the counter foil receipt for the application attached to the duplicate form shall be initialed and dated by the Officer receiving such application and handed over back to the person from whom such application is received. In other cases, the counter foil shall be similarly initialed and dated and shall be dispatched to the applicant as soon as may be practicable after the application is received.

5) The Ground Water Officer shall *grant permission for transportation of ground water from a well in Non-Scheduled area* in Form XI here to.

6) The Ground Water Officer or any person authorized by the Government shall carry out periodical inspection of quality of water at source of water and in the water tankers. Such inspections shall be carried out in general regularly with monthly interval during the monsoon period (June to September) and at intervals of three months during the remaining months of the year.

7) No person shall be refused a permission to transport ground water from a well in Non – Scheduled area unless he has been given an opportunity of being heard. The decision regarding the grant or refusal of the permission to transport ground water from a source of water in the non–Scheduled area shall be intimated by the Ground Water Officer to the applicant as far as possible within a period of ninety days from the date of receipt of the application. Where it is not possible for the Ground Water Officer to grant the permission for transportation of ground water, the Ground Water Officer shall intimate the reasons
therefore the applicant so that he may make a fresh application after curing the defects, if any, specified therein”.

Amendment of Forms for existing Forms V, VI and X appended to the principal Rules, the following Forms shall be respectively substituted namely:-
FORM – V
[See rule 4 (1)]
Application for grant of permission for transportation of ground water in the Scheduled area under section 6(2) of the Goa Ground water (Regulation) Act, 2002 (Goa Act 1 of 2002)

(1) (i) **Name of the Applicant**
    (ii) Age in years
    (iii) Father’s/Husband’s name
    (iv) Full Address

(2) **Nature of Permit**
    New/Renewal

(3) If renewal, reference to existing permit

(4) Name of owner of land, from where water is proposed to be transported, if the Applicant himself is not the owner
    Address

(5) **Place of groundwater extraction**
    (i) Survey number & subdivision
    (ii) Name of land
    (iii) Revenue Village/Village Panchayat
    (iv) Taluka
    (v) District

(6) Whether permit has been obtained for extraction or use of ground water from the well/source?
    If so, give detail

(7) **Purpose for which water is to be transported.**
    Domestic/Hotel/Industry/Construction/irrigation/Agriculture/
    Horticulture/Commercial/other use (specify)

(8) **Details of the well/source**
    (A) Diameter of the well (in Meters)
    (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)

(9) **Type of well**
    Dug well/ Dug-cum-Bore well/ Bore well/
    Open well/ Tube well/any other source

(10) **Quantity proposed to be transported (liters per day)**
    Liters per day

(11) **Mode of transport**
    Tanker/lorry/Trailer/Any other goods vehicle or pipe line

(12) Whether the consent of the owner of the source of water is enclosed, if the Applicant himself is not the owner of the source.
(13). Particulars of the vehicle use for transport

(a) Registration / License Number
(b) Number of trips proposed each day

DECLARATION

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS:-

(1) In complete applications and applications not received in the prescribed form are liable to be summarily rejected.
(2) The consent of the owner of the source of water (if such owner is not the applicant) should invariably accompany the application.
(3) The following certificate should invariably accompany the applications:
   i) A certificate issued by the Goa State Pollution Control Board as to the fitness of the source for potable use.
   ii) Certificate obtained from the Directorate of Transport that body of water tanker transporting potable water have internal stainless steel linings or an undertaking to ensure compliance with this requirements positively within six months period from the date of application.
   iii) No Objection Certificate obtained from the Directorate of Health Services on the suitability of the Tanker for carrying potable water.
   iv) Separate permit should be obtained for each vehicle/each source of water.

ACKNOWLEDGEMENT (For Office use)

(1) Name of the Applicant and address
(2) Location of well/ Source of water
   (i) Type of well/ Source of water
   (ii) Survey No/ Sub Division No.
   (iii) Name of the land
   (iv) Revenue Village/ village Panchayat
   (v) Taluka/ District
(3) Mode of Transport (to specify the registration number of the vehicle).
(4) Entry number and date.

Signature of receiving officer
Grant of permission for transportation of Ground Water in the Scheduled area under section 6 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002)

License No. ________

Shri/Smt. ____________________________ son/wife/daughter of ___________resident of ____________________________________________________________________________________________________________________________________________________________________ is hereby granted new/renewal license for extraction and transport of groundwater from a well ___ ______ in dia. and ______ m in depth and existing in Sub Div. No. ______ Survey No. _________ in Village _______________ of __________ Taluka _____________ District and bearing permit number______ for the purpose of ______________________ by means of _____________________________. (type of vehicle)

(a) Registration/ License Number of vehicle :

(b) Capacity of tanker

(c) Number of trips permitted each day

(d) Maximum quantity of water permitted to transport per day ____ liters.

The license is valid upto 31st March _________

The license is issued subject to the following conditions:-

(i) The licensee should not deviate in any way from the specifications regarding vehicle licensed to transport, source of water, pump and quantity of water transported per day mentioned above.

(ii) The licensee shall obtain No Objection Certificate, from the Directorate of Health Services, every six months, on the suitability of the tanker for carrying potable water.
(iii) The drawal and transport of ground water under this license shall not interfere with the normal activities of the locality nor shall it cause any traffic hazard.

(iv) The Ground Water Officer or any person duly authorized by the Government shall have the right to enter and inspect the premises/vehicle with such assistance as may be necessary to satisfy himself whether the conditions and restrictions specified in the permit are being complied with.

(v) The license and certificate issued by the Directorate of Health Services on suitability of the tanker for carrying potable water shall always be kept in the vehicle used for transport and shall be produced for verifications by the Ground Water Officer or any person duly authorized by the Government. License shall prominently display on the body of tanker the following:

| (1) License No. Issued by the Ground Water Officer for Transporting water. | (2) Name of Tanker Owner. |
| (3) Source of water: | |
| (a) Place/Location: | (b) Ownership |
| (4) Certificate No. issued by the Goa State Pollution Control Board for fitness of the source of water for potable use. |
| (5) Certificate issued by the Directorate of Transport for internal stainless steel lining for tanker |

(vi) The Ground Water Officer shall have the right to restrict the use, withdraw, or cancel the license by giving notice to the licensee specifying the reasons for doing so and giving him reasonable opportunity of being heard.

(vii) The License is also subject to the following conditions. *(to be specified if any)*

Signature of the Ground Water Officer

Place:

Date:

Copy to:

(1) The Member Secretary, Ground Water Cell
(2) The Assistant Engineer, Sub.Div.____, Works Div.___. DWR
Application for grant of permission for transportation of ground water in the Non-Scheduled area under section 23(3) of the Goa Ground water (Regulation) Act, 2002 (Goa Act 1 of 2002)

(1) Name of the Applicant
   (i) Age in years
   (ii) Father’s/Husband’s name
   (iii) Full Address

(2) Nature of Permit
    New/ Renewal

(3) If renewal, reference to existing permit

(4) Name of owner of land, from where water is proposed to be transported, if the Applicant himself is not the owner
    Address

(5) Place of groundwater extraction
   (i) Survey number & subdivision
   (ii) Name of land
   (iii) Revenue village/Village Panchayat
   (iv) Taluka
   (v) District

(6) Whether permit has been obtained for extraction or use of ground water from the well/source? If so, give detail

(7) Purpose for which water is to be transported.
    Domestic/Hotel/Industry/Construction/irrigation/Agriculture/Horticulture/Commercial/other use (specify)

(8) Details of the well/source
   (A) Diameter of the well (in Meters)
   (B) Depth of well (In case of dug-cum-bore well give details of both the open and bore well)

(9) Type of well
    Dug well/ Dug-cum-Bore well/ Bore well/Open well/ Tube well/any other source and liters per day

(10) Quantity proposed to be transported (liters per day)

(11) Mode of transport
    Tanker/lorry/Trailer/any other goods vehicle or pipe line

(12) Whether the consent of the owner of the source of water is enclosed, if the Applicant himself is not the owner of the source.
(13) Particulars of the vehicle use for transport
   (a) Registration / License Number
   (b) Number of trips proposed each day

DECLARATION

I, ____________________________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS:-

(1) In complete applications and applications not received in the prescribed form are liable to be summarily rejected.

(2) The consent of the owner of the source of water (if such owner is not the applicant) should invariably accompany the application.

(3) The following certificate should invariably accompany the applications
   (i) A certificate issued by the Goa State Pollution Control Board as to the fitness of the source for potable use.
   (ii) Certificate obtained from the Directorate of Transport that body of water tanker transporting potable water have internal stainless steel linings or an undertaking to ensure compliance with this requirements positively within six months period from the date of application
   (iii) No Objection Certificate obtained from the Directorate of Health Services on the suitability of the Tanker for carrying potable water.

(4) Permit will be issued, if approved by the competent authority within a period of 90 days from the date of receipt of the application on payment of the prescribed fee.

(5) Separate permit should be obtained for each vehicle/each source of water.

ACKNOWLEDGEMENT (For Office use)

(1) Name of the Applicant and address
(2) Location of well/ Source of Water
   (i) Type of well/ Source of Water
   (ii) Survey No/ Sub Division No.
   (iii) Name of the land
   (iv) Revenue Village/ village Panchayat
   (v) Taluka/ District
(3) Mode of Transport (to specify the registration number of the vehicle).
(4) Entry number and date.

Signature of receiving officer

Insertion of new Form XI – After Form X appended to the principal Rules, the following Form XI, shall be inserted, namely:-
FORM - XI
[See rule 9 (5)]

Grant of permission for transportation of Ground Water in the Non-Scheduled area under section 23 (3) of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002)

License No. ______

Shri/Smt. ____________________________ son/wife/daughter of _________ resident of ____________________________ is hereby granted new/renewal license for extraction and transport of groundwater from a well ____ _______ in dia. and _______ m in depth and existing in Sub Div. No. _____ Survey No. ________ in Village _____________ of ___________ Taluka ___________ District and bearing permit number_______ for the purpose of ______________________ by means of ______________________________. (type of vehicle)

(a). Registration/ License and Number of vehicle : 

(b). Capacity of tanker 

©. Number of trips permitted each day 

(d). Maximum quantity of water permitted to transport per day ____ liters.

The license is valid upto 31st March _________

The license is issued subject to the following conditions:-

(i) The licensee should not deviate in any way from the specifications regarding vehicle source of water, pump and quantity of water transported per day mentioned above.

(ii) The licensee shall obtain an No Objection Certificate from the Directorate of Health Services, every six months, on the suitability of the tanker for carrying potable water.

(iii) The drawal and transport of ground water under this license shall not interfere with the normal activities of the locality nor shall it cause any traffic hazard.
(iv) The Ground Water Officer or any persons authorized by the Government shall have the right to enter and inspect the premises/vehicle with such assistance as may be necessary to satisfy himself whether the conditions and restrictions specified in the permit are being complied with.

(v) The license and certificate issued by the Directorate of Health Services on suitability of the tanker for carrying potable water shall always be kept in the vehicle used for transport and shall be produced for verifications by the Ground Water Officer or any person duly authorized. License shall prominently display on the body of tanker the following:

| License No. issued by the Ground Water Officer for Transporting water. | (1) License No. issued by the Ground Water Officer for Transporting water. |
| Name of Tanker Owner. | (2) Name of Tanker Owner. |
| Source of water: | (3) Source of water: |
| (c) Place/Location: | (d) Ownership |
| Certificate No. issued by the Goa State Pollution Control Board for fitness of the source of water for potable use. | (4) Certificate No. issued by the Goa State Pollution Control Board for fitness of the source of water for potable use. |
| Certificate No. issued by the Directorate of Transport for internal stainless steel lining for tanker | (5) Certificate No. issued by the Directorate of Transport for internal stainless steel lining for tanker |

(vi) The Ground Water Officer shall have right to restrict the use, withdraw, or cancel the license by giving notice to the license specifying the reasons for doing so and giving him reasonable opportunity of being heard.

(vii) The License is also subject to the following conditions. 

*to be specified if any*

Place:  
Date: Signature of the Ground Water Officer

Copy to:  
1. The Member Secretary, Ground Water Cell  
2. The Assistant Engineer, Sub.Div., Works Div., DWR.

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

Santosh Vaidya  
Secretary, (Water Resources) Panaji  

APPENDIX XVI

Department of Water Resources

Notification

28-1/CE-WR-EO/2002-03/1072

In Exercise of power conferred by Section 1 of sub-section 3 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) and as per Section 1 of sub-section (2) of the Goa Ground Water Regulation Rules, 2003. The Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) and the Goa Ground Water Regulation Rules, 2003 made there under shall come into force from 17-3-2003 is hereby published for the general information of the public.

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

S.D. Sayanak, Chief Engineer (WR) & Ex-Officio Addl. Secretary.

In Exercise of power conferred by Section 3 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) the Government is pleased to constitute “The Goa Ground Water Cell” as follows to implement and to carry out the purpose of the above said Act:-

1. The Chief Engineer (WR) … Chairman
2. Superintending Engineer, … Member
   Central Planning Organisation,
   Department of Water Resources,
3. The Superintending Engineer, … Member
   Circle I, Minor Irrigation.
4. The Executive Engineer, … Member
   Works Division I, Minor Irrigation,
   Department of Water Resources,
5. The Executive Engineer, … Member
   Works Division I, Minor Irrigation,
   Department of Water Resources,
6. Sr. Hydrologologist, … Member Secretary
   Circle I, Minor Irrigation,
   Department of Water Resources,

This notification shall come into force with immediate effect.

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

S.D. Sayanak Chief Engineer (WR) & Ex-officer Additional Secretary,

APPENDIX XVIII
GOVERNMENT OF GOA
Department of Water Resources
Office of the Chief Engineer

Notification
28-1/CE-WR-EO/2002-03/1134

In Exercise of power conferred by Section 3 & 4 of section 3 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) the Government is pleased to designate the following officers as “Ground Water Officers” to implement and to carry out the purpose of the above said Act:-

(A) Executive Engineer, Works Division – I
Department of Water Resources, Panaji for Pernem, Bardez, Satari, Bicholim and Tiswadi Taluka.

(B) Executive Engineer, Works Division – II
Department of Water Resources, Gogal, Margao for Ponda, Mormugao, Salcete, Sanguem, Quepem and Canacona Talukas.

This notification shall come into force with immediate effect.

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

S.D. Sayanak Chief Engineer (WR) & Ex-officer Additional Secretary,
APPENDIX XIX
Notification
4/4/EO-WRD/421

In Exercise of power conferred by sub-section (1) of section 4 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002), the Government of Goa, in consultation with the Goa Ground Water Cell, hereby declares the Village Panchayat areas as specified in Schedule I hereto, areas of the Industrial Estates/ Zones and areas of villages surrounding such Estates/ Zones, as specified in Schedule II hereto, and areas of Municipal Councils and Corporation as specified in Schedule III hereto, as Schedule area with immediate effect.

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

S.T. Nadkarni, Chief Engineer (WR) and Ex-Officio Additional Secretary.


SCHEDULE – I

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Taluka/ Block</th>
<th>Village Panchayat areas in coastal zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pernem</td>
<td>Queri-Tiracol, Harmal, Mandrem, Morjim.</td>
</tr>
<tr>
<td>2</td>
<td>Bardez</td>
<td>Anjuma-Caisua, Arpora-Nagoa, Calangute, Candolim, Nerul, Reis-Magos.</td>
</tr>
<tr>
<td>3</td>
<td>Tiswadi</td>
<td>St. Lawrence, Agassim, Taleigao, Curca-Bambolim, Goa Velha (St. Andre), Siridao-Paliem.</td>
</tr>
<tr>
<td>4</td>
<td>Marmagao</td>
<td>Chicalim, Chicolna, Velsao-Pale, Cansaulim-Arrosim, Majorda-Utorda, Calata.</td>
</tr>
<tr>
<td>5</td>
<td>Salcete</td>
<td>Colva, Betalbatim, Canca-Benaulim, Carmona, Cavelossim, Seraulim, Orlim, Varca.</td>
</tr>
<tr>
<td>6</td>
<td>Quepem</td>
<td>Naqueri-Betul.</td>
</tr>
<tr>
<td>7</td>
<td>Canacona</td>
<td>Cola, Agonda, Nagarsem, Loliem-Polem, Poinguinim.</td>
</tr>
</tbody>
</table>

SCHEDULE – II

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Taluka</th>
<th>Location of Industrial Estates/Zones</th>
<th>Areas of Villages surrounding Industrial Estates/Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pernem</td>
<td>Tuem</td>
<td>Corgao, Agarwada, Parse, Virnoda, Tuem</td>
</tr>
<tr>
<td>2</td>
<td>Bardez</td>
<td>Pileme, Tivim, Colvate</td>
<td>Pileme, Saligao, Sangolda, Tivim, Cucheli, Colvale, Chikly, Camurli, Mayana, Cucheli, Madei.</td>
</tr>
<tr>
<td>3</td>
<td>Bicholim</td>
<td>Bicholim</td>
<td>Sarvan, Dhabdhaba, Mayem</td>
</tr>
<tr>
<td>4</td>
<td>Sattari</td>
<td>Honda, Pissurlem</td>
<td>Saleli, Bhuvipal Honda, Pissurlem, Kumarkhand</td>
</tr>
<tr>
<td>5</td>
<td>Ponda</td>
<td>Bethoda, Kundaim, Madkai, Shiroda</td>
<td>Bethora, Nirankal, Curti, Kundaim, Cuncolim, Bhoma, Mardol, Karanjale, Madkai, Shiroda, Santeribag, Karai, Vaje, Mante.</td>
</tr>
<tr>
<td>6</td>
<td>Tiswadi</td>
<td>Corlim</td>
<td>Corlim, Old Goa, Carambolim, Gaundhali.</td>
</tr>
<tr>
<td>7</td>
<td>Salcete</td>
<td>St.Jose-de-Areal</td>
<td>St. Jose-de-Areal, Gudi, Naveli, Daorli, Nesai, Curtorim.</td>
</tr>
<tr>
<td>8</td>
<td>Mormugao</td>
<td>Verna, Sancoale</td>
<td>Verna, Nagoa, Cansua, Rasaim, Cortalim, Sancoale, Kelosi, Raydor, Ijorsi, Sancoale, Dhabolim.</td>
</tr>
<tr>
<td>9</td>
<td>Quepem</td>
<td>Kakoda</td>
<td>Madegal, Kajebag, Punamol, Kakoda.</td>
</tr>
<tr>
<td>10</td>
<td>Canacona</td>
<td>Canacona</td>
<td>Makardmol, Jamlimol, Chowri, Kolvade.</td>
</tr>
<tr>
<td>11</td>
<td>Sanguem</td>
<td>Sanguem</td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE – III

Areas within the jurisdiction on Municipalities and Municipal Corporation.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pernem Municipal Council.</td>
</tr>
<tr>
<td>2</td>
<td>Mapusa Municipal Council.</td>
</tr>
<tr>
<td>3</td>
<td>Bicholim Municipal Council.</td>
</tr>
<tr>
<td>4</td>
<td>Sanquelim Municipal Council.</td>
</tr>
<tr>
<td>5</td>
<td>Valpoi Municipal Council.</td>
</tr>
<tr>
<td>6</td>
<td>Ponda Municipal Council.</td>
</tr>
<tr>
<td>7</td>
<td>Corporation of the City of Panaji.</td>
</tr>
<tr>
<td>8</td>
<td>Margao Municipal Council.</td>
</tr>
<tr>
<td>9</td>
<td>Quepem Municipal Council.</td>
</tr>
<tr>
<td>10</td>
<td>Curchorem/Cacora Municipal Council.</td>
</tr>
<tr>
<td>12</td>
<td>Cuncolim Municipal Council.</td>
</tr>
</tbody>
</table>

Note: This Official Gazette has been printed in SERIES I No. 31, dated 6th November, 2007
APPENDIX XX

No.207/CE- WRD-CPO /2008-09/459
Government of Goa
Department of Water Resources,
Panaji-Goa.


NOTIFICATION

In exercise of power conferred by section 22 & 26 (2) (f) of the Goa Ground Water Regulation Act 2002 (Goa Act 1 of 2002) notified vide No. 7/2/2002-LA dated 29/1/2002, Government of Goa, hereby determines the levying fees, users charges etc. for withdrawal and utilisation of ground water resources as follows:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Purpose</th>
<th>Description</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Irrigation and domestic</td>
<td>In both scheduled and non-scheduled areas.</td>
<td>Free</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a) Withdrawal and utilisation of ground water.</td>
<td>Rs.10 per well.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Registration of existing wells.</td>
<td>Rs.20 per well.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>c) Issue permission of new wells.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Transporting ground water by tankers</td>
<td>For both scheduled and non-scheduled areas. (To be paid in advance at the time of permission or renewal for one year)</td>
<td>Rs.3000 annually or Rs.1500 half yearly.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a) Tanker capacity up to 5000 liters.</td>
<td>Rs.5000 annually or Rs.2500 half yearly.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Tanker capacity from 5001 to 10000 liters.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Commercial and industrial use.</td>
<td>a) Withdrawal and utilisation of ground water for commercial and industrial purpose (to be paid in advance at the time of permission or renewal for one year considering the estimated amount of withdrawal in a year).</td>
<td>Rs. 0.50 per cubic meter of water.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Registration/ renewal of existing wells used for commercial and industrial purpose.</td>
<td>Rs.100 per well.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>c) Permission for construction of New wells for commercial and industrial purpose.</td>
<td>Rs.500 per well.</td>
</tr>
</tbody>
</table>

The Ground Water Officers designated under the Goa Ground Water Regulation Act, 2002 (Goa Act-1 of 2002) shall charge and collect the requisite fees.

This Notification shall come into force with immediate effect.

This Notification is issued with the concurrence of Finance Dept. under U.O. No. 5640, dated23/07/2008.

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

Sd/-
(S.T. Nadkarni)
Chief Engineer (WR) and
Ex-Officio Additional Secretary to the Government of Goa.
No. 207/CE-WRD-CPO/2008-09/395
Government of Goa,
Department of Water Resources,
Junta House, (Annexe),
Panaji-Goa.

Dated: - 10/09/2009

NOTIFICATION

In partial modification to the Notification No. 207/CE-WRD-CPO/2008-09/459 dated 13/10/2008, Government of Goa hereby modify the levying fees, users chargers for withdrawal and utilisation of Ground Water Resources under commercial and industrial use and it is as follows:

3 a) “Withdrawal and utilisation of ground water for commercial and industrial purpose (to be paid in advance at the time of permission or renewal for one year considering the estimated amount of withdrawal in a year) the fees payable at the rate of Rs.20/- per Cum. of water”.

Rest all the rates for Sl. No1 to 3 b) & c) for the above notification will remain unchanged.

The Ground Water Officers designated under the Goa Ground Water Regulation Act 2002 (Goa Act-1 of 2002) shall charge and collect the requisite fees.

This Notification shall come into force with immediate effect.

This Notification is issued with the concurrence of Finance Dept. Under U.O. No.4632 dated 27/08/2009.

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

Sd/-
(S. T. Nadkarni)
Chief Engineer, WR and Ex-Officio
Additional Secretary to the Govt. of Goa.

Copy to:-
1. All Secretaries to the Government.
2. Secretary to Governor, Raj Bhavan, Dona Paula, Goa.
3. All the Departments in the Secretariat, Panaji.
4. All the Heads of Department.
5. Director of Printing Press, Panaji with a request to publish the Notification in the Govt. Gazette.

Copy for information to:
1. Secretary to Chief Minister.
2. P.S. to Minister for Water Resources.
3. P.S. to Minister for Agriculture.

This Notification shall come into force with immediate effect.

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

Sd/-

S. T. Nadkarni, Chief Engineer & ex officio Additional Secretary.

Panaji, 13th April, 2012.
Notification

4/1/EO-WRD/2012-13/25

In exercise of the powers conferred by section 26 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002), the Government of Goa hereby makes the following rules so as to further amend the Goa Ground Water Regulation Rules, 2003, namely:

1. Short title and commencement.—

   (1) These rules may be called the Goa Ground Water Regulation (Amendment) Rules, 2012.

   (2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 2.—

   In rule 2 of the Goa Ground Water Regulation Rules, 2003 (hereinafter referred to as the “principal Rules”) after clause (a), the following clauses shall be inserted, namely:

   “(aa) “drilling agency” means any person or any agency involved in sinking of well and who owns drilling rig or machine to sink a well to extract ground water for any use; including Government/Semi Government agency;

   (ab) “drilling machine or rig” means any mechanical implement or machine or tool used for sinking and construction of a well;”.

3. Amendment of rule 3.— In rule 3 of the principal Rules, after sub-rule (5), the following sub-rules shall be inserted, namely:

6(a) The owner of the land/premises who intend to sink bore well/tube well or any other well must intimate in writing at least 15 days in advance to the Round Water Officer about the date of commencement of sinking well and type of rilling machine to be used and the name and complete address of the drilling
agency. The drilling agency should be registered with the Water Resources Department.

(b) There shall be erected signboard near well at the time of sinking/construction of well with the following details:—

(i) Complete address of the drilling agency at the time of sinking or construction/rehabilitation of well.

(ii) Complete address of the user agency/owner of the well.

(c) Barbed wire fencing or any other suitable barrier shall be erected around the well during construction/sinking of well.

(d) Cement/concrete platform measuring 0.50 x 0.50 x 0.60 meter (0.30 meter above ground level and 0.30 meter below ground level) shall be constructed around the well casing.

(e) On completion of drilling/construction/sinking of bore well/tube well, well assembly shall be capped by welding of steel plates or by providing a strong cap to be fixed to the casing pipe with bolts and nuts. When pump is removed for repair, bore well/tube well should be caped.

(f) Mud pits and channels shall be filled after completion of works.

(g) If the bore well or tube well is abandoned at particular location, the ground condition should be restored as before the start of drilling by filling up the drilled hole with drill cuttings, clay, mud, boulders, pebbles, sand, etc. In case of rotary drilling, mud pits and channels should be closed. A certificate shall be obtained from Ground Water Officer that the “Abandoned” bore well/tube well is properly filled up to the ground level.

(h) The District Collector shall verify that the provisions of this sub-rule are being followed and proper monitoring check about the status of bore holes/tube wells are being taken care through the concerned State agencies.

(i) In rural areas, the monitoring of the above shall be done by village Sarpanch and Zonal Agricultural Officer/Assistant Agricultural Officer and in urban areas such monitoring shall be done by Junior Engineer of Department of Water Resources and Ground Water Officer.

(7) (a) The drilling agency shall apply to the Ground Water Officer for registration of its name in Form XII hereto along with fee of Rs. 2000/-. 
(b) No drilling agency shall sink a well unless it has obtained a certificate of registration in this behalf from the Ground Water Officer. Any agency desires of sinking a well shall apply in Form XII hereto to the Ground Water Officer for registration and shall not proceed with any activity connected with sinking of well unless it is granted a certificate of registration by the Ground Water Officer.

(c) On receipt of above said application, the Ground Water Officer if satisfied, he may grant a certificate of registration, subject to such conditions and restrictions as he may deem fit to impose or he may refuse the same:

Provided that no drilling agency shall be refused a certificate of registration unless it has been given an opportunity of being heard.

(d) The decision regarding the grant or refusal of the certificate of registration shall be intimated by Ground Water Officer to the applicant within a period of 90 days from the date of the receipt of application. Where it is not possible for the Ground Water Officer to grant a certificate of registration, the Ground Water Officer shall intimate the reasons therefore to the agency so that the agency may make a fresh application after curing the defects, if any, specified therein.

(e) In granting or refusing a certificate of registration the Ground Water Officer shall have regard to the date of manufacture of the drilling rig and other relevant factors.

(f) The certificate of registration of drilling agency shall be valid for a maximum period of five years from the date of issue of the certificate of registration. The registration can however be renewed for further period of five years, at each time, on payment of renewal fee of Rs. 1000/-. 

(g) The drilling agency shall apply for renewal in Form XII hereto alongwith all documents so as to reach the Ground Water Officer at least two months before expiry of his registration.

(h) The renewal application with all documents shall however be accepted upto the date of expiry of registration with late fee, which shall be 50% of the normal renewal fees.

(i) For delay beyond the date of expiry of registration, the existing registration shall be treated as cancelled and the drilling agency shall apply for fresh registration along with registration fee.

4. Insertion of new Form XII.— After Form XI appended to the principal Rules, the following Form shall be inserted, namely:—
FORM XII
[See rule 3(7)]
WATER RESOURCES DEPARTMENT
GOVERNMENT OF GOA

Application for registration/renewal of registration of drilling agency

(1) Name of the Drilling Agency .................................................................

(2) Nationality Indian ............. Other ...........

(3) Address
(a) Regd. Office ............................................................

(b) Head Office..............................................................

(4) Telephone Number ........ Fax No. ..............

(5) Nature of Registration New/Renewal

(6) If Renewal, reference to original registration

(7) The Applicant shall produce valid documents of “Drilling Unit” such as purchase voucher or agreement of hiring drilling unit in the name of Agency having following details:—

(a) Type of drilling rig:
(b) Make of drilling rig:
(c) Date of Manufacture:
(d) Capacity of the Compressor/ Engine:
(e) Maximum depth to which the drilling rig can drill:

(f) Name and address of Engineer/Geologists that supervises drilling operation:

DECLARATION

I, _________________________________ hereby declare that the above particulars are true to the best of my knowledge.

Signature of the Applicant with date

INSTRUCTIONS

(1) This application shall be submitted in duplicate to the Ground Water Officer, Ground Water Cell (North/South), Water Resources Department, Government of Goa or any other Officer authorized by him to receive such application. It may be sent by hand, presented personally or sent by post.

(2) Incomplete applications and applications not received in the prescribed form are liable to be summarily rejected

ACKNOWLEDGEMENT (For Office use only)

1. Name of the drilling agency
2. Address
3. Details of the drilling:
   (a) Type of drilling rig:
   (b) Make of drilling rig:
   (c) Date of Manufacture:
   (d) Capacity of the Compressor/Engine:
   (e) Maximum depth to which the drilling rig can drill:
   (f) Name and address of Engineer/Geologists that supervises drilling operation:

   Entry Number & Date

   Signature of Receiving Officer

   By order and in the name of the Governor of Goa.
   Sd/-

   S. T. Nadkarni, Chief Engineer & ex officio Additional Secretary.

Panaji, 13th April 2012.

(B) Water rates for water drawn from a canal or an irrigation structure or a scheme constructed and maintained by the Government for purposes other than irrigation, including domestic, commercial or industrial, shall be as under:

• A flat rate of Rs. 150/- for every 10,000 liters of water drawn or part thereof shall be levied. The person drawing shall make arrangements to draw water and also measurement of flow.

(C) Water rates for water drawn from any canal other than the one constructed and maintained by the Government shall be as under:

• For authorized irrigation purposes, the water rates shall be 20% of the rates for the respective crops mentioned in part A of Government Notification No. 309/83/CE-Irrg dated 01-02-1988.

• For authorized use for purposes other than irrigation, including domestic, commercial or industrial, a flat rate of Rs. 100/- for every 10,000 liters or part thereof shall be levied. The person drawing shall make arrangements for measuring the flow of water.

This Notification shall come into effect from publication in Official Gazette and shall supersede the part B and C of Government Notifications No. 309/83/CE-Irrg dated 01-02-1988 and No. 4/4/CE-WRD-EO/2004-05/131.
dated 10-05-2004. The other parts of Notification No. 309/83/CE-Irrg dated 01/02-1988 shall remain unchanged.

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

Sd/-

S. T. Nadkarni, Chief Engineer & ex officio Additional Secretary (WR).

Panaji, 1st April, 2013.
Sub:- Policy on Rainwater Harvesting.

1.0 General:

Government has adopted a policy on roof-top rainwater harvesting. This notification gives details for the guidance of all the concerned departments for the implementation of the policy and for the information of the public. The policy will become effective from the date of its publication in the Official Gazette.

2.0 Definition and scope:

For the purpose of the policy, rainwater harvesting shall be defined as the water management technique and practice of collecting rainwater falling in the roof of house/ building or groups of houses/ buildings located on a single plot of land and storing the collected water in underground or over ground storage container/ tanks/ cisterns for continuous use/ consumption by the users/ occupants of the houses/ buildings from whose roofs the water has been so collected. The Policy does not include within its purview rainwater harvesting for ground water recharge. It shall be implemented by the Water Resources Department and shall apply to the whole State.

3.0 Mandatory provisions of the Policy:

Rainwater harvesting shall be mandatory for the following groups of users:

i) Residential complexes including apartments on a plot area of 2000 sq. mts. and above.

ii) Commercial complexes on a plot area of 1500 sq. mts. and above.

iii) Industrial units on a plot area of 10000 sq. mts. and above.

However all the users of these groups who incorporate Sewage Treatment Plants (STP) or Waste Water Recycling processes in their premises shall be exempted from the mandatory inclusion of rainwater harvesting structures in their building.

4.0 Incentives for adopting rainwater harvesting.

4.1 Subsidies:

Subsidies on a reimbursement basis shall be provided to the different user groups at the rates mentioned below:-

(i) Individual households/ residential houses:

Upto 50% of the cost incurred on incorporating the rainwater harvesting system or Rs.50,000.00 (Rupees fifty thousand only), whichever is less.

(ii) Residential complexes and apartments buildings:

Cost of rainwater harvesting structures in such establishments shall be subsidized upto 50% of the cost of the structures or Rs.2.5 lakh, whichever is less.

(iii) For Commercial complexes and hospitality businesses:

Subsidies for this group of users shall be upto 50% of the cost of the rainwater harvesting structures or Rs.2.5 lakh, whichever is less.

The subsidies as fixed above shall be granted only on a reimbursement basis.

4.2 Annual award for the best rainwater harvesting practices:

The Water Resources Department will institute an annual award carrying a citation and cash prize for the best rainwater harvesting practices in the State. Details of the award such as the amount of the cash prize, the last date for submission of application every year etc., will be published subsequently.

5.0 Amendment of Bye-laws:

All the authorities/ departments/ agencies in the State issuing licenses/ permissions for building construction shall take immediate action to amend the building bye-law presently in force to bring them into conformity with this policy. Similarly all other authorities issuing licenses/ clearances etc. shall also take action to bring their rules/ regulations/ procedures/ guidelines etc. for issuing licenses etc. into conformity with this policy.
6.0 Nodal Officers:

For the purpose of releasing subsidy, the Executive Engineer, Works Division-I, Panaji and the Executive Engineer, Works Division-II, Gogal-Margao, shall be the Nodal Officers for North Goa and South Goa respectively.

7.0 Procedure for releasing subsidies:

Subsidies under this policy shall be released only on a reimbursement basis. Procedure for claiming/ releasing subsidy shall be as under:

As Nodal Officers for North Goa and South Goa respectively, the Executive Engineer, Works Division-I, Panaji and the Executive Engineer, Works Division-II, Gogal-Margao shall be responsible for releasing the subsidy.

Along with the building plans submitted to the licensing authorities at the time of seeking building licenses, the building owners/ builders shall also submit the detailed designs, drawings, plans and estimates for the rainwater harvesting structures proposed to be incorporated in the buildings. Besides the layout of the main building, the site plan shall also show the layout of the rainwater harvesting structures. Estimates for the rainwater harvesting structures shall be based on the current Goa Schedules of rates. Market rates supported with appropriate quotations shall be adopted for items of works not available in the Goa Schedules of Rates. All the designs, plans, drawings and estimates for the rainwater harvesting structures shall be prepared and signed by a registered Civil Engineer.

The licensing authority shall forward such plans and estimates for the rainwater harvesting structures to the Nodal Officers, North and South i.e. the Executive Engineer, Works Division-I or II, Water Resources Department, as the case may be. The Nodal Officer shall examine the plans, designs, drawings and estimates for their technical soundness and inspect the site if necessary. If in his opinion the designs, drawings, etc. require amendments or corrections he shall communicate the same to the licensing authority who shall then obtain the required amendments from the applicant. On satisfying himself about the soundness of the plans, etc. the Nodal Officer shall convey his approval to the licensing authority.

On obtaining the building completion certificate from the licensing authority, the owner/ builder shall apply to the concerned Nodal Officer for claiming reimbursement of subsidy on the expenditure incurred by him on the construction of the rainwater harvesting structures. If the final structure as actually constructed differs in any respect from the original approved plans, the owner shall submit approved revised plans and estimates to the Nodal Officer. The Nodal Officer shall then inspect the structure, measure and record the dimensions of the rainwater harvesting structures. He shall then submit the plans, estimates measurements etc. along with a report to the Superintending Engineer, Circle I, Water Resources Department. The later shall then inspect the site and issue a Completion Certificate after satisfying himself that the rainwater harvesting structures has been completed to approved plans. The Nodal Officer shall then release the subsidy to the owner/ builder.

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

S.T. Nadkarni,
Chief Engineer & Ex-Officio Additional Secretary.

Panaji, 16th October, 2008.
APPENDIX XXII

APPELANT AUTHORITY:- HEAD OF DEPARTMENT


<table>
<thead>
<tr>
<th>WATER RESOURCES DEPARTMENT</th>
<th>JURISDICTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>APPELANT AUTHORITY</strong></td>
<td></td>
</tr>
<tr>
<td>1. Chief Engineer/ WRD</td>
<td>Entire Goa for Water Resources Department</td>
</tr>
<tr>
<td><strong>PUBLIC INFORMATION OFFICER</strong></td>
<td></td>
</tr>
<tr>
<td>2. Superintending Engineer, Circle III, Water Resources Department, Gogal, Margao-Goa. Ph. 9420690070.</td>
<td>Works jurisdiction under the Works Division IX, X, XII &amp; XIII.</td>
</tr>
</tbody>
</table>

<p>| <strong>ASSISTANT PUBLIC INFORMATION OFFICER</strong> | |</p>
<table>
<thead>
<tr>
<th>4. Executive Engineer, Works Division V, WRD, Karapur, Tisk Sanquelim-Goa. Ph.</th>
<th>Operation and maintenance of Anjunem Irrigation Project and CAD works (North Goa), rehabilitation issues of AIP and survey and investigation of medium irrigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Executive Engineer, Works Division IX, WRD, Gogal, Margao-Goa. Ph. 9420690038.</td>
<td>Water Resources Development works across Khandepar, Kalay and Talpona rivers, Survey and Investigation, Salaulim Irrigation Project, D2 Distributory Canal and matters related to Madei Water Dispute, Virdi Dam etc.</td>
</tr>
<tr>
<td>6. Executive Engineer, Works Division X, WRD, Pajimol, Sanguem-Goa. Ph. 9420690032.</td>
<td>Salaulim Irrigation Project, Main Dam and Main Canals and water works, Water Resources Development Programme implemented Guleli, Salualim and Natravali rivers and Inter Linking of rivers, Vaddem &amp; Valkinim Rehabilitation colony etc. from S.I.P. Main Canal to Kalay river.</td>
</tr>
<tr>
<td>7. Executive Engineer, Works Division XI, WRD, Gogal, Margao-Goa. Ph. 9420690027.</td>
<td>Minor Irrigation, Flood Control works, Drainage and Anti-Sea Erosion works, Subsidy Schemes for wells, digging of open, shallow and deep wells (Canacona Taluka, South Goa), works under Water Resources Development Programme across Talpona river and Gaodongiri nallah.</td>
</tr>
<tr>
<td>8. Executive Engineer, Works Division XII, WRD, Gogal, Margao-Goa. Ph. 9420690023.</td>
<td>D2 – D3 combined and D3 Canals of SIP and Water Development Works and CAD works of SIP (South Goa), works under Water Development Programme in Kalay River.</td>
</tr>
<tr>
<td>10. Executive Engineer, Works Division XIV, WRD, Gogal, Margao-Goa. Ph. 9420690012.</td>
<td>CAD works of SIP (South Goa), works under Water Development Programme in Khushawati River.</td>
</tr>
<tr>
<td>12. Special Land Acquisition Officer (South)/WRD, Gogal, Margao-Goa Ph.2759454</td>
<td>All matters pertaining to Special Land Acquisition Officer, Office(South) Land Acquisition.</td>
</tr>
<tr>
<td>13. Special Land Acq. Officer(North), Karaswada, Bardez-Goa. Ph. 2257833</td>
<td>All matters pertaining to Special Land Acquisition Officer, Office (North) Land Acquisition.</td>
</tr>
</tbody>
</table>
ORDERS


This order is issued with the approval of the Government vide No. 2474 dated 17/05/2010 and in supersession to earlier order.

Sd/-
(S.T. Nadkarni)
Chief Engineer (WR) &
Ex.Officio Additional Secretary
to the Government

Copy to:-

1. P.S. to Hon’ble Minister for Water Resources, Panaji
2. The Secretary (WR), Secretariat, Porvorim.
3. The Director of Information and Publicity, Panaji.
4. All Superintending Engineers, Water Resources Department.
5. All Executive Engineers, Water Resources Department.
6. The Person concerned.
7. The Order file
8. The Guard file.
In pursuance to Govt. Notification No. 10/2/2005-LA dated 07/07/2005, following Officers of this Department is hereby appointed as Public Information Officer for the purpose of ‘Right to Information Act 2005’ in Water Resources Department.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Engineering Officer, Office of the Chief Engineer, Water Resources Department 2nd floor, Junta House (Annexe) Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Phone: 2225014</td>
</tr>
<tr>
<td>2</td>
<td>Deputy Director of Administration Office of the Chief Engineer, Water Resources Department 2nd floor, Junta House (Annexe) Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Phone: 2224339</td>
</tr>
<tr>
<td>3</td>
<td>Surveyor of Works-I Central Planning Organisation, Water Resources Department 1st floor, Junta House (Annexe) Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Phone: 2422456</td>
</tr>
<tr>
<td>4</td>
<td>Senior Hydrogeologist Circle –I, Water Resources Department 4th floor, Junta House (Annexe) Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Phone: 2226042</td>
</tr>
<tr>
<td>5</td>
<td>Assistant Accounts Officer, Water Resources Department 1st floor, Junta House (Annexe) Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Phone: 2422456</td>
</tr>
<tr>
<td>6</td>
<td>Special Land Acquisition Officer(North), Water Resources Department Karaswada, Bardez, Goa</td>
<td>Public Information Officer</td>
<td>Phone: 2257833</td>
</tr>
<tr>
<td>7</td>
<td>Special Land Acquisition Officer(South), Water Resources Department Gogal, Margao – Goa</td>
<td>Public Information Officer</td>
<td>Phone: 2759454</td>
</tr>
</tbody>
</table>
This order is issued with the approval of the Government vide No. 2474 dated 17/05/2010 and in supersession to earlier order.

Sd/-
(S.T. Nadkarni)
Chief Engineer (WR) & Ex.Officio Additional Secretary, to the Government
ORDER

In pursuance to Govt. Notification No. 10/2/2005-LA dated 07/07/2005, following Officers of this Department are hereby appointed as **Assistant Public Information Officer** for the purpose of ‘Right to Information Act 2005’ in Water Resources Department.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Assistant Engineer, Sub Division – I, Work Division - I Water Resources Department Patto, Panaji – Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Phone No.2425998</td>
</tr>
<tr>
<td>2</td>
<td>Assistant Engineer, Sub Division – II, Work Division - I Water Resources Department Mapusa, Bardez – Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690061</td>
</tr>
<tr>
<td>3</td>
<td>Assistant Engineer, Sub Division – III, Work Division - I Water Resources Department Pernem – Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690058</td>
</tr>
<tr>
<td>4</td>
<td>Assistant Engineer, Sub Division – IV, Work Division - I Water Resources Department Bicholim, – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690057</td>
</tr>
<tr>
<td>5</td>
<td>Assistant Engineer, Sub Division – V, Work Division - I Water Resources Department Valpoi – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690056</td>
</tr>
<tr>
<td>6</td>
<td>Assistant Engineer, Ground Water Cell, (North) Work Division - I Water Resources Department Patto, Panaji – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690055</td>
</tr>
<tr>
<td>7</td>
<td>Assistant Engineer, Sub Division – I, Work Division - II</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690051</td>
</tr>
<tr>
<td></td>
<td>Water Resources Department Gogal, Margao – Goa</td>
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<tr>
<td>8.</td>
<td>Assistant Engineer, Sub Division – II, Work Division - II Water Resources Department Sanguem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690050</td>
</tr>
<tr>
<td>9.</td>
<td>Assistant Engineer, Sub Division – III, Work Division - II Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690049</td>
</tr>
<tr>
<td>10.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division - II Water Resources Department Ponda – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690052</td>
</tr>
<tr>
<td>11.</td>
<td>Assistant Engineer, Ground Water Cell, (South) Work Division - II Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690047</td>
</tr>
<tr>
<td>12.</td>
<td>Assistant Engineer, Sub Division – I, Work Division - III Water Resources Department Bicholim – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690045</td>
</tr>
<tr>
<td>13.</td>
<td>Assistant Engineer, Sub Division – II, Work Division - III Water Resources Department Ponda – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690044</td>
</tr>
<tr>
<td>14.</td>
<td>Assistant Engineer, Sub Division – III, Work Division - III Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690043</td>
</tr>
<tr>
<td>15.</td>
<td>Assistant Engineer, Sub Division – I, Work Division - V Water Resources Department Keri - Sattari – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690041</td>
</tr>
<tr>
<td>16.</td>
<td>Assistant Engineer, Sub Division – II, Work Division - V Water Resources Department Tisk, Karapur, Sanquelim – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690040</td>
</tr>
<tr>
<td>No.</td>
<td>Assistant Engineer, Sub Division –III, Work Division - V Water Resources Department Tisk, Karapur, Sanquelim – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690039</td>
</tr>
<tr>
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</tr>
<tr>
<td>18.</td>
<td>Assistant Engineer, Sub Division – I, Work Division – IX Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690037</td>
</tr>
<tr>
<td>19.</td>
<td>Assistant Engineer, Sub Division – II, Work Division – IX Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690036</td>
</tr>
<tr>
<td>20.</td>
<td>Assistant Engineer, Sub Division – III, Work Division – IX Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690035</td>
</tr>
<tr>
<td>21.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division – IX Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690034</td>
</tr>
<tr>
<td>22.</td>
<td>Assistant Engineer, (Head quarters) Work Division – IX Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690033</td>
</tr>
<tr>
<td>23.</td>
<td>Assistant Engineer, Sub Division – I, Work Division – X Water Resources Department Quepem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690031</td>
</tr>
<tr>
<td>24.</td>
<td>Assistant Engineer, Sub Division – II, Work Division – X Water Resources Department Pajimol, Sanguem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690029</td>
</tr>
<tr>
<td>25.</td>
<td>Assistant Engineer, Sub Division – III, Work Division – X Water Resources Department Quepem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690030</td>
</tr>
<tr>
<td>26.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division – X Water Resources Department Pajimol, Sanguem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690028</td>
</tr>
<tr>
<td></td>
<td>Assistant Engineer, Sub Division – I, Work Division – XI Water Resources Department Canacona – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690025</td>
</tr>
<tr>
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</tr>
<tr>
<td>28.</td>
<td>Assistant Engineer, Sub Division – II, Work Division – XI Water Resources Department Canacona – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690024</td>
</tr>
<tr>
<td>29.</td>
<td>Assistant Engineer, Sub Division – I, Quality control (South) Work Division – XI Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690026</td>
</tr>
<tr>
<td>30.</td>
<td>Assistant Engineer, Sub Division – I, Work Division – XII Water Resources Department Quepem – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690021</td>
</tr>
<tr>
<td>31.</td>
<td>Assistant Engineer, Sub Division – II, Work Division – XII Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690020</td>
</tr>
<tr>
<td>32.</td>
<td>Assistant Engineer, Sub Division – III, Work Division – XII Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690019</td>
</tr>
<tr>
<td>33.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division – XII Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690018</td>
</tr>
<tr>
<td>34.</td>
<td>Assistant Engineer, Sub Division – I, Work Division – XIII Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690015</td>
</tr>
<tr>
<td>35.</td>
<td>Assistant Engineer, Sub Division – III, Work Division – XIII Water Resources Department Gogal, Margao – Goa</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690014</td>
</tr>
<tr>
<td>36.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division – XIII</td>
<td>Assistant Public Information Officer</td>
<td>Mobile: 9420690013</td>
</tr>
<tr>
<td>No.</td>
<td>Name and Designation</td>
<td></td>
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<tr>
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<tr>
<td>37.</td>
<td>Assistant Engineer, Sub Division – I, Work Division – XIV Water Resources Department Gogal, Margao – Goa</td>
<td></td>
<td></td>
</tr>
<tr>
<td>38.</td>
<td>Assistant Engineer, Sub Division – II, Work Division – XIV Water Resources Department Gogal, Margao – Goa</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40.</td>
<td>Assistant Engineer, Sub Division – IV, Work Division – XIV Water Resources Department Quepem – Goa</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This order is issued with the approval of the Government vide No. 2474 dated 17/05/2010 and in supersession to earlier order.

Sd/-
(S.T. Nadkarni)
Chief Engineer (WR) & Ex.Officio Additional Secretary, to the Government
ORDER

In pursuance to Govt. Notification No. 10/2/2005-LA dated 07/07/2005, & in continuation of this office order dated 18/05/2010 following Officers of this Department hereby appointed as Public Information Officer for the purpose of ‘Right to Information Act 2005’ in Water Resources Department.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name, Designation &amp; Office Addresses</th>
<th>Designation under Right to Information Act 2005</th>
<th>Jurisdiction</th>
<th>Contact No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Surveyor of Works</strong>&lt;br&gt;Office of the Additional Chief Engineer (Madei), Water Resources Department, Near Sanjay School, Porvorim, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Office of the Addl. Chief Engineer (Madei) – Porvorim - Goa</td>
<td>Phone: 2412955</td>
</tr>
<tr>
<td>2.</td>
<td><strong>Surveyor of Works</strong>&lt;br&gt;Office of the Superintending Engineer, Circle – III, Water Resources Department, Gogal, Margao – Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Office of the Circle - III, WRD, Gogal, Margao-Goa</td>
<td>Phone: 2759427</td>
</tr>
<tr>
<td>3.</td>
<td><strong>Surveyor of Works</strong>&lt;br&gt;Office of the Superintending Engineer, Circle – I, Water Resources Department, 4th floor, Junta House (Annexe), Panaji – Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Office of the Circle - I, WRD, Panaji - Goa</td>
<td>Phone: 2226042</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Assistant Surveyor of Works – I</strong>&lt;br&gt;Office of the Superintending Engineer, Circle – IV, Water Resources Department, Gogal, Margao – Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Office of the Circle - IV, WRD, Margao-Goa</td>
<td>Phone: 2759921</td>
</tr>
</tbody>
</table>

This order is issued with the approval of the Government vide No. 1496 dated 24/12/2010

Sd/-
(S.T. Nadkarni)<br>Chief Engineer (WR) & Ex.Officio Additional Secretary, to the Government
**ORDER**

In pursuance of Government Notification No.10/2/2005-LA dated 07/07/2005 and in continuance of above order, the following Officers are hereby appointed as “Public Information Officer” for the purpose of ‘Right to Information Act 2005’ in Water Resources Department.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name, Designation &amp; Office Addresses</th>
<th>Designation under Right to Information Act 2005</th>
<th>Jurisdiction</th>
<th>Contact No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Surveyor of Works Office of the Additional Chief Engineer (Irrigation Project), Water Resources Department, Sinchai Bhawan, Near Police Station, Alto-Porvorim, Bardez, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Office of the Addl. Chief Engineer (Irrigation Project), Alto-Porvorim, Goa</td>
<td>--</td>
</tr>
<tr>
<td>3.</td>
<td>Executive Engineer Works Division – VI, Water Resources Department, Bicholim, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Works Division – VI, W.R.D., Bicholim, Goa.</td>
<td>2361375</td>
</tr>
<tr>
<td>4.</td>
<td>Executive Engineer Works Division – VII Water Resources Department, Dhargal, Pernem, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Works Division – VII, W.R.D., Dhargal, Pernem, Goa.</td>
<td>2240695</td>
</tr>
<tr>
<td>5.</td>
<td>Executive Engineer Works Division – VIII, Water Resources Department, Karaswada, Bardez, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Works Division – VIII, W.R.D., Karaswada, Bardez, Goa.</td>
<td>2257265</td>
</tr>
<tr>
<td>6.</td>
<td>Special Land Acquisition Officer (North) Water Resources Department, Karaswada, Bardez, Goa.</td>
<td>Public Information Officer</td>
<td>Matters pertaining to Special Land Acquisition Officer (North), W.R.D., Karaswada, Bardez, Goa.</td>
<td>2257833</td>
</tr>
</tbody>
</table>
This order is issued with the approval of the Government vide sec.(wr) in.No. 2143/7 dated 14/11/2014

By order and in the name of Governor of Goa

-sd-
(S.T. Nadkarni)
Chief Engineer (WR) &
Ex.Officio Additional Secretary,
to the Government

Copy for information to:-

1. The Additional Chief Engineer (Irrigation Project), WRD., Sinchai Bhawan, Near Police Station, Alto-Porvorim, Bardez, Goa.
2. All Superintending Engineers, Water Resources Department.
3. All Executive Engineers, Water Resources Department.
4. The concerned Public Information Officer’s:
5. The Order file.

“Water is life! Save water, save life!! ”
ORDER

In pursuance of Government Notification No. 10/2/2005-LA dated 07/07/2005 and in continuance of above order, the following Officers are hereby appointed as “Assistant Public Information Officer” for the purpose of ‘Right to Information Act 2005’ in Water Resources Department.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Designation &amp; Office Addresses</th>
<th>Designation under Right to Information Act 2005</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assistant Engineer S.D.I, W.D.VI, Water Resources Department, Dodamarg, Bicholim, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to LBMC &amp; CAD works in Bicholim Taluka.</td>
</tr>
<tr>
<td>2</td>
<td>Assistant Engineer S.D.II, W.D.VI, Water Resources Department, Bicholim, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to LBMC &amp; CAD works in Bicholim Taluka.</td>
</tr>
<tr>
<td>3</td>
<td>Assistant Engineer S.D.III, W.D.VI, Water Resources Department, Mulgao, Bicholim, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to LBMC &amp; CAD works in Bicholim Taluka.</td>
</tr>
<tr>
<td>4</td>
<td>Assistant Engineer S.D.IV, W.D.VI, Water Resources Department, Bicholim, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to LBMC &amp; CAD works in Bicholim Taluka.</td>
</tr>
<tr>
<td>5</td>
<td>Assistant Engineer S.D.I, W.D.VII, Water Resources Department, Dhargal, Pernem, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to RBMC &amp; CAD works in Pernem Taluka.</td>
</tr>
<tr>
<td>6</td>
<td>Assistant Engineer S.D.II, W.D.VII, Water Resources Department, Dhargal, Pernem, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to RBMC &amp; CAD works in Pernem Taluka.</td>
</tr>
<tr>
<td>7</td>
<td>Assistant Engineer S.D.III, W.D.VII, Water Resources Department, Dhargal, Pernem, Goa.</td>
<td>Assistant Public Information Officer</td>
<td>Matters pertaining to RBMC &amp; CAD works in Pernem Taluka.</td>
</tr>
<tr>
<td>No.</td>
<td>Position and Designation</td>
<td>Location</td>
<td>Details</td>
</tr>
<tr>
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</tr>
<tr>
<td>8.</td>
<td>Assistant Engineer</td>
<td>S.D.IV, W.D.VII, Water Resources Department, Dhargal, Pernem, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to RBMC &amp; CAD works in Pernem Taluka.</td>
</tr>
<tr>
<td>9.</td>
<td>Assistant Engineer</td>
<td>S.D.I, W.D.VII, Water Resources Department, Colvale, Bardez, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to LBMC &amp; CAD works in Bardez Taluka.</td>
</tr>
<tr>
<td>10.</td>
<td>Assistant Engineer</td>
<td>S.D.II, W.D.VIII, Water Resources Department, Tivim, Bardez, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to LBMC &amp; CAD works in Bardez Taluka.</td>
</tr>
<tr>
<td>11.</td>
<td>Assistant Engineer</td>
<td>S.D.III, W.D.VIII, Water Resources Department, Karaswada, Bardez, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to LBMC &amp; CAD works in Bardez Taluka.</td>
</tr>
<tr>
<td>12.</td>
<td>Assistant Engineer</td>
<td>S.D.IV, W.D.VIII, Water Resources Department, Karaswada, Bardez, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to LBMC &amp; CAD works in Bardez Taluka.</td>
</tr>
<tr>
<td>13.</td>
<td>Assistant Engineer</td>
<td>S.D.V, W.D.VIII, Water Resources Department, Bicholim, Goa.</td>
<td>Assistant Public Information Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Matters pertaining to Quality Control &amp; Works of (IP)</td>
</tr>
</tbody>
</table>

This order is issued with the approval of the Government vide sec.(wr) in.No. 2143/7 dated 14/11/2014

By order and in the name of Governor of Goa

-sd-
(S.T. Nadkarni)
Chief Engineer (WR) &
Ex.Officio Additional Secretary,
to the Government

Copy for information to:-

1. The Additional Chief Engineer (Irrigation Project), WRD., Sinchai Bhawan, Near Police Station, Alto-Porvorim, Bardez, Goa.
2. All Superintending Engineers, Water Resources Department.
3. All Executive Engineers, Water Resources Department.
4. The concerned Public Information Officer’s:
5. The Order file.
Government of Goa,
Office of the Chief Engineer,
Water Resources Department,
2nd Floor, Junta House (Annexe),
Panaji-Goa

Dated: 03/08/2015.

ORDER


This order is issued with the approval of the Government vide No. 1156/WR dated 31/07/2015 and in supersession to earlier order.

By order & in the name of Governor of Goa

Sd/-
(S.T. Nadkarni)
Chief Engineer (WR) &
Ex.Officio Additional Secretary
to the Government

Copy submitted for information to:-

2. The Principal Secretary (WR), Secretariat, Alto – Porvorim, Bardez, Goa.
3. The Additional Chief Engineer, (Madai), Data Centre, Alto – Porvorim, Bardez, Goa.

Copy to:

5. The Director of Information and Publicity, Panaji, Goa.
6. The Director, Printing & Stationary, M.G. Road, Panaji Goa. with a request for publishing in the official gazette.
7. All Superintending Engineers, Water Resources Department.
8. All Public Information Officers and Assistant Public Information Officers of Water Resources Department.
9. The Order file
GOVERNMENT OF GOA

The Goa Irrigation Act, 1973

(as amended upto 1996)
APPENDIX XXII

GOVERNMENT OF GOA, DAMAN AND DIU
Law and Judiciary Department

--- I

Notification
LD/18/73

The following Act passed by the Legislative Assembly of Goa, Daman and Diu which received the assent of the Administrator of Goa, Daman and Diu on 29th December, 1973 is hereby published for general information.

M. S. Borkar, Under Secretary (Law). Panaji,

THE GOA, DAMAN AND DIU IRRIGATION ACT, 1973
ARRANGEMENT OF SECTIONS
Preamble

PART I
Preliminary

Sections
1. Short title, extent and commencement.
2. Definitions.
3. Appointment of officers.

PART II
Construction Control and Maintenance of Canals
4. Notification when water supply to be applied for purpose of canals.
5. Powers of Canal-Officer for purpose of so applying water supply.

PART III
Water Courses
15. Determination of the need for water-course and their alignment in any area.
16. Collector to acquire land.
17. Such acquired land to remain as property of Government.
18. Obligation of use of water-course.
19. Failure to execute work or to repair water-course.
20. Canal-Officer to construct water courses.
PART IV
Supply of Water

21. Regulation of water supply from canal.
22. Power to stop water supply.
23. Agreement for supply of water transferable with the property in respect of water supply is given.
24. Regulation of cultivation on land.
25. Power to prescribe the kind of crop to be grown under the irrigation area and the period of sowing such crop

Sections

PART V
Award of Compensation

26. Compensation, for damage caused consequent of the exercise of the powers conferred by this Act.
27. Limitation of claims.
28. Compensation for damage caused by entry on land etc.
29. Claims to be preferred to the Collector.
30. Appeal.
31. Compensation when due and interest payable.
32. Abatement of revenue demand on interruption of water supply.

PART VI
Water rates, Betterment charges and Irrigation cess

33. Determination of rates for supply of canal water.
34. Liability when person using water unauthorisedly cannot be identified.
35. Liability when water runs to waste.
36. Charges recoverable in addition to penalties.
37. Land deriving benefit from percolation liable to water rates.
38. Levy of water rate for use of percolation water for non-irrigation purposes.
39. Scheme of irrigable land under command and betterment.
40. Publication of schemes and notice to owners and person interested.
41. Inquiry and award.
42. Increase in value and betterment charges.
43. Appeal to the Collector.
44. Revision by Government.
45. Finality of orders of Government, Collector's decision and award.
46. Betterment charges to be first charge on land next to land revenue.
47. Payment of betterment charges.

Sections

48. Relinquishment or exchange of land in lieu of the payment of betterment charges.
49. Levy of irrigation cess.
50. Liability for irrigation cess.
51. Rate and period of irrigation cess.
52. Date for payment of irrigation cess.
53. Payment and recovery of water rate and other dues.

PART VII
Of Obtaining Labour in Emergencies

54. Procedure for obtaining labour for works or repairs urgently required.
55. List of Labourers.
56. Reports to be made by Canal-Officer,
57. Appeals against order under section 54.

PART VIII
Maintenance of Canals

58. Power to take over canal for maintenance by Government.

PART IX
Second Class Canals

59. Notification of second class canals
60. Proclamation by the Collector.
61. Framing of Record of Rights.
62. Powers of Canal-Officer,
63. Revision of the Record of Rights.
64. Commutation of rights.
65. Power of Government where works are undertaken increasing supply.
66. Publication of Record of Rights.
67. Entries in the Record of Rights to be relevant as evidence.
68. Notice of suit to be given to the Collector.
69. Obligation to carry out petty repairs.
70. Incidence of obligation.
71. Power to enforce rights and obligations.
72. Duty of Inspector to report failure to effect repairs.

Sections
73. Public servant and some other persons protected from legal proceedings.
74. Power to make rules.

PART X
Safeguard for Canals

75. Limitation in respect of canals.
76. Interference with the functioning of cross drainage works.
77. Obligations of owners in respect of works affecting safety of canals.
78. Mining or quarrying near canals.
79. Excavation of wells near canals.
80. Operation of sluice gates etc.
81. Fishing and plying of boats etc.
82. Letting out of water from canal prohibited.
83. Depositing produce of mines in or near canal prohibited.

PART XI
Penalties

84. Offences under the Act.
85. Obstruction to be removed and damage repaired.
86. Abatement.
87. Person employed on canal may take offenders into custody
88. Punishment under other laws not barred.
89. Offences under this Act to be cognizable.
90. Payment of fine as reward to informant.

PART XII
Miscellaneous

91. Appeals against orders under Act.
92. Power to summon and examine witnesses.
93. Service of notices.
94. Bar of certain proceedings etc.
95. Offences by companies.
96. Saving of certain canals.
97. Power to make rules.
98. Repeal.

The Goa, Daman and Diu Irrigation Act, 1973

(Act No. 18 of 1973)

AN

ACT

to make provision for the construction, maintenance and Regulations of Canals, for the Supply of Water therefrom, obtaining: labour in emergencies and for the levy of rates for water so supplied and certain other matters pertaining to Irrigation in the Union Territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fourth Year of the Republic of India as follows:

PART I

Preliminary

(1) Short title, extent and commencement.— (1) This Act may be called the Goa, Daman and Diu Irrigation Act, 1973.
(2) It extends to the whole of the Union territory of Goa, Daman and Diu.
(3) It shall come into force on such date as the Government may, by notification in the Official Gazette appoint:
Provided that different dates may be appointed for different areas of the Union territory of Goa, Daman and Diu.

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

(1) "bandhara" means any structure, permanent or otherwise, constructed or maintained for the purpose of impounding or diverting water of any river, stream, lake or any natural collection of water, and includes any weirs, sluices, head walls, groins or any other works connected with such bandharas;
(2) "canal" includes—

(a) all canals, channels, pipes and reservoirs, bandharas, weirs, tanks, ponds, spring ponds and sluices constructed, maintained or controlled by Government for the supply or storage of water;
(b) all works, embankments, structures, and supply and escape channels connected with such canals, channels, pipes or reservoirs, bandharas, weirs, tanks and all roads constructed for the purpose of facilitating the construction or maintenance of such canals, channels, pipes or reservoirs;
(c) all water courses, drainage works and flood embankments;
(d) any part of a river, stream, lake, natural collection of water or natural drainage-channel to which the Government may apply the provisions of section 4, or the water of which has been applied or used before the commencement of this Act for the purpose of irrigation;
(e) all land belonging to the Government which is situated on the bank of any canal.
and which has been appropriated under the orders of the Government for the purposes of such canal; and
(f) all mechanical and electrical appliances tools and plants and structures, installed or constructed, maintained or controlled by the Government for lifting water.

(3) "Canal-Officer" means any officer appointed, or invested with powers of a Canal Officer, under section 3;

(4) "Collector" includes any officer appointed by the Government to exercise all or any of the powers of a Collector under this Act;

(5) "drainage work" means any work in connection with a system of irrigation or reclamation made or improved by the Government for the purpose of the drainage of any place, whether under the provisions of section 14 or otherwise and includes escape-channels from a canal, dams, weirs, embankments, sluices, groins and other works connected therewith but does not include works for the removal of sewage

(6) "flood-embankment" means any embankment constructed or maintained by the Government in connection with any system of irrigation or reclamation works for the protection of land from inundation or which may be declared by the Government to be maintained in connection with any such system, and includes all groins, spurs, dams and other protective works connected with such embankments

(7) "Government" means the Administrator of the Union territory of Goa, Daman and Diu appointed by the President under article 239 of the Constitution;

(8) "Inspector" means such officer as the Government may declare to be an Inspector for the purpose of this Act;

(9) "land holder" of "holder" means the person in whom a right to hold the land is vested, whether solely on his own account or wholly or partly in trust for another person or for a class of persons or for the public and includes a mortgage vested with right of possession;

(10) "land under irrigable command of a canal" means such lands as are irrigated or capable of being irrigated from a canal, being under its command and shall include also such lands as are or shall be deemed to be irrigated within the meaning of section 37;

(11) "Mamlatdar" includes any officer appointed by the Government to exercise all or any of the powers of a Mamlatdar under this Act;

(12) "notification" means a notification published in the Official Gazette;

(13) "occupier" means in respect of any land, any person who has an interest in the land and cultivates the land himself or by his servants or by hired labour and includes a tenant;

(14) "owner" includes every person having a joint interest in the ownership of the thing specified and all rights and obligations which attach to an owner under this Act shall attach jointly and severally to every person having such joint interest in the ownership;

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

(16) "water-course " means any water-channel or pipe having a capacity not
exceeding 1[five hundred]litres per second, which is supplied with water from a canal and includes all subsidiary works belonging to such channel or pipe except the sluice or outlet through which water is supplied to such channel or pipe.

3. Appointment of officers.— The Government may—
(a) appoint such officers with such designations, and assign to them respectively such powers and duties under this Act, as it may deem fit;
(b) invest any Government Officer, in any Department, either personally or in right of his office by name or by virtue of office or any other person, with such powers, and impose upon him such duties, under this Act, as it may deem fit.

PART II

Construction, Control and Maintenance of Canals

4. Notification when water supply to be applied for purposes of canals.— Whenever it appears expedient to the Government that the water of any river or stream flowing in a natural channel or of any lake, or any other natural collection of still water, should be applied or used by the Government for the "purpose of any existing or proposed canal, the Government may, by notification declare that the said water will be so applied or used after a day to be specified in the said notification, not being earlier than three months from the date thereof.

5. Powers of Canal Officer for purpose of so applying water supply — At any time after the day specified under section 4, the Canal-Officer may enter on any land, remove any obstruction, close any channel and do any other thing necessary for such application or use of the said water, and for Much purpose may take with him, or depute or employ, such subordinates and other persons as he dooms fit

6. Entry for inquiry,— Whenever it shall be necessary to make any inquiry or examination in connection with a proposed canal or with the maintenance of an existing canal, the Canal Officer and any person acting under the general or special order of any such Canal-Officer, may—
(a) enter upon such land as he may think necessary for the purpose;
(b) exercise all powers and do all things in respect of such laud as be might exercise and do, if the Government had issued a notification under the provisions of section 4 of the Land Acquisition Act, 1894 (Central Act I of 1894), to the effect that the land in that locality is likely to be needed for a public purpose; and,
(c) set up and maintain water-gauges and do all other things necessary for the prosecution of such inquiry and examination

7. Power to inspect and regulate water supply.- The Canal-Officer and any person acting under the general or special order of any such Canal-Officer may enter upon any land, building or water-course with respect to which any water rate is chargeable under this Act, for the purpose of inspecting or regulating the use of water supplied or for measuring the land irrigated thereby chargeable with a water rate and for doing all things necessary for the proper regulation and management of the canal from which such water is supplied.

8. Power to enter for repairs and to prevent accidents.— In case of any accidents being apprehended or happening to a canal, the Canal-Officer and any person acting under the general or special order of any such Canal-Officer, may enter upon land adjacent to such canal and may take all materials required to execute all works which may be necessary to such lands for the purpose of preventing such accident or repairing any damage done.

9. Notice to occupier of building etc.— When a Canal-Officer or any other person acting under his general or special orders in this behalf proposes acting under the
provisions of section 6, section 7 or section 8 to enter into any building or enclosed court or garden attached to a dwelling house, not supplied with water from a canal and not adjacent to a flood-embankment, he shall previously give to the occupier of such building, court or garden such reasonable notice as the urgency of the case may allow.

10. Means of crossing canals to be provided and obstructions to drainage to be avoided.— Suitable means of crossing canals shall be provided at such places as the Government thinks necessary for the reasonable convenience of the inhabitants of the adjacent land, and suitable bridges, culverts or other works shall be constructed to prevent the drainage of the adjacent land being obstructed by any canal.

11. Government may prohibit formation of obstructions of rivers etc, within certain limits.— Whenever it appears to the Government that injury to the public health or public convenience or to any canal or to any land for which irrigation from a canal is available, has arisen or may arise from the obstructions of any river, stream or natural drainage course, the Government may, by notification, prohibit within limits to be defined in such notification, the formation of any such obstruction, or may, within such limits, order the removal or other modifications of such obstruction and thereupon so much of the said river, stream, or natural drainage course, as is comprised within such limits, shall be held to be a drainage work as defined in section 2.

12. Canal-Officer may issue order to person causing obstruction.— The Canal-Officer, may after the publication of the notification under section 11, issue an order to any person causing or having control over any such obstruction; to remove or modify the same within such period as may be specified in such order.

13. Canal-Officer may cause obstruction to be removed.— If within the period specified in the order under section 12, any person does not comply with such order, the Canal-Officer, may cause the obstruction to be removed or modified and such person shall be liable to pay the expenses of removal or modification, and if the person does not, when called upon, pay the expenses of such removal or modification, such expenses shall be recoverable as an arrear of land revenue.

14. Construction of drainage works.— Whenever it appears to the Government that any drainage work is necessary for the public health or for the improvement of the proper cultivation or irrigation of any land, or that protection from flood or other accumulations of water, or from erosion by a river is required for any land, the Government may cause a scheme for such work to be drawn up and carried into execution, and the person authorised by the Government to draw up and execute such scheme may exercise in connection therewith the powers conferred on Canal-Officer by sections 6, 7 and 8 and shall be liable to the obligations imposed upon Canal-Officer by sections 9 and 28.

PART III

Water-Courses

15. Determination of the need for water-course and their alignment in any area.— (1) The Canal-Officer on being satisfied that the construction of water courses in any area is necessary in the public interest for supply of water from a canal to lands requiring such supply for the purpose of cultivation, shall declare by notification, that such water-courses may be constructed after a date to be specified in the notification, not being earlier than thirty days from the date of publication thereof. A copy of such notification shall be sent to the Mamlatadar of the area for publication in the village concerned.
(2) After the date specified in the notification under sub-section (1) the Canal-Officer shall determine the suitable alignment for the water-courses and shall mark out the land, which in his opinion, is necessary to occupy for the construction thereof. He shall forthwith publish a notification by affixture on the notice board in his office that so much of such land as is situated within such village or villages has been so marked out and shall send a copy of such notification to the Mamlatdar for publication in every village through which the water-course is taken on such lands. He shall also send a copy of such notification to the Collector of every District In which such land is situated.

16. Collector to acquire land.— (1) On receipt of a copy of a notification under section 15, the Collector shall issue notices to the owner of such land and other persons interested in it to show cause why such land should not be acquired and after giving them a reasonable opportunity of being heard, if satisfied that such land is required for a water-course, proceed to acquire and take possession of such land under the provisions of the Land Acquisition Act, 1894 (Central Act I of 1894) as if a declaration had been issued by the Government for the acquisition thereof under section 6 of that Act and as if the Government had thereupon directed the Collector to take order for the acquisition of such land under section 7 of the said Act and as if the Government had issued orders for the immediate possession being taken under section 17 of the said Act.

(2) Notwithstanding anything contained in the Land Acquisition Act, 1894 (Central Act I of 1894), the acquisition of any land under sub-section (2) shall be deemed to be for a public purpose.

(3) Save as aforesaid, the provisions of the Land Acquisition Act, 1894 (Central Act I of 1894), shall apply to acquisitions to be made under this Act.

17. Such acquired land to remain as property of Government.— On possession of the land being taken, the Canal-Officer shall fix the boundary marks in the prescribed manner and thereupon the ownership of such land shall vest in Government.

18. Obligations of user of water-course.— (1) Every user of water-course shall be bound to maintain such water-course in a fit state of repair for the conveyance of water.

(2) Every user of water-course shall subject to the provisions of Part IV be entitled to have a supply of water by such water-course on such terms as may be prescribed.

19. Failure to execute work or to repair water-course.— If any user of a water-course fails to fulfil any obligation imposed upon him by sub-section (1) of section 18, the Canal-Officer may require him, by notice to execute the necessary repairs within a period of not less than seven days to be specified in such notice, and, in the event of a failure, may execute the same and, except as hereinafter provided in this section, all expenses incurred in the execution of such repairs shall be a sum due by such user to the Government and shall be recoverable as an arrear of land revenue.

20. Canal-Officer to construct water-courses.— After any land has been acquired under section 16 and has vested in the Government under section 17, the Canal-Officer shall construct the water-courses necessary in the area.

PART IV
Supply of Water

21. Regulation of water supply from canal.— The Canal-Officer by a notification in respect of any canal or class of canals may, after such inquiry as he deems fit, regulate in respect of any canal for each year or
for a specified term of years at a time, as circumstances may require—

(1) the time for letting out water for irrigation;
(2) the period of supply;
(3) the quantity of supply; and
(4) the areas to be supplied at different times.

Explanation:— A land shall be deemed to have been supplied water of water is made available for irrigation of such land.

22. Power to stop water supply,— The supply of water to any water-course or to any person who is entitled to such supply not be stopped except—
(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 competent to accord administrative approval under the C.P.W.D. Manual.
(b) whenever and so long as any water-course by which such supply is received is not maintained in such repair as to prevent the wasteful escape of water there from;
(c) whenever and so long as it is necessary to do so in order to supply in rotation the legitimate demands of other persons entitled to water
(d) whenever and so long as it may be necessary to do so in order to prevent the wastage or misuse of water;
(e) within the periods fixed from time to time by a Canal-Officer duly empowered by the Government in this behalf, of which due notice shall be given;
(f) whenever there is diminution in the supply of water in the canal work due to any natural or seasonal causes and so long as it is necessary to do so.

23. Agreement for supply of water transferable with the property in respect of which supply is given.— Every agreement for the supply of canal water to any land, building or other immovable property shall be transferable therewith and shall be presumed to have been so transferred whenever a transfer of such land, building or other immovable property takes place.
No person entitled to the use of any work or land appertaining to any canal, and, except in the case of any such agreement as aforesaid, no person entitled to use the water of any canal, shall sell or sub-let or otherwise transfer his right to such use without the permission of the Canal-Officer.

24. Regulation of cultivation on lands.— (1) Subject to the provisions of section 25, and subject to such directions as may be issued from time to time, the Canal-Officer may in any year, having regard to the quantity of water available in any canal under his control determine, by order published in the prescribed manner and within the time prescribed the area of lands in the irrigable area of such canal, to be cultivated with paddy, sugarcane, or any perennial crop or intermittent irrigated dry crops or with dry or semi-dry crops and regulate the supply of water for irrigation accordingly.
(2) If, in accordance with a decision of the Canal-Officer under sub-section (1), any land entitled to supply of water under the canal is not supplied with water, the holder of such land shall be liable to pay only the dry assessment of such lands.
(3) From the order of the Canal-Officer under this section an appeal shall lie within fifteen days from the date of the publication of the said order, to the Collector of the district.

25. Power to prescribe the kind of crop to be grown under the irrigation area and the period of sowing such crop.— (1) Whenever the Government is satisfied that
for the better cultivation of the lands and the due preservation of the water-resources of a canal, it is expedient and desirable in the public interest to regulate the kind of crop that should be grown on lands irrigated by such canal and the period of sowing such kind of crop, it may, by notification, make a declaration to that effect.

(2) On making of a declaration under sub-section(1), the Canal-Officer, with the approval of the Collector, may specify by notification in such manner as may be prescribed the kinds of crop that shall be grown on any land under such canal and the period of sowing and planting such crops.

(3) On the publication of a notification under sub-section (2) no person shall grow or allow any crop other than the crops specified in such notification to be grown on any land under such canal and no person shall sow or plant or allow the sowing or planting of crop at any time other than during the period specified in such notification.

(4) In all cases in which the person who has sown or grown any unauthorised crop or allowed any land to be grown or sown with such unauthorised crop cannot be found, the holder of the land in addition to such other person concerned, shall—

(a) be liable for contravening the provisions of this section; and

(b) also be liable to pay such water rate as may be determined by the Canal-Officer not being less than five times and not exceeding ten times the water rate which he would otherwise have been required to pay:

Provided that if no water is utilised either directly or indirectly from the canal for growing any crop, the provisions of sub-sections (3) and (4) shall not be applicable.

PART V

Award of Compensation

26. Compensation for damage caused consequent of the exercise of the powers conferred by this Act.— Compensation may be awarded in respect of any substantial damage caused by the exercise of any of the powers conferred by this Act, which is capable of being ascertained:

Provided that no compensation shall be so awarded in respect of any damage arising from—

(a) deterioration of climate or soil; or

(b) stoppage of navigation or of the means of floating timber or of watering cattle; or

(c) stoppage or diminution of the supply of water in consequence of the exercise of the power conferred by section 5 if no use has been made of such supply within the five years immediately preceding the date of the issue of the notification under section 4; or

(d) failure or stoppage of any water in a channel where such failure or stoppage is due to:—

(i) any cause beyond the control of the authority in charge of the canal;

(ii) the execution of any repairs, alterations, or additions to the canal;

(iii) any measures considered necessary by the Canal-Officer, for regulating the proper flow of water in the channel or for maintaining established course of irrigation; or

(iv) circumstances mentioned under clauses (a) to (f) of section 22:

Provided further that any person who suffers loss from any stoppage or diminution of water supply to his lands due to any of the causes named in clause (d) of the preceding proviso, shall be entitled to such remission of the water rate payable by him as may be authorised by the Government.

27. Limitation of claims.— No claim for compensation under this Act shall be entertained after the expiration of twelve months from the time when the damage
complained of commenced, unless the Collector is satisfied that the claimant is prevented by sufficient cause from making the claim within such period.

28. Compensation for damage caused by entry on land, etc.— (1) In every case of entry upon any land or building under section 5, section 6, section 7 or section 8, the Canal- Officer or the person making the entry shall ascertain and record the extent of the damage, if any, caused by the entry or in the execution of any work, to any crop, tree, building or other property and the value of the materials taken or utilised and within one month from the date of such entry, compensation shall be tendered by the Canal-Officer to the land holder or owner of the property damaged, as the case may be.

(2) If such tender is not accepted, within a week of such tender, the Canal-Officer shall forthwith refer the matter to the Collector for the purpose of determining the amount of compensation.

29. Claims to be preferred to the Collector — (1)All claims for compensation under this Act other than claims of the nature provided for in section 28 shall be made to the Collector of the District in which such claim or part of it arises.

(2) The Collector shall enquire into all such claims and determine the amount of compensation, if any, which should be awarded. In determining such amount, the Collector shall, as far as possible be guided by the provisions of section 23 and 24 of Land Acquisition Act, 1894: 1 of 1894.

Provided that regard shall be had to the diminution in the market value at the time of awarding compensation, of the property in respect of which compensation is claimed; and where such market value is not ascertainable, the amount shall be reckoned at twelve times the amount of the diminution of the annual net profits of such property caused by the exercise of powers conferred by this Act.

Provided further that no order determining the amount of compensation shall be made by the Collector under this section without the previous approval of the Government or such officer as the Government may appoint in this behalf.

30. Appeal.- Any person aggrieved by the order of the Collector under section 28 or section 29 may, within ninety days from the date of communication of the order, prefer as appeal to the Administrative Tribunal established under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (6 of 1965).

31. Compensation when due and interest payable.— All sums of money payable for compensation awarded under this Part shall become due three months after the final award is made, under section 29 and simple interest at the rate or twelve percent per annum shall be allowed on any sum remaining unpaid after the said three months, except when the non-payment of such is caused by the neglect or refusal of the claimant to apply for or receive the same.

32. Abatement of revenue demand on interruption of water supply.— If compensation is awarded under section 29 on account of a stoppage or diminution of supply of water to any land paying land revenue to the Government and the amount of the land revenue payable on account of such land has been fixed with reference to the water advantages appertaining thereto, the holder of the said land shall be entitled to an abatement of the amount of land revenue payable to such extent as shall be determined by the Collector of the District.

PART VI
Water rates, Betterment charges and Irrigation cess

33. Determination of rates for supply of canal water.— (1) Such rates shall be leviable for canal- water supplied for purposes of irrigation or for any other purpose, as shall, from time to time, be determined by the Government.

(2) If, owing to the construction of a new canal or to the improvement or extension
of an existing canal, the quantity or duration of any water supply, in respect of which either no revenue or a fixed amount of revenue has hitherto been paid to the Government, is increased, rate shall be revised in respect of the increased water supply as may be determined by the Government.

(3) The rates mentioned in sub-section (2) shall be payable by the person on whose application the supply was granted, or by any person who uses the water so supplied.

34. Liability when person using water unauthorisedly cannot be identified.— If water supplied through a water-course be used in an unauthorised manner, and if the person by whose act or neglect such use has occurred cannot be identified the person or all the persons on whose land such water had flowed, if such land has derived benefit therefrom, the person or all persons chargeable in respect of the water supplied through such water-course, shall be liable or jointly liable, as the case may be, for the charges which shall be made for such use under the rules made under this Act.

35. Liability when water runs to waste.— (1) If water supplied through a water-course be suffered to run to waste, and if, after inquiry, the person through whose act or neglect such water was suffered to run to waste cannot be discovered, the person or all the persons chargeable in respect of the water supplied through such water course shall be liable or jointly liable, as the case may be, for the charges which shall be made in respect of the water so wasted under the rules made under this Act.

(2) All questions arising under this section and section 34 shall be subject to the provisions of section 91 be decided by a Canal-Officer duly empowered by the Government in this behalf.

36. Charges recoverable in addition to penalties,— All charges for the unauthorised use or for waste of water may be recovered, as water rates, in addition to penalties incurred on account of such use or waste.

37. Land deriving benefit from percolation liable to water rate.— If it appears to a Canal-Officer duly empowered by the Government in this behalf to enforce the provisions of this section that any cultivated land within two hundred metres of any canal receives, by percolation or leakage from such canal, an advantage equivalent to that which would be given by a direct supply of canal water for irrigation, or that any cultivated land, wherever situated, derives by a surface flow, or by means of a well sunk within two hundred metres of any canal after the admission of water into such canal, a supply of water which has percolated or leaked from such canal, he may charge on such land a water-rate not exceeding that which would ordinarily have been charged for a similar direct supply to land similarly cultivated.

Explanation.— For the purpose of this Act, land charged under this section shall be deemed to be land irrigated from a canal.

38. Levy of water rate for use of percolation water for non-irrigation purposes.— (1) If it appears to the Canal-Officer that a natural stream, artificial drain or well sunk within two hundred metres of any canal is deriving percolation water from such canal, and the water from such stream, drain or well is used for purposes other than those of irrigation, he may charge for the use of such water, a water rate not exceeding that as would ordinarily have been charged if the supply had been made from the canal for such purposes.

(2) The provisions of sub-section (1) shall not apply to water from such stream, drain or well used exclusively for domestic purposes by the residents of any village.

39. Scheme of irrigable land under command and betterment charges on
construction or improvement etc. of a canal.— When the construction of a new canal or the improvement of extension of an existing canal is undertaken, the Government shall direct an officer empowered in this behalf to prepare a scheme showing the land under the irrigable command of the canal and the betterment charges leviable on such lands and such other details as may be prescribed.

40. Publication of scheme and notice to owners and persons interested.— (1) The scheme prepared under section 39 shall be published in the Official Gazette and in such other manner as may be prescribed.
(2) The Canal-Officer empowered under section 39 shall also give notice to persons known or believed to be the owners of or interested in the land under irrigable command of the canal requiring them to appear before him either personally or by agent at time and place therein mentioned (such time not being earlier than one month from the date of the notice) to state their objections, if any—
(a) to the inclusion of the lands in the scheme as the lands under irrigable command of the canal, and
(b) to the imposition and recovery of the betterment charges on such lands.

41. Inquiry and award.— On the date fixed under section 40 or on such other date to which inquiry may be adjourned, the officer concerned shall, after holding a formal inquiry in the manner provided by the Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969) and after hearing the objections, if any, stated by the persons as required by the notice under section 40 make an award, which shall specify,—
(a) the lands under irrigable command of the canal,
(b) the increase in value of such lands by the completion of the construction of a new canal or the improvement or extension of an existing canal,
(c) the amount of betterment charges leviable on each of the land,
(d) the date from which the betterment charges shall be leviable:
Provided that no betterment charges shall be leviable in respect of any land which is unarable (kharaba).

42. Increase in value and betterment charges.— (1) The increase in value on account of the completion of a new canal or the improvement or extension of an existing canal shall be the amount by which the value of the land on the completion date is likely to exceed the value of the land on the construction date and the betterment charges shall be one-half of such increase in value.
(2) For calculating the value of the land on the construction date and the increase in value on completion date it shall be lawful for the Government to prescribe by Rules the method and the particulars to be taken into account.

Explanation.— For the purposes of this section, the Government shall, by notification specify—
(a) the date of the commencement of construction of any work in connection with the construction or improvement or extension of canal, as the construction date;
(b) the date of completion of the construction, improvement or extension of a canal as the completion date;

43. Appeal to the Collector.— (1) Any person aggrieved by award made under section 41, may within sixty days from the date of the award, appeal to the Collector.
(2) The provisions of Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969) shall apply to such appeals, as if the officer empowered under section 39, was a Revenue Officer and the Collector was his immediate superior.

44. Revision by Government.—The Government may call for and examine the record of any inquiry under section 41 or of the proceedings in appeal under section 43 for the purpose of satisfying itself of the legality or regularity of such inquiry or proceedings and may modify or reverse the award or the decision of the
45. Finality of orders of Government, Collector's decision and award.—Any order passed by the Government in revision under section 44 and subject to such order, the decision of the Collector on an appeal under section 43 and subject to the order of the Government in Revision and the decision of the Collector on appeal, as the case may be, the award made under section 41, shall be final.

46. Betterment charges to be first charge on land next to land revenue.—From the date specified in the award as the date from which the betterment charges shall be leviable, or from such date as may be otherwise specified by the Collector in appeal under section 43 or by the Government in revision under section 44 as the date from which such charges shall be leviable, the betterment charges recoverable in respect of any land shall, subject to the prior payment of the land revenue, if any, due to the Government thereon, be a first charge on the land in respect of which such betterment charges are leviable.

47. Payment of betterment charges.—The betterment charges shall be payable on the date fixed under the rules made under this Act:
Provided that the owner of the land on which such charges are imposed may execute an agreement in favour of the Government agreeing to pay the amount of such charges by annual instalments together with interest at such rate and within such period as may be prescribed by rules.

48. Relinquishment or exchange of land in lieu of the payment of betterment charges.—Notwithstanding anything contained in section 47, the Government may allow the owner of the land on which the betterment charges may be payable to relinquish the whole or any part of the land or to deliver it in exchange in favour of the Government on such conditions as may be prescribed;
Provided that no such relinquishment or exchange shall be permitted unless the land is free from encumbrances.

49. Levy of irrigation cess.—In addition to the water-rates or other charges leviable under the provisions of this Act, there shall be levied in respect of land under irrigable command of a canal a cess called "the irrigation cess."

50. Liability for Irrigation cess.—(1) In the case of unalienated land, the occupant, and in the case of alienated land, the superior holder, shall be primarily liable to the Government for the payment of the irrigation cess, inclusive of all arrears of such cess:
Provided that in the case of any land in the possession of a renant, if such tenant is liable to pay the irrigation cess in respect of such land under the provisions of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (7 of 1964) such tenant shall be primarily liable to pay the irrigation cess, in respect of such land.
(2) In the case of default by any person who is primarily liable under this section, the irrigation cess including all arrears as aforesaid, shall be recoverable—
(a) from the occupant or superior holder, as the case may be, where the tenant was primarily liable, and
(b) in any other case, from any other person in possession of the land:
Provided that where the irrigation cess is recovered under this section from a person who is not primarily liable for the same, such person shall be allowed credit for any payment which he may have duly made to the person who is primarily liable, and shall be entitled to credit, or the amount recovered from him, in account with the person who is primarily liable.

51. Rate and period of irrigation cess.—(1) The irrigation cess payable in respect of any land under the irrigable command of a canal shall be at such rates of such
period as may be fixed by the Government by notification in the Official Gazette.

(2) The determination of such rates and period shall be final and shall not be questioned in any court:
Provided that no increase shall be made during such period in the rates so fixed.

52. Date for payment of irrigation cess.— The irrigation cess recoverable in respect of any land shall be leviable on such date as the Government may specify in this behalf.

53. Payment and recovery of water rates and other dues.— (1) Every water-rate leviable or charged under this Act shall be payable in such installments and on such dates and to such officers as shall from time to time be determined under the orders of the Government.

(2) Any such rate or installment thereof which is not paid on the date when it becomes due shall be deemed to be an arrear of land revenue due on account of the land for the use of which canal water was supplied or which was benefitted by percolation or leakage from any canal and shall be recoverable as such arrear by any of the methods specified in section 124 of the Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969) including the forfeiture of the said land.

(3) The amount of the betterment charges or any of its installment together with interest thereon if not paid on the dates specified in section 47 and the amount of irrigation cess, if not paid on the dates specified in section 52, shall be demand to be an arrear of land revenue due on account of the land in respect of which it is payable and also be recoverable as such arrear by any of the methods specified in section 124 of the Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969) including the forfeiture of the said land.

(4) Any other sum due to the Government or to the Canal-Officer under the provisions of this Act whether on behalf of Government or any other person under Part III of this Act which is not paid when demanded shall, be recoverable as an arrear of land revenue in accordance with the provisions of section 123 and 124 of the Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969).

PART VII
Of Obtaining Labour in Emergencies

54. Procedure for obtaining labour for works or repairs urgently required.— (1) Whenever it appears to the Canal-Officer, that unless some work or repair is immediately executed such serious damage will happen to any canal as to cause sudden and extensive public injury or, that unless some clearance of a canal or other work which is necessary in order to maintain the established course of irrigation is immediately executed, serious public loss will occur, and that the labourers necessary for the proper execution of such work, repair or clearance cannot be obtained in the ordinary manner within the time that can be allowed for the execution of the same so as to prevent such injury or loss, the said officer may, by order, direct that the provisions of this section shall be put into operation for the execution of such work, repair or clearance and thereupon every able-bodied person who resides or holds land in or near the locality where such work, repair or clearance has to be executed and whose name appears in the list hereinafter mentioned, shall, if required to do so by such officer or by any person authorised by him in this behalf, be bound to assist in the execution of such work, repair or clearance as such officer or any person authorised by him in this behalf may direct.

(2) All persons so labouring shall be entitled to payment at rates which shall not be less than the highest rates for the time being paid in the neighbourhood for similar labour.

55. List of Labourers.— Subject to such rules as may be prescribed the Collector
shall prepare a list of the persons liable to be required to assist as aforesaid and may add to or alter such list or any part thereof.

56. Reports to be made by Canal-Officer.— All orders made under section 54 shall be immediately reported to the Collector and to the Principal Engineer.

57. Appeals against order under section 54.— Any person who does not accept the amount payable under section 54 may appeal to the Collector within thirty days from the date of any tender of payment and the decision of the Collector thereon shall be final.

PART VIII
Maintenance of Canals

58. Power to take over canal for maintenance by Government.— If the Government considers that in the interest of the proper irrigation of lands under any canal maintained by any person or body of persons, the work of maintenance of such canals be taken over by the Government and the cost of such maintenance or any part thereof recovered from the holders of land benefitted by such canal the Government may, by notification make a declaration to that effect and after expiry of a period of not less than three months from the date of publication of such notification to be specified therein, the Government shall take over and maintain in a fit state of repairs such canal:
Provided that no artificial reservoir owned by any land holder which is actually used for the purpose of irrigation by such land holder shall be declared under this section except —
(i) on the request of the land holder, or
(ii) in the opinion of the Government, such notification is necessary in the public interest:
Provided further that where a notification is issued in accordance with clause (ii) of the preceding proviso, the land holder concerned shall be paid such compensation for the deprivation of his rights as may be awarded by the Collector of the District after such inquiry as may be prescribed.
(2) On such taking over of canal it shall be deemed to be a canal within the meaning of clause (2) of section 2 and the provisions of this Act shall mutatis mutandis apply to it.

PART IX
Second Class Canals

59- Notification of Second-class Canal.— (1) The Government may by notification—
(a) declare that it is proposed to constitute any canal, channel, stream, river, well, tubewell, artisan well, pipe or reservoir, natural or artificial or bandhara or any part thereof, whether constructed or maintained or controlled by the Government or not, which is actually used or required for the purposes of irrigation a Second-class Canal.
(b) fix a period of not less than three months from the date of publication of such notification for the submission of objections to such proposals:
Provided that no artificial reservoir or water course supplied from such reservoir which is actually used for the purposes of irrigation by a single land holder shall be included in such notification except either with the consent of such land holder or, if in the opinion of the Government such inclusion is necessary in the public interest, then without such consent but subject to the payment after the issue of the declaration mentioned in Sub-section (3), to such land holder of such compensation for his rights as may be settled in accordance with the provisions of section 64.
(2) After the publication of such notification, it shall also be published by the Collector as soon as practicable in the language of the district at Mamlatdar's Office of the Taluka in which the work is situated and in every town and village in the opinion of the Collector is likely to be affected by such notification.

(3) After considering such objections as may have been received within the period fixed as aforesaid, the Government may, by notification, declare such canal, channel, stream, river, well, tubewell, artesian well, pipe, reservoir or bandhara or any part thereof to be a Second-class Canal.

60. Proclamation by the Collector.— Where a notification has been issued under sub-section (3) of section 59, the Collector shall publish in the language of the District at the Mamlatdar's Office of the Taluka in which the work is situated, and in every town and village which in his opinion is likely to be affected by such declaration, a proclamation—
(a) specifying, as nearly as possible, the source of supply, situation and limits of Second-class Canal notified under sub-section (3) of section 59.
(b) stating that the provisions of this Part applies to the canal so notified from the date of the notification published under sub-section (3) of section 59; and
(c) fixing a period of not less than three months from the date of such proclamation within which every person claiming any right in the canal so notified, either to present to the Collector, a written notice specifying, or to appear before him and prove, the nature of such right.

61. Framing of Record of rights.— (2) As soon as possible after the expiry of the period fixed by the Collector under clause (c) of section 60, a Canal-Officer duly empowered by the Government in this behalf who shall be a revenue officer not below the rank of a mamlatdar shall inquire into and settle claims to any rights in the Second-class Canal and shall record the extent of such right and draw up in such form as may be prescribed an Irrigation Record of rights so far as the same may be ascertainable from the records of the Government and the evidence of any person likely to be acquainted with the same and any other documentary or oral evidence which the parties concerned or their witnesses may produce.
(2) Such Record of Rights shall contain the following matters namely:—
(a) the nature of Second-class Canal and any work subsidiary thereto;
(b) the land irrigable therefrom;
(c) the custom or rule of irrigation;
(d) the rights to water and the conditions on which such rights are enjoyed; and
(e) such other matter as the Government may, by rules, prescribed in this behalf.

62. Powers of Canal-Officer— (1) For the purpose of the inquiries under section 61, such Canal-Officer may enter, or authorise any officer to enter upon any land adjacent to any canal to which this Part applies, and may survey, demarcate and make a map of the same.
(2) Notwithstanding anything contained in section 61 where no sufficient evidence is forthcoming as to all or any of the matters specified in that sections such Canal-Officer shall, so far as may be, settle and record the aforesaid matters in such manner as he may deem fit.

63. Revision of Record of Rights.— The Record of Rights prepared under section 61 may be revised from time to time by a Canal-Officer duly empowered by the Government in this behalf, who shall be a revenue officer not below the rank of a Mamlatdar.

64. Commutation of rights.— Where the Canal-Officer who has prepared or revised any record of Rights under this Part finds that having due regard to the maintenance or management of the Second-class Canal, any right contained in the
Record of Rights cannot continue to be exercised to the extent recorded, he shall (subject to such rules as the Government may prescribe in this behalf) commute such right wholly or in part, either by the payment to the holder of such right of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he may think fit; and he shall revise the Record of Rights accordingly.

65. Power of Government where works are undertaken increasing supply.— In the event of Government undertaking at their own cost any work whereby the supply of water in any Second-class Canal is increased beyond the amount of such supply at the time of preparing or revising the Record of Rights under this Part the Government may, without prejudice to any right so recorded direct that the right to such surplus water shall vest in the Government and shall be applied as the Government may deem fit and the Record of Rights shall be revised in accordance with such directions.

66. Publication of Record of Rights.— When any Record of Rights has been prepared or revised under this Part, it shall be published in the language of the District at the Mamlatdar's Office of the Taluka in which the canal is situated and every town and village which in the opinion of the Collector is affected by such Record of Rights.

67. Entries in the Record of Rights to be relevant as evidence.— An entry in any Record of Rights prepared or revised under this Part shall be relevant as evidence in any dispute as to the matters recorded and shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted there from: Provided that no such entry shall be construed as to limit any of the powers conferred on the Government by this Part.

68. Notice of suit to be given to the Collector. In any suit or proceeding in which an entry made in any Record of Rights prepared or revised under this Part is directly or indirectly called in question, the court shall, before the final settlement of the issues, give the notice of the suit or proceedings to the Collector, and if moved to do so by the Collector, shall make the Government a party to the suit or proceeding.

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

(3) Any suit or proceeding in which the entry made in any Record of Rights prepared or revised under this Part is directly or indirectly called in question shall be dismissed (although limitation has not been set up as a defence) if it has not been instituted within one year from the date of publication under section 66 of the Record of Rights, containing the said entry or if one or more appeals have been made against any order of a Canal-Officer with reference to any entry in such Record of Rights from the date of any order passed by the final appellate authority under this Part.

69. Obligation to carry out petty repairs.— In every Second-class Canal, the following repairs shall be performed by the persons on whom the obligation to perform them is imposed by section 70, namely:

(1) the filling up gullies, rut, and holes, especially at the back of revetment and all petty repairs of a like nature essential for the safety of bunds, tanks, channel banks, or other portions of the the said Second class Canal,

(2) prevention of the growth on such canal of prickly pear, young trees and other vegetation endangering the safety or concealing the conditions of such canal,

(3) preservation of such bushes and grasses as have been planted for the protection of the interior water slopes of such canal,

(4) clearance of silt from sluices, supply and distributing channels,
the clearance of waste weirs and waste channels.

70. Incidence of obligation.—The obligation to perform the repairs, specified in section 69 shall, with preference to any land irrigated from the canal, be deemed to impose jointly and severally in the case of unalienated land, on the occupants of the land and in the case of all other land, on the holders of the land, as defined in either case of Goa, Daman and Diu Land Revenue Code, 1968 (9 of 1969).

71. Power to enforce rights and obligations.—If any person, on whom any obligation is imposed with reference to any Second-class Canal by any of the provisions of this part, fails to fulfill the obligations so imposed, or if any person infringes any right recorded in the Record of Rights prepared or revised as hereinbefore provided, the Canal-Officer may require him, by notification, to fulfill such obligation or to desist from infringing such right within a period of not less than fifteen days to be specified in the notice and in the event of failure, may take such steps as may be necessary for the discharge of the said obligation or the enforcement of the said right, and the amount of any expense so incurred shall be a sum due to the Government and shall be recoverable as an arrear of land revenue.

72. Duty of Inspector to report failure to effect repairs.—It shall be the duty of the Inspector of any village within the limits of which any Second-class Canal or portion of such canal is situated to report to the Mamlatdar without unnecessary delay any failure or neglect to carry out any of the repairs specified in section 69.

73. Public servant and some other persons protected from legal proceedings.—No suit, prosecution, or other legal proceedings shall be maintained against public servant or persons appointed under this part in respect of anything in good faith done or purporting to be done under the provisions thereof or the rules made thereunder.

74. Power to make rules.—The Government may by notification and after previous publication make rules as to all or any of the following matters, namely:—
(1) the manner of framing and revising the Record of rights;
(2) the proceedings of any Officer who, under the provisions of this Part, is required to take action in any matter; and
(3) generally to carry out the provisions of this part.

PART X
Safeguard for Canals

75. Limitation in respect of canals.—Except as may be prescribed, no person other than the Canal-Officer shall—
(a) interfere with or divert the course of a natural stream; or
(b) construct any earthen or masonary bund or weir on any channel or stream, flowing above or below any water course.

76. Interference with the functioning of cross drainage works.—No person, except with the written permission of the Canal-Officer shall obstruct the proper functioning of the various cross drainage works, such as culverts, aqueducts, super-pasages, syphones, weirs and allied works constructed for the safety of the canals or channels.

77. Obligations of owners in respect of works affecting safety of canals.—(1) Every owner whose tank, well, pond, spring pond, talaparige or other reservoir is situated above any canal shall maintain the bunds and surplussing arrangements of such tank, well, pond, spring pond talaparige or reservoir in a safe and efficient condition.
(2) If, in the opinion of the Canal-Officer, such bunds or surplussing arrangements of the works referred to in sub-section (1) are not in a fit condition and are likely to endanger the canal below, then the owner concerned shall be served with a notice to bring such bunds or surplussing arrangements to a reasonably fit condition, in such manner and within such time as may be specified in the notice.

(3) If the said owner fails to comply within the time specified or does repairs which, in the opinion of the Canal-Officer, are unsatisfactory, the Canal-Officer may carry out the necessary repairs and the cost thereof shall be recovered from the said owner as an arrear of land revenue.

(4) From any order of the Canal-Officer under this section, an appeal shall lie within one month from the date of communication of the order, to the Collector of the district, whose decision thereon shall be final.

78. Mining or quarrying near canals.—No person shall conduct mining or quarrying operations requiring the use of explosives within a distance of one kilometre from the boundaries of a canal without the written permission of the Canal-Officer.

79. Excavation of wells near canals.—No new well shall be excavated within such distance as may be specified by the Government, from time to time, from the boundaries of canal without the written permission of a Canal-Officer.

80. Operation of sluice gates, etc.—No person, other than Canal-Officer or other person duly empowered by the Canal-Officer in this behalf shall have the right to operate a sluice gate, regulator or flood gate of a reservoir, canal or channel.

81. Fishing and plying of boats, etc.—No person shall have the right to ply any vessel in a reservoir or tank or across or along a canal or channel maintained or controlled by the Government without the permission in writing of the Government or of such Officer as may be empowered in this behalf by the Government and except under such terms and conditions and subject to payment of such fees as may be prescribed:

Provided that no permission for fishing in any tank with an akhat of not more than two hundred hectares shall be granted by any officer empowered under this section except with the concurrence of the Canal-Officer.

82. Letting out of water from canal prohibited.—No person other than the Canal-Officer or any officer duly empowered in this behalf shall let out water from a canal or channel by cutting the bund, constructing a sluice gate or outlet or any other similar contrivance,

83. Depositing produce of mines in or near canal prohibited.—No person shall deposit any produce of mines in or near any canal or other work, whether natural or artificial, through which rain or other water flows into any canal.

PART XI
Penalties

84. Offences under the Act—Whoever voluntarily and without proper authority,
(i) damages, alters, enlarges or obstructs any canal;
(ii) interferes with, increases or diminishes the supply of water in, or the flow of water from, through, over or under any canal, or by means raises or lowers the level of the water in any canal;
(iii) opens, shuts or obstructs or attempts to open, shut or obstruct any sluice or outlet or any other similar contrivance in any canal;
(iv) corrupts or fouls the water of any canal so as to render it less fit for the purposes for which it is ordinarily used;
(v) destroys, defaces or moves any land mark or level mark or water gauge fixed under the authority of a public servant;
(vi) destroys, tampers with or removes any apparatus, or part of any apparatus for controlling, regulating or measuring the flow of water in any canal;
(vi) causes any animal or vehicle to pass on or across any of the works, banks or canals or channels of a canal contrary to the rules made under this Act after he has been required to desist therefrom;
(viii) causes or knowingly or wilfully permits cattle to graze upon any canal or flood-embankment, or causes, or knowingly and wilfully permits cattle to be tethered upon any such canal or embankment or roots up any grass or other vegetation growing on any such canal or embankment or removes, cuts or in any way injures, or causes to be removed, cut or otherwise injures any tree, bush, grass or hedge intended for protection of such canal or embankment;
(ix) puts up a dam across or otherwise obstructs the free course of water the right to which vests in the Government;
(x) being responsible for the maintenance of any water-course, or using the water-course, neglects to take proper precautions necessary for the prevention of waste of the water thereof, or interferes with the authorised distribution of the water therefrom or uses such water in an unauthorised manner;
(xi) contravenes any provision of this Act;
(xii) contravenes any rule made under this Act, the contravention whereof is declared in the rules to be an offence punishable under this section; shall, on conviction, be punished for the offences under clauses (vi), (ix) and (x) with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both, and for offences under any other clause, with imprisonment for a term which may extend to two months or with fine which may extend to five hundred rupees or with both;
Provided that for a second or subsequent offence under clause (vii) or clause (viii), such fine shall not be less than fifty rupees, and under other clause, such fine shall not be less than two hundred and fifty rupees:
Provided further that in the case of a continuing offence, a daily fine not exceeding fifty rupees for every day during the period of the continuance of the offence shall also be imposed.

85. Obstruction to be removed and damage repaired— Where any person is convicted under section 84, the court sentencing him may order that he shall remove the obstruction or repair the damage in respect of which the conviction has been made within a period to be specified in such order. If such person neglects or refuses to obey such orders within the period specified, any Canal-Officer duly empowered by the Government in this behalf may remove such obstruction, or repair such damage, and the cost of such removal or repair as certified by the said officer shall be recoverable from such person as an arrear of land revenue.

86. Abatement,— Whoever abets any offence punishable under this Act or attempts to commit such offences shall be punished with the punishment provided in this Act for such offence.

87. Person employed on canal may take offenders into custody.— Any person in charge of, or employed in connection with any canal, may remove from the lands or buildings belonging thereto or may take into custody without a warrant, and take forthwith before a Magistrate or to the nearest police station, any person who within his view,—
(1) wilfully damages, obstructs or fouls such canal, or
(2) without proper authority interferes with the supply or flow of water, in or from the canal, or in any river or stream so as to endanger, damage, make dangerous, or render less useful, such canal.

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

89. Offences under this Act to be cognizable.—All offences under this Act except offences under clauses (vii) and (viii) of section 84 shall be cognizable.

90. Payment of fine as reward to informant.—Whenever any person is fined for an offence under this Act, the Court which imposes such fine, or which confirms in appeal or revision, a sentence of such fine or a sentence of which such fine forms a part may direct that the whole or any part of such fine may be paid by way of reward to any person who gave information leading to the detection of such offence or to the conviction of the offender.

PART XII
Miscellaneous

91. Appeals against orders under Act.—Any person aggrieved by order of the Canal-Officer under sections 12, 19, 24, 34, 35, 37 and 38 may within thirty days from the date of communication of the order prefer an appeal to the Collector of the district.

92. Power to summon and examine witnesses.—Any officer empowered under this Act to conduct any inquiry, may exercise all such powers connected with the summoning and examining of witnesses and the production of documents as are conferred on a civil court, by the Code of Civil Procedure, 1908 (Central Act 5 of 1908) and every such inquiry shall be deemed to be a judicial proceeding for the purposes of sections 193 and 224 of the Indian Penal Code (Central Act 45 of 1860).

93. Service of notice.—Service of any notice under this Act shall be made by delivering or tendering a copy thereof signed by the officer therein mentioned. Wherever it is practicable, the service of the notice shall be made on the person therein named. When such person cannot be found, the service may be made on any adult male member of his family residing with him; and if no such adult male member can be found, the notice may be served by affixing a copy of the notice on the outer door of the house in which the person therein named ordinarily dwells or carries on business and if such person has no residence or place of business within the District, service of any notice may be made by sending a copy of such notice by post in registered cover addressed to such person at his residence or place of business.

94. Bar of certain proceedings etc.—(1) No suit, prosecution or other proceeding shall lie against any officer or servant of the Government, for any act done or purporting to be done under this Act, without the previous sanction of the Government.

(2) No officer or servant of the Government hall 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 the execution of duties or the discharge of the functions imposed by, or under, this Act.

(3) 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.
In the case of an intended suit against any officer or servant of the Government under sub-section (1), or the Government under sub-section (3) the person intending to sue shall be bound to give the officer or servant or Government as the case may be, at least one month's notice of the intended suit with sufficient description of the cause of action, failing which such suit shall be dismissed.

(5) Save as otherwise expressly provided in this Act, no civil court shall entertain any suit instituted in respect of any matter to which this Act applies.

95. 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 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 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 purpose of this section, —
(a) 'Company' means any body corporate and includes a firm or other association of individuals, and
(b) 'Director' in relation to firm means a partner in the firm.

96. Saving of certain canals.— Nothing in this Act shall apply to any canal, channel, reservoir, lake or other collection of water vesting in any municipality.

97. Power to make rules.— (1) The Government may, after previous publication by notification, make rules for the purpose of carrying out the provisions of this Act, and such rules may be general for all canals or may be special for one or more canal, as may be specified in such rules.

(2) Without prejudice to the generality of the foregoing power, such rules may be made in respect of the following matters, namely,—

(a) the proceedings of any officer who, under any provision of this Act, is required or empowered to take action in any matter;
(b) the amount of and charges to be made under this Act;
(c) the economic use of water supplied from any canal;
(d) the manner in which and the officer by whom complaints as to the inadequacy of means of crossing shall be investigated under section 10;
(e) regulating the period of opening and closing the channels distributaries and sub-distributaries of canal;
(f) the other manner in which the scheme shall be published under section 40;
(g) the date or payment of the rate of interest on and the period which the installments of betterment charges shall be paid under section 47;
(h) the suspension or remission of betterment charges, the installments thereof and the interest thereon;
(i) the conditions subject to which the relinquishment or exchange of lands shall be permitted under section 48;
(j) the division into zones of lands under the irrigable command of a canal for the purpose of the betterment charges leviable on such lands;
(k) and generally to carry out the provisions of this Act.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Goa, Daman and Diu while it is in session for a total period of 30 days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Assembly agrees in making any modification in any such rule or the Assembly agrees that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

98. Repeal.— The Diploma Legislative No- 1562 of ‘(11th November, 1954)’ is hereby repealed

Secretariat,
Panaji,

B. M. MASURKAR

(Published in the Official Gazette, Series I, No. 40, dated 3-1-1974).
GOVERNMENT OF GOA, DAMAN AND D1U
Education and Public Works Department

—

Notification
PWD/PE/2782/74-EDN-PWD

Whereas certain draft rules which are proposed to be made under the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973) were published as required by sub-section (1) of section 97 of the said Act at page 385 of the Official Gazette No. 35, Series I, dated 27th November, 1975 under the notification No. PWD/PE/2782/74 dated 14th November, 1975 of the Education and Public Works Department, the Government of Goa, Daman and Diu inviting objections and suggestions from the persons likely to be affected thereby till 15 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 27th November, 1975;

And Whereas no objections and suggestions have been received from the public on the said draft by the Government;

Now, Therefore, in exercise of the powers conferred by section 97 of the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973) the Government of Goa, Daman and Diu hereby makes the following rules, namely:—

—

PART I Preliminary

1. Short title and commencement.— (1) These rules may be called the Goa, Daman and Diu Irrigation Rules, 1975.
   (2) They shall come into force at once.

2. Definitions.— In these rules unless the context otherwise requires:—
   (i) 'Act' means the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973);
   (ii) 'Executive Engineer' means an Executive Engineer in the Public Works Department, Government of Goa, Daman and Diu;
   (iii) 'Form' means a form appended to these rules;
   (iv) 'Hot weather crop' means a crop grown within hot weather season; namely, from 15th February to 14th June next following;
   (v) 'Kharif crop' means a crop grown within Kharif season, namely, 15th June to 14th October next following;
   (vi) 'Outlet' means an opening through which water passes from a tank, canal, branch canal, distributory or water course to a field channel;
   (vii) 'Pass' means a written order of a Canal-Officer to any person authorising him to receive a supply of water from a canal;
   (viii) 'Perennial crop' means a crop which is irrigated continuously for a period of more than eight months;
   (ix) 'Plot' means one or two or more portions into which a piece of land is divided for the purpose of irrigation, each of such portions being provided with separate inlet for irrigation water;
   (x) 'Rabi crop' means a crop grown within rabi season, namely, from 15th October to 14th February next following;
   (xi) 'Section' means a section of the Act;
   (xii) 'Sub-Divisional Officer' means a Sub-Divisional Officer of the Public Works Department, subordinate to the Executive Engineer;
PART II
Construction, Control and Maintenance of Canals

3. Notice to occupier of building, etc.—The notice to an occupier of a building, enclosed court or garden attached to a dwelling house referred to in Section 9, shall be in Form 1.

4. Passing of persons, animals or vehicles in or across canals.—(1) No person shall pass, or cause any animal or vehicle to pass in or across the bank, or channel of any canal at any place except at a place fixed by the Canal-Officer. A notice board shall be caused to be erected at the place so fixed by the Canal-Officer.

(2) In fixing places under sub-rule (1) the Canal-Officer shall have due regard to the reasonable convenience of the persons residing or holding lands in the vicinity who may have to cross the canal or provide water (or their animals).

(3) A contravention of sub-rule (1) shall be an offence punishable under section 84.

PART III
Water Courses

5. Notification under Section 15.—A notification under sub-section (1) of Section 15 shall be in Form 2 and a notification under sub-section (2) of Section 15 shall be in Form 3.

6. Fixation of boundary marks of lands acquired for field Channels.—The boundary marks to be fixed under Section 17 shall be in stones or concrete blocks of 15.0cm x 15.00cm x 75.0cm and the said marks shall be fixed at every point where the boundary of the lands for the field channels crosses the survey number or sub-division of a survey number, at every corner of the alignment and at such other points as the Canal-Officer may deem necessary.

7. Maintenance of boundary marks.—(1) The holder of survey number or sub-division of a survey number in which boundary marks are fixed shall be bound to maintain the boundary marks in position.

(2) A contravention of sub-rule (1) shall be an offence punishable under Section 84.

8. Notice under Section 19.—(1) A notice to be issued under Section 19 shall be in Form 4.

PART IV
Supply and use of Water

9. Application for permission to use water from canal.—(1) Every person desiring to have a supply of water from a canal shall submit a written application to that effect to the Canal-Officer.

(2) If the application be for a supply of water to be used for purposes other than those of irrigation, the Canal-Officer may, with the sanction of the Government, give permission for water to be taken for such purpose under such
special conditions and restrictions as to the limitations, control and measurement of the supply as he shall be empowered by the Government to impose in each case. (3) An application for permission to use water from a canal for irrigation purposes shall be in Form 5. (4) An application for a supply of water for any purpose other than irrigation shall be made by a letter addressed to the Canal-Officer.

10. Dates for applications.—(1) The Canal-Officer shall, by a notification published in the manner prescribed by the Government by general or special order, fixed for each canal the date for submission of the prescribed application. Any change in any such date shall be notified not less than three months in advance; provided that if in any year a change is deemed to be advisable on account of unforeseen, seasonal or economic conditions or changes in administrative arrangements, a later date may be fixed without such three months previous notification. (2) Every application for a supply of water for the purpose of irrigation shall be made in accordance with rule 9 (3) on or before the date fixed for submission of such applications under sub-rule (2): Provided that if an application is received after such date and the Canal Officer is satisfied that the delay was unintentional and due to causes beyond the control of the applicant, he may treat such application as if it had been received on due date: Provided further that if it appears to the Canal Officer that supply of water will be available after all applications received before such date have been disposed of, he may receive applications up to any later date.

11. Acknowledgement of application.—When an application for supply of water is personally delivered, the counterfoil receipt for applications attached to the duplicate form shall be initialled and dated by the Officer receiving such application and handed back to the person from whom such application is received. In other cases, the counterfoil shall be similarly initialled and dated and shall be despatched to the applicant as soon as may be practicable after the application is received.

12. Application by whom to be made and conditions for sanctions.—(2) An application for a supply of water for the irrigation of land for any period may be sanctioned in favour of—(a) the occupant or joint occupants of the lands; or (b) the superior holder or joint superior holders of alienated land; or (c) any other person or persons having a right to cultivate the land under irrigation for the period for which supply of water is to be given; or (d) any other person duly authorised by any of the persons mentioned in clauses (a), (b) and (c) to receive such supply: (2) An application made by a person having neither such interest in the land as is mentioned in Clauses (a), (b) and (c) of sub-rule (1) nor such authority as is mentioned in clause (d) of the said sub-rule may be summarily rejected by the Canal-Officer. (3) An application made a person other than the occupant or superior holder shall not be sanctioned unless such applicant furnishes suitable security for the payment of water rates or other charges which may become payable in respect of any obligation arising out of the sanction of such application, by the execution either of a bond in Form 6 with two sureties to be approved by the Officer sanctioning the application or of a mortgage bond in Form 7. (4) When an application is made by the occupant or superior holder the Canal-Officer may, if he considers that security is necessary, by an order in writing require such applicant to furnish similar security as is described in sub-rule (3). (5) When an application is made by a person other than the occupant or superior holder, the Canal-Officer may refuse to sanction such application unless the consent of the occupant or superior holder has been obtained by the applicant. If the
consent of any other person having an interest in the land as mortgagee or otherwise, appears to the Canal-Officer to be necessary to ensure that all obligations arising out of the sanction of such application will be carried out, he may require such consent also to be obtained by the applicant.

13. Applications may be rejected or granted wholly or in part — Manner of sanction and approval. — (1) The Canal-Officer may reject the application for a supply of water or sanction the supply applied for wholly or in part or with modifications.
(2) The Canal-Officer may refuse to sanction a supply of water for the cultivation of sugarcane to any land which is within a distance of 30 meters from the boundary of any road, cart-track, open drain or well if such supply would in his opinion interfere with the use of, or cause damage to such road, cart-track, drain or well.
(3) The order passed under sub-rule (1) shall be recorded on the application and the duplicate copy of the application shall be endorsed with a copy of the order and delivered or despatched as the case may be, to the applicant.
(4) If the supply sanctioned is different from that applied for the applicant may either withdraw his application, in which case the sanction given shall be cancelled or make a further application for a modification of the sanction. Such further application, if sanctioned, shall not be deemed to be an application made after the prescribed date.
(5) If the applicant is in arrears of water rates which became due before the date of the application, the application may be summarily rejected or sanction may be given provisionally subject to the condition that such arrears are paid before a specified date prior to the commencement of supply.
(6) If the Canal-Officer has reason to doubt the authenticity of any signature or endorsement or the truth or accuracy of any information furnished in an application he may postpone the passing of order necessary in order to ascertain the facts. In such case, he shall record in writing his reason for postponing the passing of orders.

14. Allotment of available supply.—If from any cause, any water supply is insufficient to meet all demands for water from such supply, questions regarding the allotment of the available supply and the quantity and regulation thereof shall, subject to the general or special orders of the Government, be determined by the Canal-Officer.

15. Regulation of cultivation.— (1) An order under sub-section (1) of Section 24 shall be published by affixture of a copy of such order on the notice board of the Office of the Canal-Officer and by causing affixture of copies of such orders on the notice board of the Office of the Mamlatdar of Taluka and the Officer of the Village Panchayats of the villages concerned.
(2) The Canal-Officer shall determine the areas of land or portions of the wet lands in the irrigable area of a Canal to be cultivated with any crops specified in sub-section (1) of Section 24-in any year, within two months before the commencement of sowing operations for the cultivation of such crop or crops.

16. Cultivation and use of water.—The following provisions in respect of cultivation and use of water shall be observed, namely:
(i) a suitable system of water channels shall be maintained so that the water required for the irrigation of any plot can be supplied directly from a channel;
(ii) the number and location of the inlets necessary for the supply of water to any such system shall be subject to the general or special orders of the Canal-Officer;
(iii) no irrigation water shall be allowed to pass from one plot to another plot;
(iv) the manner in which water is supplied shall be subject to the general or special orders of the Canal-Officer;
(v) no crop shall be grown in the channels leading to the plots when such channels are less than 1.20 metres wide from the top inner edge of the bund and after earthing there shall be no cane growing in or interfering with the flow of water in the channels;
(vi) no crop shall be planted within 1.80 metres of the edge of a main water course. If a question arises as to what is a main water course, the Canal-Officer shall decide the matter and his decision shall be final and conclusive;
(vii) no crop shall be grown on the top of any bund. A subsidiary crop may however, be grown along the slopes of the bund provided the growth of such subsidiary crop does not interfere with inspection; supply of water is sanctioned under these rules cuts the bund, he shall be liable for any wastage of water unless he shows to the satisfaction of the Canal-Officer that the accumulation of water, if any, was due to cause for which he was not responsible.
(ix) the person on whose application the supply of water is sanctioned under these rules or his representative shall be present during the whole time that water is being taken and if a pass has been issued such person shall have it in his possession.

17. Construction and maintenance of bunds and demarcation and preparation of land. — (1) In each separate area of land for the irrigation of which sanction has been obtained—
(a) the portion under irrigation shall, throughout the period of irrigation, be completely surrounded by bund not less than 0.30 metre high and of 0.30 metre top width and shall be formed into suitable plots;
(b) on any common boundary between two areas irrigated under separate sanctions, two separate bunds need not be maintained.

(2) The Canal-Officer may withhold the first supply of water in any area in which the provisions of sub-rule (1) are not complied with.
(3) The application of water to land which is not prepared and maintained in accordance with sub-rule (3) shall constitute misuse of water within the meaning of Clause (d) of Section 22.
PART V
Water Rates

18. Water rates how to be fixed. — The rates, determined by the Government under section 33 for canal water supplied for purposes of irrigation shall, in the absence of a special agreement or contract, ordinarily be levied in the form of —
(a) a rate per hectare of land irrigated, fixed with reference to the crops grown, the season of the year during which and the period for which water is supplied and the method of application of water to the land; or
(b)) a rate per unit of quantity of water supplied.

19. Areas on which water rates are leviable.—(1) Water rates shall be levied on an unit of 0.20 hectares or on a multiple thereof:
Provided that when water is supplied to an area which is less than or is not a multiple of 0.20 hectares, the rates for the supply of water to the area less than 0.20 hectares or to the residue of any area over a multiple of 0.20 hectares shall upto 0.10 hectares be levied as for a supply to an unit of 0.10 hectares and exceeding 0.10 hectares as for a supply to an unit of 0.20 hectare.
(2) Water rates shall be payable on the whole area in respect of which sanction to supply has been given whether water is actually taken or not provided that water for such supply was available.

20. Water rate leviable when mixed crops are grown. — If mixed crops are grown in any part of a plot for any period, the water rate fixed for the highest rated crop so grown shall be charged for the whole plot for the whole period with respect to which such rate is leviable.

21. Water rate leviable when crop sanctioned is not planted or fails and another crop is grown.—When the sanctioned crop is not grown, or if fails, another crop may be sown, and if water is available, water shall be given to such second crop to the date upto which water would have been given to the crop sanctioned. No additional charge shall be levied if intimation has been given to the Canal-Officer in writing within eight days of planting the fresh crop and if the second crop is assessable at the same or at a lower rate than the sanctioned crop. If no such notice is given, the irrigation of the second crop shall be treated as unauthorised.

22. Water rate leviable when land intended to be irrigated by canal water is irrigated partly by well water.—If a portion of any land for the irrigation of which supply of canal water has been sanctioned is irrigated by well water for a part of the season owing to a deficiency in the supply of canal water and the applicant notifies the fact in writing to the Canal-Officer within eight days from the date on which he began taking well water, enquiry shall be made by the Canal-Officer as to whether the use of well water was necessary and if it be shown to the satisfaction of the Canal-Officer that the use of well water was necessary the rate chargeable on the portion irrigated by well water may, at the discretion of the Canal-Officer, be reduced to an amount which shall not be less than half the rate otherwise payable.

23. Water rate leviable when well water and canal water are conveyed in the same channel.—If well water is conveyed to any land in any channel used for conveying canal water, water rate shall be chargeable on the whole of the land irrigated from such channel; provided that if well water be taken for a part of the season owing to deficiency in the supply of canal water and the applicant notifies the fact in writing to the Canal-Officer within eight days from the date in which he began taking well water and if it be shown to the satisfaction of the Canal-Officer that such deficiency existed, the rate on the portion irrigated by well water may, at the discretion of the Canal-Officer, be reduced to an amount which shall not be less than half the rate otherwise payable.
24. Irrigation from escape channels.— Irrigation from escape channels will be subject to the same provision irrigation from the post of a cannal.

25. Water rate leviable for supply of water for forming thrashing floors.— The Canal-Officer may give water for the purpose of forming thrashing floors free to any person to whom a supply of water for irrigation has been sanctioned under these rules and to any other person at a charge per floor not exceeding half the lowest rate of 0.40 hectares.

26. Water rates for non-irrigational purposes.— Water supplied from a canal for any purpose other than irrigation shall be charged for at such rate per unit of volume of water supplied as the Government may, from time to time, by order direct. Where the amount of water supplied cannot be measured the supply shall be charged for in such manner as the Government may by order direct in each case.

27. Water race leviable for supply of water obtained without permission or misused.— If a supply of water is obtained by any person from a canal, whether for irrigation or for any other purpose, without the previous permission of the Canal-Officer or is used in any other unauthorized manner for irrigation or otherwise, the Canal-Officer may on each occasion, charge a rate not exceeding treble the rate chargeable for the supply as if such supply has been sanctioned. Such rate shall be leviable in addition to any penalty which may be imposed under the Act.

28. Charges to be imposed when water supplied through a water course is suffered to run to waste.— When water supplied through a water course is suffered to run to waste, the Canal-Officer may, under Section 35 charge:
   (a) if the water has flowed on any land, a rate not exceeding double the watering rate for each 0.40 hectares on which water has flowed;
   (b) in any other case a rate not exceeding double the rate chargeable under rule 26 on the volume of water estimated by the Canal-Officer to have been wasted.

PART VI
Labour for Emergencies

29. Preparation of list of labourers under Section 55.— (1) The Collector of the District shall, from time to time, cause a list to be prepared for the able bodied persons who reside or hold land in or near the locality where any canal exists, who can be called upon to assist in the execution of any work, repair or clearance under sub-section (1) of Section 54.
   (2) A copy of the list so prepared shall be affixed on the notice boards of the Offices of the Mamlatdars and of the Offices of Village Panchayats of the villages concerned.

30. Classes of persons to be included in or exempted from list of labourers,—
   Every list of labourers prepared under rule 29 shall contain the name of every able bodied land holder holding land in or near the locality where any canal exists, of every able bodied man or woman who resides within such area and earns his or her livelihood by manual labour:
   Provided that—
   (a) the names of the Armed Forces Personnel, reservists and military pensioners and of persons who appear to the Collector to be under sixteen years or over fifty years of age shall not be included in such list, and
   (b) any landholder who is unaccustomed to manual labour shall be permitted when called to assist at any repair, clearance or work, to furnish as a substitute any able bodied person whose name is not on the list.

31. Hearing of objections.— Any person whose name is entered in a list of labourers
may apply in writing to the Collector to have his name removed therefrom. The Collector after such inquiry as he thinks necessary, shall record his decision in writing rejecting or granting the application.

**PART VII**
Taking over of Canals

32. Inquiry under Section 58.— The inquiry to be made under the proviso to Section 58 shall be a formal inquiry in accordance with the provisions of Section 15 of the Goa, Daman and Diu Land Revenue Code, 1969.

**PART VIII**
Appeals

33. Appeals.— (1) An appeal in accordance with the provisions of sub-rule (2) shall lie against an order:—
(a) requiring an applicant who is an occupant or superior holder to give security under rule 12; or
(b) rejecting a surety tendered under rule 12 as unapproved or
(c) passed under rule 13.
(2) If the original order was passed by—
(a) a Sub-Divisional Officer, empowered as Canal-Officer the appeal shall lie to the Executive Engineer; or
(b) the Executive Engineer empowered as Canal-Officer, the appeal shall lie to the Superintending Engineer,
(3) Every order passed by a Canal-Officer under rule 22 or 23 shall be appealed to the Collector.
(4) All appeals shall be presented within 30 days of the date on which the order appealed against was communicated to the appellant.

34. Manner of preferring appeals.— All appeals preferred under the act or under these rules must be made by a written petition signed by the appellant. Such petition may be delivered at the Office of the appellate authority by the appellant in person during office hours or forwarded through post.

**PART IX**
Drawing of Water Free of Charge

35. Drawing of water from canal on which no expenditure is made by Government.— Notwithstanding anything contained in these rules every application for drawing of water free of charge for agricultural purposes and not for commercial or industrial purposes including the cultivation of sugarcane by sugar companies from a canal vesting in the Government and on which Government has not incurred any expenditure shall be made in accordance with the provisions of this Part.

36. Application for water.— (1) Every application under this Part shall be made induplicate to the Canal-Officer in Form 8.
(2) Such application may be delivered personally or sent by post to the Canal-Officer.
(3) Printed copies of the prescribed forms of application shall be supplied to intending applicants free of charge.

37. Sanction for the use of water for food and fodder crops.— Sanction will be granted for the use of water free of charge for growing food and fodder crops including onions.

38. Making channels for taking water,— The applicant shall make a channel or channels for taking water to his lands at his own cost and responsibility.

39. Separation of crops irrigation by water supplied under this Part.— Crops
irrigated by the water supplied under this Part shall be separated from all crops irrigated by water supplied, otherwise under the Rules by at least 15 metres at all places.

40. Non-interference with the natural drainage or artificial channels.— The applicant shall not interfere with the natural drainage or artificial channels in utilising the water sanctioned for his land.

41. Marking of the area for which water has been sanctioned on a plan.— The area for which the water has been sanctioned by Canal-Officer shall be marked on a plan which shall be signed by the applicant.

42. Compensation for failure or deficiency of water.— No claim for compensation on account of damage to crops due to failure or deficiency of water shall be entertained.

43. Penalty for using water after the expiry of the period of the pass.— For using water after the expiry of the period of the pass or without obtaining a pass or for breach of any of the conditions, full water rates are leviable.

44. Granting of different canal water for the area sanctioned under this Part.— No other canal water shall be granted to or utilised for the areas brought under cultivation under the pass issued under this Part.

45. Water rates for crops grown in excess of the sanctioned area.— Areas of crops grown in excess of the sanctioned area shall be liable to be charged at full water rates leviable for using canal water.

46. Prohibition of taking water before sanctioning.— No water shall be taken by any person before his application has been sanctioned and before a pass has been delivered to him.
FORM I
(See rule 3)

Notice of entry into building or enclosed Court or Garden attached to Dwelling House under Section 6, 7 or 8 of the Goa, Daman and Diu Irrigation Act, 1973.

To...

I, ... Canal Officer .... hereby give notice that it is proposed to enter into the 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 order to (here enter the purpose). ..

Canal-Officer

FORM 2
(See rule 5)

Notification


Whereas, I .... Canal-Officer ... am satisfied that the construction of water courses for the lands specified in the schedule hereto is necessary in public interest for supply of water to lands requiring such supply for purposes of cultivation from outlet No. ... at chainage .... of Distributary/Sub-Distributary

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of Section 15 of the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973) I,... Canal-Officer ... hereby declare that the water course may be constructed for this area after...

Schedule of lands for which water courses are necessary

<table>
<thead>
<tr>
<th>Name of district</th>
<th>Taluka</th>
<th>Name of village</th>
<th>Survey No.</th>
<th>Area likely to be irrigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Canal-Officer

To,
The Manager, Govt. Printing Press for publication in the Gazette dated ... 19 ...
FORM 3
(See rule 5)

Notification


Whereas in my opinion, it is necessary to occupy the lands specified in the Schedule hereto for construction of water courses under outlet No. ... at Chain ... of Distributary/Sub-Distributary... for purpose of supply of water to lands requiring such supply for purposes of cultivation and such lands have been marked out.

Now therefore, in exercise of the powers conferred on me by Sub-section (2) of Section 15 of the Goa, Daman and Diu Irrigation Act, 1973, I ... Canal-Officer... hereby declare that the said lands have been marked out for the construction of field channels.

SCHEDULE

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of district</th>
<th>Name of taluka</th>
<th>Name of village</th>
<th>Survey No.</th>
<th>Area marked out for construction of field channels</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
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<td>4</td>
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<td>6</td>
</tr>
</tbody>
</table>

Canal-Office

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FORM 4
(See rule 8)

Notice under Section 19.

Office of the Canal-Officer

To, Shri/Smt....

Whereas it has come to my notice that you have failed to fulfil the obligation imposed by sub-section (1) of Section 18 of Goa, Daman and Diu Irrigation Act, 1973 to maintain the water course or courses under outlet No. ... at Chain ... Distributary/Sub-Distributary/Water Course No.... in a fit state of repair.

Now, therefore, in exercise of the powers vested in me under Section 19 of Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973) I,... Canal-Officer direct you to execute the necessary repair works within... days, failing which the same will be executed by me and all expenses incurred in the execution of such repair will be recoverable from you as arrears of land revenue.

Canal-Officer Copy to:—The Assistant Engineer.

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FORM 5
[See rule 9 (3)]

Application for water for Irrigation

No. of application:— To,

The Canal-Officer,

I, ... resident of village ... Taluka ... District ... make this application of Irrigation of land hereinafter described subject to the provisions of Goa, Daman and Diu Irrigation Act, 1973 and any other law for the time being in force relating to irrigation and the provisions of Goa, Daman and Diu Irrigation Rules, 1975 and subject to the conditions specified on this application to which I agree:—
<table>
<thead>
<tr>
<th>Name of village</th>
<th>Name of distributary</th>
<th>Name of sub-distributary</th>
<th>Outlet No.</th>
<th>Survey No. and sub-survey No.</th>
<th>Area of Survey No.</th>
<th>Area of holding</th>
<th>Area to be irrigated</th>
<th>Crop</th>
<th>Period for which water is required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
</tr>
</tbody>
</table>
2. I am the ... of the lands for which water has been applied for.

3. I have paid all arrears of water rates upto and including the ... season of 19 ... I am in arrears of water rates for the ... only.

4. The name and address of the applicant to whom the orders on this application should be communicated are ...

Signature or Left Hand Thumb Impression of the Applicant
Date.—

Signature of Witness

(All the details of the application have to be filled up) by the applicant.

Forwarded for sanction as follows.
(1) Area to be sanctioned  (2) Period of sanction.
From ... to ...
(3) Water rate to be charged ... per hectare ...

Signature
Dated:—
Sanctioned
Date.—

Instructions
1. The application is to be submitted in duplicate to the Canal-Officer or to any Officer authorised by him to receive such application. It may be sent by hand, presented personally or sent by post.

2. When order is passed the duplicate form will be returned to the applicant endorsed with the Canal-Officer's final order.

3. No sanction will ordinary be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) The sole superior holder or all joint superior holders, (3) A person having the right to carry on irrigated cultivation of the land for the period of the sanction, or (4) a person duly authorised on behalf of any of these to receive such sanction.

4. The applicant must state at No. 2 on the form the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state at No. 3 on the form the season up to and including which he has paid arrears of water rates.— If he owes any water rates he must state the seasons or years for which he does so.

5. The applicant should note in the space provided at No. 4 on the form the name and address of the person to whom the order of this form is to be given and whether it should be sent by post, or delivered from any Canal-Officer or kept at any Office to be called for, postal intimation being sent when it is ready for delivery.

6. Any applicant may be required to furnish a Bond in Form 6 executed by two suitable sureties or execute a mortgage bond in Form 7 as security for the payment of all amount which may become due in respect of the water to be supplied under the sanction. And he may also be required to obtain the assent of any person having an interest in the land to the grant of sanction to him.

7. Sanction will be refused for the irrigation of any land which is found to be unsuitable for this form of irrigation.

Conditions
1. After an application has been sanctioned, full water rates shall be payable for the area and period sanctioned by the Canal-Officer whether the area is irrigated or not provided water was available during the period. No water rate shall be charged in the case of perennial crops when the applicant gives a written intimation to the Canal-Officer within one month from the date of sanction to the application that water is not required.

2. Each type of crop (namely, sugarcane, pan ordinary perennial, two season and seasonal) shall be grown only to the extent of the sanction shown on the pass, but an equal area of any lower rated type may be substituted.

3. The area sanctioned shall not be exceeded.

4. The sanction is liable to be cancelled or the supply of any crop irrigated under the sanction liable to be withheld or stopped entirely without notice for breach of any provision of the Goa, Daman and Diu Irrigation Act, 1973 or rules made thereunder or of any of the conditions.

5. Water shall be given for the whole season, if available or at the discretion of the Canal-Officer, for as many waterings as may be possible.

6. Full water supply is not guaranteed but an intimation of the possibility of a shortage of water during the seasons for which application is made shall be given at earliest date possible.

7. Where no permanent water channel exists, the irrigator shall allow the construction of a temporary channel to his land, if necessary along the line fixed by the Canal-Officer or his representative, for the benefit of irrigators whose fields are situated below his land.

8. Water for any area of sugarcane sanctioned is subject to the conditions that water is liable to be withheld from new sugarcane area after 31st May, if necessary. Each consecutive watering after 31st May shall require the sanction of the Canal Officer. Such sanction shall be accorded if water is available in the canal for agricultural purpose but if it is insufficient at any time of the season all further waterings may be stopped and the irrigator shall not in that case claim compensation for any damage to the sugarcane crop due to shortage of water.

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**FORM 6**

[See rule 12(3)]

**Form of Security Bond**

Whereas ... resident of... Taluka ... District ..has applied for a supply of water to irrigate the land hereinbelow described, namely.

<table>
<thead>
<tr>
<th>Village</th>
<th>Taluka</th>
<th>Survey No.</th>
<th>Plot No.</th>
<th>Area of field to be irrigated</th>
<th>Name of crop</th>
<th>Period of irrigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
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<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

and whereas he has been required to furnish security for the payment of water rates and other charges:

We ... resident of ... Taluka ... District ... and resident of ... Taluka ... District ... do here declare ourselves sureties for the above mentioned ... that he shall duly pay at the prescribed time or times every rate, charge, penalty or the sum whatsoever that shall become due from him in respect of the supply of water granted to him in pursuance of his said application, and in case of his making default therein we each of us, for himself his heirs, executors and administrators agree to pay to the President of India such sum not exceeding in the aggregate rupees... demanded of us, or of either of us, or of any heir, executor, or administrator of either of us, on account of any such rate, charge, penalty or other sum aforesaid.
And we do further agree that the amount of any such rate, charge, penalty or other sum aforesaid may, if necessary be recovered from either of us or from any heir, executor or administrator of either of us, as if the same were an arrear of land revenue due from us, or either from us, to Government.

Dated and signed this day of... 19... in the presence of and (2)...

1. (Signature of surety)
2. (Signature of witness)
   (Signature of surety)
   (Signature of witness)

Accepted.
For and on behalf of the President of India.

FORM 7
(See rule 12(3))

This deed of Mortgage made on this... day of... one thousand nine hundred and seventy... between the President of India of the first part and Shri., son of... resident of... of the second part

Whereas Shri..., resident of..., Taluka District... has applied for a supply of water from the... canal to irrigate the land hereinbelow described, namely:

<table>
<thead>
<tr>
<th>Village</th>
<th>Taluka</th>
<th>Survey No.</th>
<th>Plot No.</th>
<th>Area of field to be irrigated</th>
<th>Name of crop</th>
<th>Period of irrigation</th>
</tr>
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<tbody>
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<td>3</td>
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<td>5</td>
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<td>7</td>
</tr>
</tbody>
</table>

And whereas the party of the second part has been required to furnish security for the payment of water rates and other charges in respect of water supply.

This Deed witnesseth and the parties hereto hereby agree—

1. That party of the second part hereby mortgages to the President the land herein below described to which he is absolutely entitled free of any encumbrance and of which he is the rightful owner.

<table>
<thead>
<tr>
<th>District</th>
<th>Taluka</th>
<th>Village</th>
<th>Survey No.</th>
<th>Plot No.</th>
<th>Remarks holding in the Survey No.</th>
</tr>
</thead>
<tbody>
<tr>
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<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

2. That the party of the second part hereby agree for himself, his heirs, executors and administrators that in the event of his failure, to pay any part of the said water rate and other charges at the appointed time and place the President shall be at liberty to cause the said land to be sold and sale proceed to be applied in payment of the whole amount that may be outstanding from him at the time of sale in respect of the said supply of water.

3. That the party of the second part further agrees that it shall be lawful for the Government of Goa, Daman and Diu to cause the said land to be sold without the intervention of the Court under Section 69 of the Transfer of Property Act, 1882, incase the said water rate and other charges or
any part thereof have not been paid by him within 3 months from the date on which a written notice is served on him after the later rate and other charges have become due.

In witness whereof the parties herein have set their hands to this deed on the ... day of...

Date and signed this ... Day of... 19 Signature and (name)
Signature of witness (1)
Signature of witness (2)

1.
2. Signed and sealed for and on behalf of the President of India by Shri...
FORM 8

[See rule 36(1)]

Application for drawing of water free of charge for irrigation from Nalla, Rivers, Streams, etc. vesting in the Public Works Department on which Government has not incurred any expenditure.

No. of application To.
The Canal-Officer,

I, resident of... Taluka ... District... make this application for the purpose of irrigation of the undermentioned land hereinafter described subject to the provisions of the Goa, Daman and Diu Irrigation Act, 1973 and Government orders issued there under from time to time for the supply of water from

River

Nalla .

Drain

Tank

and subject to the conditions specified on the reverse of this application to which I agree. I attach a plan herewith showing the land proposed to be irrigated by me.

2. I am the ... of the land for which water has been applied for above.

3. The name and address of person to whom and the manner in which the order on this application should be delivered are:

Date     Month     Year
Signature or left hand thumb impression of the applicant.

Signature of the witness
Signature or left hand thumb impression of the occupant or joint occupants or superior holder in cases in which the applicant is not the occupant or superior holder.

Forwarded for sanction as follows;—
(1). Area to be sanctioned.
(2). Name of sanctioned crop.
(3). Period of sanction.

Hectares

From                             to                             Sub-Divisional Officer

Date     Month     Year
Executive Engineer
Sanctioned Canal Officer

Note:— Details of security bond to be invariably furnished by non-owner applicants as per details below:—

Name of sureties Survey No. of
(1) Given a security as per Form 7
(2)

Instructions
1. This form is to be used for the permission to supply water from Rivers, Nallas, streams, drains, tanks vesting in the Public Works Department on which no expenditure has been incurred by the Government.

2. This application shall be submitted in duplicate to the Canal-Officer or any officer authorized by him to receive such applications. It may be sent by hand, presented personally or sent by post.

3. This application shall be tendered three months in advance for the season in which the supply of water is required by the applicant.

4. No sanction will ordinarily be given for the irrigation of any land to any person other than (1) the sole occupant or all joint occupants, (2) the sole superior holder or all joint holders, (3) a person having the right to carry on irrigation cultivation of the land for the period of the sanction or, (4) a person duly authorised on behalf of any of these to receive such sanction.

5. The applicant should submit a plan of the land in the survey No. or survey Nos. concerned along with the application.

6. The applicant must state in paragraph 2 in the form of application the nature of his interest in the land or of his authority to apply for sanction for carrying on irrigated cultivation in the land. He must also state in paragraph 3 in the said form the name of person and his address on which the sanction is to be communicated.

7. On completion of the application and after due enquiry into the application, the Canal-Officer having regard to the existing riparian rights of the cultivation on the source of water may be either sanctioned it fully or partly or reject it. In case the application is sanctioned a pass for the use of water shall be issued to the applicant. Such pass shall be valid only for the period specified. In case the application is rejected the duplicate copy of the application shall be returned to the applicant after stating reasons for rejection.

8. Sanctions shall be refused for the supply of water for growing crops where there is a danger of car U water being taken surreptitiously.

**Conditions**

1. Sanction will be granted for the use of water free of charge for growing food and fodder crops including onions.

2. The applicant shall make a channel or channels for taking water to his lands at his own cost and responsibility.

3. Crops irrigated by the water supplied under part K of the Goa, Daman and Diu Irrigation Rules shall be separated from all crops irrigated by water supplied otherwise under the rules by at least 15.00 meters at all places.

4. The applicant shall not interfere with the natural drainage or artificial channels in utilising the water sanctioned for his lands.

5. The area for which the water has been sanctioned by the Canal-Officer shall be marked on a plan which shall be signed by the applicant.

6. No claim for compensation on account of damage to crops due to the failure or deficiency of water shall be entertained.

7. For using water after the expiry of the period of the pass or without obtaining a pass for use of water or for breach of any of the aforesaid conditions the applicant shall be charged full water rate leviable and shall also be liable to the penalties imposed under the provisions of the Goa, Daman and Diu Irrigation Act, 1973 and the Rules framed thereunder.

8. No canal water shall be granted or utilised for the areas brought under cultivation under the pass.

9. Areas of crops grown in excess of the sanctioned area shall be liable to be charged at full water
rates leviable for using canal water and in addition the applicant shall be liable to penalties imposed for unauthorised irrigation under the Goa, Daman and Diu Irrigation Act, 1973 and Rules framed thereunder.

10. No water shall be taken by the applicant before his application has been sanctioned and before a pass has been delivered to him.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.


(Published in the Official Gazette Series 1, No. 21 dated 19-8-1976).

Law and Judiciary Department

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Notification

LD/BU1/9/75

The following Bill passed by the Legislative Assembly of Goa, Daman and Diu which received the assent of the Administrator of Goa, Daman and Diu on 18th April, 1975 is hereby published for general information.

A. S. Borkar, Under Secretary(Law). Panaji. 21st April, 1975.

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The Goa, Daman and Diu Irrigation (Amendment) Act, 1975

(Act No. 9 of 1975) (18th April, 1975)

AN

ACT

to amend the Goa, Daman and Diu Irrigation Act, 1973.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-sixth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Goa, Daman and Diu Irrigation (Amendment) Act, 1975.

(2) It shall come into force at once.

2. Amendment of section 98.—In section 98 of the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973), for the figures and words "11th November, 1964" the figures and words "11th November, 1954" shall be substituted.

Secretariat, B. M. MASURKAR
Panaji, Secretary to the Government of
18th April, 1975, Goa, Daman and Diu.

Law and Judiciary Department.

(Published in the Official Gazette, Series I, No. 4, dated 25-4-1975).

Law Department Legal Affairs Branch
The Goa, Daman and Diu Irrigation (Amendment) Act, 1986 (Act 6 of 1986), which was passed by the Legislative Assembly and assented to by the Administrator on 8-10-1986 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting) Panaji, 13th October, 1986.
The Goa, Daman and Diu Irrigation (Amendment) Act, 1986

(Act No. 6 of 1986) [8-10-1986]

AN

ACT

Further to amend the Goa, Daman and Diu Irrigation Act, 1973.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-seventh Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa, Daman and Diu Irrigation (Amendment) Act, 1986.

(2) It shall come into force at once.

2. Amendment of section 2. — In section 2 of the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973), in clause (16), for the word "thirty", the words "five hundred" shall be substituted.

Secretariat, M. RAGHUCHANDER
Secretary to the Government Panaji, Goa.
of Goa, Daman and Diu,

Law Department
Dated, 13th October, 1986. (Legal Affairs)
Whereas it appears expedient to the Government, that the water of the rivers and its main tributaries and sub-tributaries as specified in column 2 of the Schedule annexed hereto (hereafter called as the said water) be applied and used by the Government for the purpose of the proposed canals, as specified in column 2 within the limits specified in the corresponding entries in columns 3 to 6 of the said Schedule.

Now, therefore in exercise of powers conferred by Section 4 of the Goa, Daman and Diu Irrigation Act, 1973 (18 of 1973) the Administrator of Goa, Daman and Diu hereby declares that, the said water will be so applied and used after 1-7-1982.

**Schedule**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of water source and nallahs etc.</th>
<th>Description of source of water</th>
<th>Name of Village, Talukas, District in which the water source is situated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Tiracol River:</strong></td>
<td>Tiracol river is on the boundary of Maharashtra State and Goa territory. It originates from the Western Ghat Region of Maharashtra State and enters in Goa District at Patradevi village including all the tributaries, streams and nallas flowing Westward till it empties into Arabian Sea near Tiracol village. It covers a distance of 27.5 kms. in Goa District, Union Territory of Goa, Daman and Diu and passes along the border of Goa District and Maharashtra State (The river is subject to tidal variations). The main tributaries of the river Tiracol are as mentioned below:-</td>
<td>Patradevi, Torxem, Uguem, Poroscodem, Naibag, Karibanda Deus, Paliem, Kiranpani, Querim and Tiracol. Pernem Goa</td>
</tr>
<tr>
<td>2.a)</td>
<td><strong>Tributary No. 1 (Torxem Nalla):</strong></td>
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<tr>
<td></td>
<td><strong>For Minor Irrigation work namely</strong></td>
<td>Torxern nalla is a small nalla which emits from hilly areas in western region of Maharashtra State and</td>
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<tr>
<td>Tributary No.</td>
<td>Description</td>
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<tr>
<td>1.2) Tributary No. 2 (Khadshi Nalla):</td>
<td>For Minor Irrigation works, namely Bandhara at Khadshi, Torxem. L. I. Scheme at Torxem, Fakirpatto, and canal at Tamboxem and Uguem and L. I. Scheme at Tamboxem. Khadshi nalla emits from the Western Ghat of Maharashtra State and enters in Goa District at Mopa Village and flows westward till it joins with river Tiracol at Uguem in Goa District. It flows through dense forest range of Mopa and Tamboxem. It covers a distance of 8.5 kms, in Goa District, Union Territory of Goa, Daman and Diu.</td>
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</tr>
<tr>
<td>1.3) Tributary No. 3 (Pernem Nalla):</td>
<td>For Minor Irrigation work namely Bandhara Cum footbridge at Gandhiteer. Pernem nalla is a small nalla, which emits from the dense range of Malpe village in Goa and unites with Tiracol river at Karibanda. It covers a distance of 3.5 kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
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<tr>
<td>2.</td>
<td>Harmal River: Hannal river which emits from fairly dense mixed jungle of Corgao hill1y region in Goa District and flows westward and unites with Arabian Sea at Junaswada Harmal. It covers a distance of 11.00kms. approximately in Goa District. Union territory of Goa, Daman and Diu.</td>
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<tr>
<td>3.</td>
<td>Mandrem River: Manclrem river which emits from fairly dense mixed cashew jungles of Corgao and flows westward and unites with Arabian Sea at Mandrem covering a distance of 8.75kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
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<td>4.</td>
<td>Chapora River:</td>
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<tr>
<td>4.a) Tributary NO.1 (Sal nalla):</td>
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<tr>
<td><strong>For Minor Irrigation Works:</strong> Namely L. I. Scheme at Sal at Ibrampur and at Alorna and Bandhara cum footbridge at Dumacem.</td>
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<tr>
<td><strong>Chapora river</strong> which emits from the western Ghat region of Maharashtra State and enters Goa District at Ibrampur village including all the tributaries, streams and nallas, and flows westward till it empties into Arabian Sea at Chapora village. It covers a distance of 31.5 kms. in Goa District, Union territory of Goa, Daman' and Diu. The river is subject to tidal interferences upto the village Sal. The main tributaries of the river Chapora are mentioned below:</td>
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<tr>
<td><strong>Ibrampur,</strong> Alorna, Tallorna, Vajiri, Dhargal, Maksan, Arabo, Agarwada, Chopdem, Verna and Morgim.</td>
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<tr>
<td><strong>Pernem</strong></td>
<td><strong>Goa</strong></td>
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<thead>
<tr>
<th>4.b) Tributary NO.2.(Kalna River):</th>
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<tbody>
<tr>
<td><strong>For Minor Irrigation Works:</strong> Namely L. I. Schemes at Assapur (3 nos;) and at Kutwal, Bandhara at Bailpur and L. I. Scheme at Chandel and at Nagzar.</td>
</tr>
<tr>
<td><strong>Kalna river</strong> which emits from Western Ghat of Maharashtra State and enters in Goa District near village Sal. It covers a distance of 6.5 kms. in Goa District, Union territory of Goa, Daman and Diu.</td>
</tr>
<tr>
<td><strong>Sal, Dumacem,</strong> Mencurem and Vadaval.</td>
</tr>
<tr>
<td><strong>Chandel,</strong> Colvale Chicali, Vagali, Oxel and Siolim.</td>
</tr>
<tr>
<td><strong>Bicholim</strong></td>
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</tbody>
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<thead>
<tr>
<th>4.c) Tributary NO.3 (Virnoda Nalla):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For Minor Irrigation Work:</strong> Namely Bandhara at Oxel:**</td>
</tr>
<tr>
<td><strong>Virnoda nalla</strong> emits from Malpe hilly region of Pernem and flows southward and unites with river Chapora at Arabo. It covers a distance of 9.50 kms. approximately in Goa District union territory of Goa, Daman and Diu.</td>
</tr>
<tr>
<td><strong>Virnoda, Malpe,</strong> Tivade, Dargal, Tuem and arabo.</td>
</tr>
<tr>
<td><strong>Pernem</strong></td>
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<tr>
<th>4.d) Tributary NO. of (Parcem River):</th>
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<tbody>
<tr>
<td><strong>For Minor Irrigation Work:</strong> Namely Maus Bandhara at Nainginwada Parsem.</td>
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<tr>
<td><strong>Parcem river</strong> emits from Chiraya village in Pernem and joins with Chapora river, at Agarwada. It, covers a distance of 7.00 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
</tr>
<tr>
<td><strong>Chiraya,</strong> Tuem, Parsem and Agarwada.</td>
</tr>
<tr>
<td><strong>Pernem</strong></td>
</tr>
</tbody>
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<tr>
<th>5. Baga River:</th>
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<tbody>
<tr>
<td><strong>For Minor Irrigation Work:</strong> Namely Baga River emits from dense mixed jungles of Asaagao area in Bardez Taluka and flows towards westward</td>
</tr>
<tr>
<td><strong>Assagao,</strong> Anjuna, Arpora and Baga.</td>
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<tr>
<td>Bandhara at Baga.</td>
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<tr>
<td>Mandovi River: (Also called as Madei River at the head of flow). For Major, Medium and Minor Irrigation works namely L. I. Scheme at caranzol, Sonal, Khadki, Sawarshem, Bhironda, Nanuz, Padeli and vantem and I. I. Schemes at Dhamsem, Sawarde, Velguem and Kudshem.</td>
</tr>
<tr>
<td>6.a) Tributary No, 1 (Nanode River):</td>
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<tr>
<td>(Also called as Surla River at the Head of flow). For Major, Medium and Minor Irrigation works, namely: Mandavi Irrigation Project, Bandhara at Satrem and</td>
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<td></td>
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<tr>
<td>Caranzol.</td>
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<tr>
<td>6.c) Tributary No, 3 (Patwal River):</td>
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<tr>
<td>6.e) Tributary No, 5 (Kotrachi River):</td>
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<tr>
<td>6.f)</td>
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<tr>
<td>For Minor Irrigation works, namely Bandhara at Zarme at Dabem, at Maus, at Massordem and at Copordem.</td>
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<tr>
<th>6.g)</th>
<th>Tributary No. 7 (Advoi River):</th>
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<tbody>
<tr>
<td>For Minor Irrigation works, namely L. I. Scheme and Bandhara at Advoi, Bandhara at Deulakadil Kudco at Advai.</td>
<td>Advoi river emits from the dense forest of Ovalaem and flows southward till it unites with Mandovi River at Vantem. It covers a distance of 8 kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
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<tr>
<th>6.h)</th>
<th>Tributary No. 8 (Ragoda River):</th>
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<tbody>
<tr>
<td>For Medium and Minor Irrigation works, namely Ragoda Irrigation Project, L. I. Scheme at Dado Guleli and L. I. Schemes at Udalshem.</td>
<td>Ragoda river emits from the dense forest of Western Ghat and flows westward till it joins with Mandovi River at Gulei. It covers a distance of 35 kms. approximately in Goa District, Union territory of Goa, Daman and Diu. It has got a main tributary called Jamboli River.</td>
</tr>
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</table>

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<thead>
<tr>
<th>6.h)(i)</th>
<th>Jamboli River: Tributary to Ragoda River:</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Minor Irrigation works, namely L. I. Scheme at Satpal and open type Bandhara at Satpal.</td>
<td>It starts from Karnataka Border and runs practically westward till Jamboli and runs through north west till it joins to Ragoda river near Surla. It covers a distance of 12 kms. in Goa District, Union territory of Goa, Daman and Diu.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>6.i)</th>
<th>Tributary No.9 (Dudhsagar or Khandepar River):</th>
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<tbody>
<tr>
<td></td>
<td></td>
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<tr>
<td>Section</td>
<td>Description</td>
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<td>---------</td>
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<tr>
<td>6.i)</td>
<td>Dudhsagar river emits from Western region of Karnataka State and enters in Goa District at Kuveshi Village. It flows westward till it empties at Mandovi River. Another tributary of it called Khandepar river emits from Karnataka state and enters into Goa District near Caranzol village and runs southward till it joins to Dudhsagar river. Further it runs westward till it empties into Mandovi river. Tidal effect is experienced 0.5 kms. From dam stream side of Oddikarwada. It covers a distance of 25.6 in Goa District, Union territory of Goa, Daman and Diu.</td>
</tr>
<tr>
<td>6.j)(1)</td>
<td>Calem Nalla: Tributary to Khandepar River:</td>
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<tr>
<td>6.j)</td>
<td>Tributary No.10 (Volvanta River):</td>
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<tr>
<td>6.j)(1)</td>
<td>Costi River: Tributary to Valvonta River:</td>
</tr>
<tr>
<td>6.j)(2)</td>
<td>Cudne River:</td>
</tr>
<tr>
<td>Tributary to Valvonta:</td>
<td>Cudne River emits from the dense jungle of Buipal and flows westward and unites with the Volvonta river at Karkhajan. It covers a distance of 17 kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
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<td>-----------------------</td>
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<tr>
<td></td>
<td>Arvalem, Gavthan, Cudnem and Virdi.</td>
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<tr>
<td><strong>6.j)(3)</strong></td>
<td><strong>Dicholi River: Tributary to Valvonta:</strong></td>
</tr>
<tr>
<td>For Minor Irrigation</td>
<td>Dicholi river emits from Western Ghat region of Maharashtra State and enters Goa District at Kudchirem and flows westward and unites with river Volvonta at Karapur. It covers a distance of 15 kms. in Goa District, Union territory of Goa, Daman and Diu.</td>
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<tr>
<td>works, namely L. I.</td>
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<tr>
<td>Scheme at Vathadeu (Old</td>
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<tr>
<td>and new) and Maulinguem</td>
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<tr>
<td>and Bandhara-cum-foot</td>
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<tr>
<td>bridge at Bicholim.</td>
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<td></td>
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<tr>
<td><strong>6.k)</strong></td>
<td><strong>Tributary No.11 (Mapusa River):</strong></td>
</tr>
<tr>
<td>(Also called as Assonora river in Upper Reach) for Minor Irrigation works, namely Bandharas at Malacho Bandh, Bandhara cum foot bridge at Advalpal and Gaonkarwada bandh, Garbhat bandh, Mauchiwada Bandh, Manshicho bandh also at Advalpal and Bandhara at Assonora and tank at Amthane and Bandhara - cum - sluice gate at Manasbag.</td>
<td>Amthane and Advalpal</td>
</tr>
<tr>
<td></td>
<td>Mapusa river emits from dense mixed jungles of Dumacem and Amthane and flows southward and joins with river Mandovi at Penha de Franca. It covers a distance of 26 kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
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<tr>
<td><strong>6.k)(1)</strong></td>
<td><strong>Moide River: Tributary to Mapusa River:</strong></td>
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<tr>
<td>For Minor Irrigation work namely Bandhara at Moide.</td>
<td>Moide river emits from Guirim and flows north east and joins with river Mapusa at Sirsaim. It covers a distance of 17 kms. in Goa District, Union territory of Goa, Daman and Diu.</td>
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<tr>
<td>6.l) Tributary No.12 (Sinquerim River):</td>
<td>Sinquerim river emits from Alto Porvorim hillock in Bardez Taluka and flows towards westward till it joins Mandovi river. It covers a distance of 11 kms. approximately in Goa District, Union territory of Goa, Daman and Diu.</td>
</tr>
<tr>
<td>7. Zuari River:</td>
<td>Confluence of Uguem and Guleli is called as Sanguem river or Zuari river. Confluence point is at Sanguem. Further to that it runs north west upto Sanvordem. Further it runs to the West till Kushavati River and joins at Xelvona. Further, it changes its direction to the north till it reaches at Ponchavadi and further flows to the west upto Rachol and further flows to north upto Borim and further runs to the north west to Racaim, Durbhat and joins to Arabian Sea at Murmugao. It covers a distance of 67 kms. in Goa District, Union territory of Goa, Daman and Diu. It flows through Sanguem, Quepem, Salcete, Ponda, Murmugao and Tiswadi Talukas. The main tributaries of the river Zuari are mentioned below.</td>
</tr>
<tr>
<td>7.a) Tributary No.1 (Uguem River):</td>
<td>It starts from Karnataka boundary. Two tributaries of Uguem River emits from Karnataka boundary both running through dense jungle till they join near Potrem. Further, it runs north west upto Uguem and then practically to the west till Sanguem which it in turn joins to Zuari. Tidal effect is experienced.</td>
</tr>
</tbody>
</table>
### Kuinamol

around 1 kilometre upstream of the confluence of Uguem and Guleli rivers. It covers a distance of 23 kms. in Goa District, Union Territory of Goa, Daman and Diu.

<p>| 7.a)(1) Panchamal Nalla: (Tributary to Uguem River): | Dargin, Panchmahal and Uguem. | Sanguem | Goa |
| For Minor Irrigation work, namely Bandhara at Panchamal. | It emits through the dense Mixed jungles near Dargin and Panchmahal and runs to the south west till it joins Uguem River near Uguem. It covers a distance of 5.5 kms. approximately in Goa, District, Union territory of Goa, Daman and Diu. |
| Tributary No. 2 (Guleli River): | Bandavada, Netorli, Angadi, Attremo, Curdi Kharemol, Unnan Xelpon, Patwada, Damal, Piraj, Tikalmal and Sanguem. | Sanguem | Goa |
| For Major, Medium and Minor Irrigation Works, namely, Salaulim Irrigation Project. | It emits from Karnataka boundary both runs westward through Mixed jungles about 5 kms. and then further changes the direction to north west till at Netorli. Then, it, runs to the north and joins to Sanguem. Tidal effect is experienced around 3.5 kms, upstream of confluence point of Sanguem. It covers a distance of 41 kms. in Goa District, Union Territory of Goa, Daman and Diu. |
| Netorli Nalla: (Tributary to Guleli River): | Adukune and Netorli. | Sanguem | Goa |
| For Minor Irrigation work, namely Bandhara at Netorli. | It starts from dense Mixed jungles near village Veriem and runs through north till it joins to Guleli river running through Adukune, Netorli. It covers a distance of 5 kms. approximately in Goa District, Union territory of Goa, Daman and Diu. |
| Cumbhari Nalla: (Tributary to Guleli River): | Cumbhari, Gaonkarwada, Vhalse, Maide, Galtye and Dunemol. | Sanguem | Goa |
| For Minor Irrigation work, namely Bandhara at Dunemol. | It emits from Khadri mountain and runs to the west upto Cumbhari and then to the South West upto Gaonkarwada and then further it joins to Guleli near Jayamol. It covers a distance of 11 kms. approximately, in Goa District, Union Territory of Goa, Daman and Diu. |
| Chirkanali Nalla: (Tributary to Guleli River): | It starts from dense Mixed jungles of Nagewada | | |
| For Minor | | | |</p>
<table>
<thead>
<tr>
<th>Tributary No.</th>
<th>Description</th>
<th>Source Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tributary No. 4(Kushavati River):</td>
<td>For Medium and Minor Irrigation works, namely Kushavati Irrigation Project, Paroda Canal, L.I. Scheme at Xelvonshet at Rivona and Avedem, at Cotombi and for Open Type Bandhara at Menshetod.</td>
<td>Mamaldevi, Matee Devre, Sulcorna, Kanura, Danoli, Nand, Xelvon, Rivona and Zambaulim. Sirvai, Quepem, Avedem, Cotombi, Assolda and Xelvona. Paroda and Chandor</td>
</tr>
<tr>
<td>7.c)</td>
<td>Tributary No. 4</td>
<td>Quepem Goa</td>
</tr>
<tr>
<td>7.c)(1)</td>
<td>Gocoldem Nalla: (Tributary to Kushavati River):</td>
<td>For Minor Irrigation work, namely Bandhara at Gocoldem.</td>
</tr>
<tr>
<td>7.d)</td>
<td>Tributary No. 4(Santana River):</td>
<td>Irrigation work, namely Nanda tank. Nagewada and runs north through Chirkanali, Karmaliwada and then turns north east and runs through Gotmarad and again turns north to meet Zuari River at Xeldem. It covers a distance of about 12 kms. approximately in Goa District, Union territory of Goa, Daman and Diu. Chirkanali, Karmaliwada Gotmarad and Hodar. Quepem Goa</td>
</tr>
<tr>
<td>For Minor Irrigation work, namely Bandhara at Siridao.</td>
<td>It emits from Santana Hillock in Tiswadi Taluka and flows southwards till it unites with Zuari River at Siridao. It covers a distance of 9 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>Santana, Curca, Goa-Velha and Siridao.</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>8. Sal River:</td>
<td>For Minor Irrigation works namely Verna Tank and Bandhara at Caulibandh and Deussua. It originates near Verna and runs to the south and join to Arabian Sea near Betul. Tidal effect is experienced upto Kharebandh. It covers a distance of 35 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>Verna, Nuvem, Mungal, Margao, Benaulim, Varca, Cavelossim, Deussua, Chinchinim and Assolda.</td>
</tr>
<tr>
<td>8.a) Tributary No. 1 (Navelim Nalla):</td>
<td>For Minor Irrigation work, namely Bandhara at Sirlim. It emits from St. Jose de Areal through fairly dense mixed jungle near Bandalbag and runs to the South till the confluence near Davorlim and further it runs to the west about 1 kilometre and then starts running to the south till it meets River Sal. It covers a distance of 6 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>St. Jose de Areal, Bandalbag, Davorlim, Navelim Mandap and Bandorlim.</td>
</tr>
<tr>
<td>8.b) Tributary No. 2 (Cuncolim Nalla):</td>
<td>For Minor Irrigation works, namely L. I. Scheme Bandhara at Fatorda, Vagazem, Tank, Sirabandh, Panagaband, Shiricancho bandh, Folleansbandh and Pirabad at Cuncolim. It emits from the Open jungle near Bali and runs to the north till Sanvorcotta and then further to the confluence point in the western direction. Another tributary which emits from Open Sherba near Cuncolim and runs north west via Cuncolim, Danora to the confluence point. It joins to the main river near Assolna village which runs in the western direction. It covers a distance of 4 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>Sanvorcotta Cuncolim, Danora and Assolna.</td>
</tr>
<tr>
<td>9. Saleri River:</td>
<td>For Medium and Minor Irrigation works namely Canacona Irrigation Project, Open Type Bandhara at Mudkud. It emits from fairly mixed jungle near Barcem and Gocoldem and runs westward for a distance of about 6 kms. Further it takes a turn to south west till it joins Arabian Sea near Devakaran. It covers a distance of 12 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>Barcem, Gocoldem, Devakaran, Pissondi, Panmol, Mudkud and Saleri.</td>
</tr>
<tr>
<td>9.a) Tributary No. 1 (Padi Nalla):</td>
<td>For Minor Irrigation work, namely Bandhara at Pissondi. It emits from Padi hills and runs to the South west till it joins to Saleri river near Pissondi via Padi. It covers a distance of 4 kms. approximately in Goa District,</td>
<td>Padi and Pissondi.</td>
</tr>
</tbody>
</table>
| 9.b) | Tributary No. 2  
(Agonda Nalla): | It emits from mixed jungle near Gule and runs to the south west for a distance of 4 kms. and further it takes a turn to the west upto Agonda for a distance of 3.5 kms. and further it runs to the north till it reaches to Saleri River. It covers a distance of 7.5 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu. | Gule, Canacona, Agonda, Parv and Devakhajan. | Canacona | Goa |
| 9.c) | Tributary No. 3  
(Molorem Nalla): | It emits from Damani Hill near Molorem and runs to the south for a distance of 4 kms. further with a confluence of small tributary which emits from Karve and runs to the south till it reaches the main river near Saleri. It covers a distance of 6 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu. | Molorem, Cola and Mudkud. | Canacona | Goa |
| 10. | Talpona River:  
| For Medium and Minor Irrigation works namely Talpona Irrigation Project, L. I. Scheme at Partagal, Barkeifond, and Ordofoand and Open Type Bandhara at Saurajakonimol and Astegal and Weir at Kuske. | It emits from dense mixed jungle of Revona Dongur in between Nane and Kuske and runs to the south via Kuske, Heda and further it runs to the west at Jappal and further to the south upto the confluence point near Bhatpal and runs to the west upto Astegal and further to the north west, it runs for a distance of 6 kms. and the direction to the south west to partagal, then it runs for a distance of about 2 kms. north west direction, further it changes its direction to south west for a distance of another 2 kms. near Ordofoand, further it runs to the west till it reaches the Arabian Sea near Talpona. It covers a distance of 31 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu. | Kuske, Heda, Jappal, Bhatpal, Astegal, Partagal, Ordofoand, Talpona, Barkeifond, Bhatpal, Mokhard, Dalem, Sadolxem, Palne, Phode, Mangan, Muttal, Pipalbag and Talpona. | Canacona | Goa |
| 10.a) | Tributary No. 1  
(Nadka Nalla): | It emits from dense mixed jungle near Nadke and runs 2 kms. in the southward direction and turns to westward direction till to the confluence point where another tributary if which starts from dense mixed jungle near Eudrien and runs northwest till it meets at confluence point. Further, it runs to northwest till it joins to main river near Batpal. It covers a distance of 10 kms. approximately in Goa District, | Nadke, Eudrien and Batpal. | Canacona | Goa |
Union Territory of Goa, Daman and Diu.

10.b) Tributary No. 2 (Gaondongrem Nalla):
It starts from open mixed jungle near Vaul and runs southward direction via Chal, Nanem, Duttade and Gaondongrem till to the confluence point near Panha. Another tributary of which starts from dense mixed jungle near Ambeghat and runs to the southwest till it meets at confluence point near Panha via Bhars, Tudal. Further it runs to the westward direction to meet the main river at Barkefond near Partagal via Talus. It covers a distance of 15 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.

10.c) Tributary No. 3 (Bhatpal Nalla):
It emits from fairly mixed dense jungle near Carvem and runs southwest till it joins to Talpona River near Bhatpal. It covers a distance of 6 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.

10.d) Tributary No. 4 (Khalwade Nalla):
It emits from dense mixed jungle near Vauzanwadda and runs to southwest till it joins to Talpona River near Dalem. It covers a distance of 6 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.

11. Galgibag River:
It emits from densed mixed jungle in Karnataka State and enters Goa District near Mulem and runs to the northwest till it Poinginim. Further it runs to the west till it reaches the Arabian Sea near Maxem. Tidel effect is upto Vollowado about 3.5 kms. It covers a distance of 15 kms. in Goa District, Union Territory of Goa, Daman and Diu.

11.a) Tributary No. 1 (Mazem River):
<table>
<thead>
<tr>
<th>For Minor Irrigation works, namely Open Type Bandhara at Maxem, at Soliem at Ushiband, at Pedem and at Pedengal.</th>
<th>It emits from dense mixed jungle near Medal and Bhand and runs to the west till Pedem and further it runs to the North West till it joins Arabian Sea near Maxem. Tidel effect is influenced upto Khajalkar about 2 kms. It covers a distance of 10 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</th>
<th>Medal, Bhand, Pedem, Maxem Loliem and Khajalkar.</th>
<th>Canacona</th>
<th>Goa</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.a)(1) Loliem Nalla (Tributary to Maxem River)</td>
<td>It starts through mixed jungle near Tanas and runs to the north till to the confluence of Maxem river near Loliem. It covers a distance of 2.5 kms. approximately in Goa District, Union Territory of Goa, Daman and Diu.</td>
<td>Tanas, Xelim and Durigal.</td>
<td>Canacona</td>
<td>Goa</td>
</tr>
<tr>
<td><strong>IN DAMAN DISTRICT:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Kolak River:</td>
<td>River rises from adjoining Gujrat territory and enters Daman District near village Moti-Vankad. It is northern boundary of Daman District and It covers a distance of 5.5 kms. in Daman District, Union Territory of Goa, Daman and Diu.</td>
<td>Moti-Vankad and Nani-Vankad.</td>
<td>Daman</td>
<td>Daman</td>
</tr>
<tr>
<td>For Minor Irrigation work namely Bandhara at Bimpore.</td>
<td>For Medium and Minor Irrigation work namely Damanganga Irrigation Project.</td>
<td>It rises in Gujarat State and enters Daman District near village Zari. Further, it runs to westward again it goes to northward and take the direction to the west then it meets to Arabian Sea covering a distance of 7.75 kms. in Daman District, Union Territory of Goa, Daman and Diu. The river is subject to tidal interferences.</td>
<td>Zari, Kanchgam, Magarwada, Varkhand, Patiara, Ambawadi, Khariwadi and Daman town.</td>
<td>Daman</td>
</tr>
<tr>
<td>13. Damanganga River:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Kolai River:</td>
<td>River starts from Maharashtra Region and enters Daman District near village Zari. It is Southern boundary of Daman District and It covers a distance of 3.75 kms. in Daman District, Union Territory of Goa, Daman and Diu.</td>
<td>Zari-Devapardi and Jampora.</td>
<td>Daman</td>
<td>Daman</td>
</tr>
<tr>
<td>For Minor Irrigation work namely L. I. Scheme at Bharmanpuja.</td>
<td><strong>IN DIU DISTRICT:</strong></td>
<td><strong>NIL</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX XXIV

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.


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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
(a) 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 Irrigation Department on deputation to CAD Board with all powers as delegated to the Officer of equivalent rank in Irrigation Department 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 42 litres per second;

(14) "field drain" means a channel excavated and maintained by the land holder or by any other agency on bis 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 over dues which are to be cleared before obtaining any loan for further capital investment;
(v) Farmers who are unwilling to apply for land development loans;
(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 other wise 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 an other 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 Irrigation Department on deputation to CAD Board, with all powers as delegated to the officer of equivalent rank in Irrigation Department;

(30) "systematic land development" includes all or any of the following works:—

(31) (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 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/Irrigation of the Government of Goa—Chairman;

(ii) The concerned Members of the Legislative Assembly and Parliament, as members of the Command Area Development Board;

(iii) The Secretary, CAD/Irrigation as Chief Executive of the GAD Boards;

(iv) The Secretary, Finance or his representative not below the rank of Joint Secretary, Finance, as member;

(v) The Chief Engineer, Irrigation, 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. Hydro geologist, 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 of 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 Member.

(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

(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 Irrigation/ CAD, Government of Goa. No sooner he relinquishes the Office of the Minister for Irrigation/CAD, be 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, academicians 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.

(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, authorize 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 Irrigation, 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 Irrigation Department 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, Irrigation Department.

(1) A Superintending Engineer with full staff strength of a Circle office of the Irrigation Department along with 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 Irrigation Department i.e. one Division each for S. I.P, T.I.P and A.I.P, all on deputation from Irrigation Department 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;

(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 coordinate the activities of different departments involved in the implementation of CAD Programme;

(v) To maintain the accounts of amounts disbursed and to give utilization 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 organize 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 subsection (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 there under, 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 utilization 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.**— (2) 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 installments 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 follow up 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 re leased 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 area wise and work wise;
(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:—

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. 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 mariner 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 Cooperative 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 framework 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 irrigation 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.

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.

All charges for the unauthorised 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.

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 authorised 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 landholders in regard to their natural rights or liabilities in respect of the use or maintenance of field channel, any such landholder 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 Cooperative 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 motu 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 Cooperative 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.*— (3) 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-be-low 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

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Category of land</th>
<th>Fine in Rupees to be imposed per irrigation season per hectare</th>
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(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 now 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 there from 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;
(i) 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 subsection (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.— (3) 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,  
B. S. SUBBANNA,  
Secretary to the  
Government of Goa.  
Law Department (Legal Affairs).

(Published in the Official Gazette, Series I No. 27 dated 3-10-1997)
Appendix XXIV

GOVERNMENT OF GOA

Department of Irrigation

—

Notification

Whereas certain draft rules proposed to be trade 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, Govt. 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 Govt. 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 or 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 equipment's for the Command Area Development Board costing beyond the powers 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 Irrigation Department 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 8 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 turns 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 Cooperative 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 unauthorized 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)

I. 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** —
  1. In case of journey by official car — Nil
  2. 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 same rate as applicable

- Within the State and to the Minister of the Government of Goa of State Cabinet rank.
- Outside the State and 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 rate 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 [he 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 section17, 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:
(B) Details of the work or works to be executed :-

a. by the authority  
b. by the beneficiary /Sand 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)
**F O R M - II**

[See rule -6(2)]

**Notification**

Whereas the Draft Development Scheme was published as required by sub-section (1) of section 7 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. (I) __________ 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 ) 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,

------------------------------------
------------------------------------
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FORM -IV

Command Area Development Board

Budget Estimate for the Year .............................

<table>
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<th>Sub-Major Head</th>
<th>Minor Head and Detailed Head</th>
<th>Actuals</th>
<th>Budget estimates for the year</th>
<th>Revised Estimates for the year</th>
<th>Anticipated Expenditure</th>
<th>Total Revised Estimates</th>
<th>Budget estimates</th>
<th>Between B.E &amp; R.E &amp; B.E</th>
<th>Variation +/-</th>
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Part I – General (Revenue)

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)

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(3) Central Sector Schemes :

(B) Miscellaneous :

Revenues :-
   (1)
   (2)
   (3)

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Total of A :

B. Miscellaneous :

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).

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 SCHEMES
UNDER CENTRAL SECTOR:
(i) (Particulars of Central Sector Schemes in operation in the Command Area should be specified)

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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

<table>
<thead>
<tr>
<th>Total of “A”</th>
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</table>

<table>
<thead>
<tr>
<th>B. Other Receipts</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Total of A &amp; B</th>
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<table>
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<th>Opening Balance</th>
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</table>

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<th>Grand Total</th>
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</table>

*Expenditure:*

A. Capital Expenditure on Building Works
B. Other Works

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<th>Total of A &amp; B</th>
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<tr>
<th>Grand Total</th>
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</thead>
</table>
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

<table>
<thead>
<tr>
<th>Heads of Account</th>
<th>Actuals for the previous year</th>
<th>Budget estimates for the year</th>
<th>Revised budget estimates for the year</th>
<th>Actuals for the year</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. GRANT-IN-AID FROM GOVERNMENT ON ACCOUNT OF :-</td>
<td></td>
<td></td>
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<tr>
<td>1. State Plan Schemes -</td>
<td></td>
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<tr>
<td>(i) Agriculture</td>
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<tr>
<td>(ii) Animal Husbandry &amp; Vet, Services</td>
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<tr>
<td>(iii) Horticulture</td>
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</tbody>
</table>
(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  

<table>
<thead>
<tr>
<th>Total of 'I'</th>
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<tbody>
<tr>
<td>II. Central Sector and Centrally Sponsored Schemes -</td>
</tr>
<tr>
<td>(i) General Administration and Maintenance</td>
</tr>
<tr>
<td>(a) Pay of Officers</td>
</tr>
<tr>
<td>(b) Pay of Establishment</td>
</tr>
<tr>
<td>(c) T.A.</td>
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<tr>
<td>(d) Contingency</td>
</tr>
<tr>
<td>(e) Tools and Plants</td>
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<tr>
<td>(f) Miscellaneous items (to be specified)</td>
</tr>
<tr>
<td>Total of II (i)</td>
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</table>

<table>
<thead>
<tr>
<th>(ii) For Schemes</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Land Development</td>
</tr>
</tbody>
</table>
| (b) Soil Survey Planning, Design and Supervision  
  Onfarm Development Works |
| Total of II (i) |
### (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 (i):**

**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):**

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</tbody>
</table>
(ii) Revenues from the other sources:

(a) Agriculture
(b) Horticulture
(c) Irrigation
(d) Sericulture
(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 |

<table>
<thead>
<tr>
<th>Heads of Account Remarks</th>
<th>Actuals for the previous year</th>
<th>Budget estimates for the year</th>
<th>Revised budget estimates for the year</th>
<th>Actuals for the year</th>
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</tbody>
</table>

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
           (iii) 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
   (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  

---

(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  
   (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 (iv):

(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

Total of (v) :

(vi) Development of Animal Husbandry and Veterinary Services
(a) Pay of Officers
(b) Pay of Establishment
(c) Deputation Allowance
(d) Darness 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 (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
   (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):

(x) Marketing Development
(a) Pay of Officers
(b) Pay of Establishment
(c) Deputation Allowance
(d) Dearness Allowance
(e) Travelling Allowance
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<td>(f) Medical Expenses</td>
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<td>(g) Contingencies</td>
<td>(i) Office Expenses</td>
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<td>(iii) Stationary</td>
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<td>(iv) Rents, Rates and Taxes</td>
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<td>(v) Telephone Charges</td>
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<td>(vi) Electricity Charges</td>
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<tr>
<td>(h) Pension and Leave Salary Contributions</td>
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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
(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) :

(x) 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
   (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

Total of (xii) ;
Total of Group 'A'

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.
(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):
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<td>(iii) Horticulture Department:</td>
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<tr>
<td>(a) Estt. of Horticulture Farms</td>
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<tr>
<td>(b) Layout demonstrations</td>
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<tr>
<td>(c) Training of Farmers in Horticulture</td>
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<tr>
<td>(d) Purchase of Seeds, Seedlings, etc. for demonstration purposes,</td>
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<tr>
<td>(e) Purchase of seeds, seedlings improvements etc. for supply to farmers</td>
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<td>(f) Printing and leaflets</td>
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<tr>
<td>(g) Purchase of Tools and Plants to be specified</td>
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<tr>
<td>(a) Construction of Fish farms</td>
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<tr>
<td>(b) Purchase of Fish Seeds</td>
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<td>(c) Training of Fishermen</td>
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<td>(d) Pisciculture demonstrators</td>
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<td>(e) Purchase of vehicles for transportation</td>
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<td>(f) Purchase of Fish farm equipments/implements</td>
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<td>(g) Purchase of Tools and Plants to be specified</td>
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<td>Forest Development:</td>
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<tr>
<td>(a) Maintenance of Plantations</td>
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<tr>
<td>(b) Raising and planting of seedling</td>
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<tr>
<td>(c) Maintenance and raising of Nurseries</td>
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<td>(d)</td>
<td>Canal Bank Plantation</td>
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<tr>
<td>(e)</td>
<td>Planting Agree</td>
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**Total (v):**

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<tr>
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**Total (vi):**

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**Total (vii):**

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<td>Subsidy to S.T. and S.C. to become members of Co-operatives</td>
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<td>(c)</td>
<td>Subsidy for levelling Irrigation Wells and I.P. Sets.</td>
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<td>Purchase of Tools and Plants to be specified</td>
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<td>(f)</td>
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<td>(g)</td>
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</table>

**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):
<table>
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<th>(ii) Soil Survey Planning, Design, Supervision on Farm Development Works</th>
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<tr>
<td>(d) Purchase of Tools and Plants</td>
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<td><strong>Total (ii):</strong></td>
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<td>(iii) Construction of Field Channels:</td>
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<td>(a) Headings to be specified</td>
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<td>(e) Purchase of Tools and Plants</td>
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<td><strong>Total (iii):</strong></td>
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<td>(iv) Ground Water Survey And Investigation:</td>
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<td><strong>Total (iv):</strong></td>
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<td>(v) Construction of Field Drainage:</td>
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<td>(a) Headings (to be specified )</td>
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<td>(c)</td>
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<td>(d)</td>
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<tr>
<td>(e) Purchase of Tools and Plants</td>
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<td><strong>Total of (v):</strong></td>
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<td><strong>Total of (vi):</strong></td>
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<td>(d)</td>
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<td><strong>Total (vii):</strong></td>
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<td>(b)</td>
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<td>(c)</td>
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<td><strong>Total of (viii):</strong></td>
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<tr>
<td>(ix)</td>
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<td>(a)</td>
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<td>(d)</td>
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<tr>
<td><strong>Total of (ix):</strong></td>
</tr>
</tbody>
</table>
(x)  Construction of Ayacut Roads:
(Headings to be specified)
(a)
(b)
(c)
(d)

Total of (x): 

(x.i) Pilot Projects for Soil and Water Management:
(Headings to be specified)
(a)
(b)
(c)
(d)

Total of (x.i):

(x.ii) Integrated Rural Development Programme:
(Expr. under each programme to be specified.)
(a)
(b)
(c)
(d)

Total of (x.ii):

(x.iii) 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

<table>
<thead>
<tr>
<th>Heads of Account</th>
<th>Actuals for the previous year</th>
<th>Budget estimates for the year</th>
<th>Revised budget estimates for the year</th>
<th>Actuals for the year</th>
<th>Remarks</th>
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<tr>
<td>1</td>
<td>2</td>
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</tbody>
</table>

#### 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)
(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

Receipts:
(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
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<tr>
<td>(15)</td>
<td>Drainage Works</td>
<td>(16)</td>
<td>Ground Water Survey and Investigation</td>
<td>(17)</td>
<td>Purchase of Equipments</td>
</tr>
<tr>
<td>(18)</td>
<td>Subsidy to A &amp; M farmers</td>
<td>(19)</td>
<td>Special Loan Account</td>
<td>(20)</td>
<td>Construction of Markets</td>
</tr>
<tr>
<td>(21)</td>
<td>Land Development Training Centres</td>
<td>(22)</td>
<td>Building Works (for Establishment and Staff Quarters)</td>
<td>(23)</td>
<td>CADA Establishment</td>
</tr>
<tr>
<td>(24)</td>
<td>Other Irrigation Works</td>
<td>(25)</td>
<td>Other Schemes, if any</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Receipts:**

**Total Receipts including '0 & B':**

**Expenditure:**

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 )
(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

Total Expenditure :

Closing Balance :
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<td>Drainage Works</td>
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</table>
(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.

<table>
<thead>
<tr>
<th>Name of the Scheme:</th>
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<tbody>
<tr>
<td>Opening Balance</td>
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</tr>
</tbody>
</table>

**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)

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<tbody>
<tr>
<td><strong>Total:</strong></td>
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<tr>
<td><strong>Grand Total including 'O &amp; B':</strong></td>
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</table>

**Expenditure**

1. Special Establishment if any, employed on the Scheme
2. Cost of Works (Work wise details to be Furnished separately)
3. Contingencies
<table>
<thead>
<tr>
<th>Heads of Account</th>
<th>Actuals for the previous year</th>
<th>Budget estimates for the year</th>
<th>Revised budget estimates for the year</th>
<th>Actuals for the year</th>
<th>Remarks</th>
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<td>2</td>
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<td>6</td>
</tr>
</tbody>
</table>

**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)

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.

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<th>Total of 'D':</th>
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<th>Collection on behalf of Government :</th>
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<table>
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</tr>
</thead>
</table>
Total Receipts of Part III:

O.B.:

Grand Total:

**Disbursements**

A. *Investments:*
   (i) Investment from General Account
   (ii) Investment from Sinking Fund
   (iii) Investment from Unspent Loans

   Total of 'A':

B. *Repayments of Loans:*
   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. *Refund of Deposits:*
   1. Contractors
   2. Cost of Works done for Farmers
   3. Employees
   4. Other Misc. Deposits

   Total of 'C':
### D. Advances to:

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

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</tbody>
</table>

### 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.T.C.
(iii) P.L.I

4. G.P.F. Subscription /Repayment of Loans
5. F.B.F.
6. P.T.
7. Contributions

<table>
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<th>Total of 'E':</th>
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F. *Remittances of other collections*;
   (Items to be specified)

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Total expenditure of Part III:

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<th>Grand Total:</th>
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</thead>
</table>
FORM - 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 - VII (See rule 15)

Notice to an occupier of private land, building, enclosed Courtyard or garden attached to dwelling house under proviso to Clause (0 of subsection (4) of section 14 of the Command Area Development Act. 1997, Goa ( Act 27 of 1997).

To,

I 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 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 fanners 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 1 st November to 31 st 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. Chen 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 utilisation 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 capita] of the
Society.

Statement showing recovery dates
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 Canal 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 on farm 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 desire 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 or, behalf of the Society and recover cost for the same as an arrears 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, utilizing 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.

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

(14) 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.
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 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

(Published in the Official Gazette, Series I No. 32 dated 5-11-1998)
APPENDIX XXV

GOVERNMENT OF GOA.

Department of Law & Judiciary

Legal Affairs Division

Notification

7-7-99/LA

The Goa Tillari Irrigation Development Corporation Act, 1999 (Goa Act 6 of 1999), which has been passed by the Legislative Assembly of Goa on 3-8-1999 and assented to by the Governor of Goa on 25-8-1999, is hereby published for general information of the Public.

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


THE GOA TILLARI IRRIGATION DEVELOPMENT CORPORATION ACT, 1999

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The Goa Tillari Irrigation Development Corporation Act, 1999

(Goa Act 6 of 1999) [25-8-99]

AN ACT

to make a special provision for mobilisation of resources for completion of the Tillari Irrigation Project, a joint venture of the Government of Goa and the Government of Maharashtra, in time bound manner and for that purpose to establish the Goa Tillari Development Corporation, and for purposes connected with the matters aforesaid.

BE it enacted by the Legislative Assembly of Goa in the Fiftieth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement. - (1) This Act may be called the Goa Tillari Irrigation Development Corporation Act, 1999.

(2) It shall extend to the areas as specified in the Schedule and such other areas, as the State Government may, by Notification in the Official Gazette, specify.

(3) It shall come into force at once.

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

(a) "area of operation of the Corporation" means the area as specified in the Schedule and any other area or areas to which the provisions of this Act are extended by the State Government, by Notification in the Official Gazette under sub section (2) of section 1;
(b) "Corporation" means the Tillari Irrigation Development Corporation established under section 3;
(c) "Director" means a Director of the Corporation;
(d) "Irrigation Department" means the Irrigation Department of the Government of Goa;
(e) "Irrigation project" means the planning, construction, maintenance and management of the Tillari Irrigation Project and Command Area of the Project.
(f) "prescribed" means prescribed by rules made under this Act;
(g) "Regulations" means the regulations made under this Act;
(h) "Schedule" means the Schedule appended to this Act;
(i) "State Government" means the Government of Goa.
CHAPTER II

ESTABLISHMENT, CONDUCT OF BUSINESS AND EMPLOYEES OF THE CORPORATION

3. Establishment of Goa Tillari Irrigation Development Corporation.- (1) The State Government shall, by Notification in the Official Gazette, establish for the purposes of this Act, a Corporation to be called the Goa Tillari Irrigation Development Corporation.

(2) The Corporation established under sub section (1) shall be a body corporate having perpetual succession and a common seal, with power to contract, acquire, hold and dispose of property, both movable and immovable, and to do all things necessary for the purposes of this Act, and may sue and be sued by its corporate name.

(3) The Head Office of the Corporation shall be in Panaji

4. Constitution of Corporation:-

(1) The Corporation shall consist of the following members:-

(a) A person possessing such qualifications as may be prescribed to be appointed by the State Government - Chairman

(b) Secretary, Irrigation - Director
   Government of Goa

(c) Secretary, Finance, - Director
   Government of Goa

(d) Chief Engineer, Irrigation Department, - Director
   Government of Goa

(e) Addl. Chief Engineer, (Irrigation Project) - Director
   Irrigation Department
   Government of Goa

(f) Superintending Engineer, - Director
Tillari Irrigation Project,
Irrigation Department
Government of Goa.

(g) Three persons -Directors
to be nominated by
State Government.

(2) The Additional Chief Engineer,( Irrigation Project), shall be the Managing Director of the Corporation and shall be Chief Executive Officer of the Corporation.

The Superintending Engineer , (Tillari Irrigation Project) shall be the Joint Managing Director of the Corporation.

(3) The term of office of non-official Directors shall be for a period of five years unless it is terminated earlier by the State Government.

(4) The non-official Directors of the Corporation shall receive such compensatory allowances, for the purpose of meeting the personal expenditure in attending the meetings of the Corporation, as may be laid down by regulations.

5. Executive Committee.- (1) There shall be an Executive Committee consisting of the following :-

(a) Person to be appointed by the
State Government or in his absence
Addl. Chief Engineer
(Irrigation Project) ______ Chairman

(b) Joint Managing Director of the
Corporation ______ Vice Chairman

(c) Chief Accounts Officer and
Finance Officer of the
Corporation _______ Member

(d) Executive Engineer,
Works Division-VIII ______ Member Secretary

(2) The powers, functions and duties of the Executive Committee shall be such as may be laid down by regulations.
6. **Meetings of Corporation.**-(1) The Corporation shall meet at such times and at such places as the Chairman may decide and shall, subject to the provisions of sub-section (3), observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum thereof) as may be laid down by the regulations:

Provided that, at least one meeting shall be held in every calendar month in such a manner so as to ensure that not more than thirty days intervene between two meetings.

(2) The Chairman or, in his absence, one of the Official Directors shall preside at every meeting of the Corporation.

(3) A Director, who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into, by or on behalf of the Corporation, shall, at the earliest possible opportunity, disclose the nature of his interest to the Corporation, and shall not be present at any meeting of the Corporation when any such contract, loan, arrangement or proposal is discussed, unless his presence is required by the other Directors for the purpose of eliciting information, but no Director so required to be present shall vote on any such contract, loan, arrangement or proposal:

Provided that, a Director shall not be deemed to be concerned or interested as aforesaid by reason only of his being a share-holder of a company in any such contract, loan, arrangement or proposal.

7. **Constitution of Committees.**-The Corporation may, from time to time, constitute committee(s), consisting of such number of Directors as it may think proper and may delegate to such committee(s) such powers of the Corporation as it may deem fit for carrying out the purposes of this Act.

8. **Provisions for inviting officers of Government and local authority.**-(1) The Corporation or any of its committees may invite any Officer of the Central Government, State Government, local authority or any organisation or any persons to attend its meetings as special invitees for the purpose of assisting or advising it on any matter or matters. The Officer or person so invited may take part in the proceedings, but shall have no right to vote.

(2) The Officer or person so invited shall be entitled to draw such honorarium or compensatory allowance for the purpose of meeting the personal expenditure in attending the meetings of the Corporation or any of its committees as the Corporation may determine, from time to time.
9. **Filling up of casual vacancy of Director.** Any vacancy of a Director of the Corporation shall be filled as early as practicable, in like manner as if the appointment is being made for the first time.

10. **Action not to be invalidated by vacancy, informality, etc.**
No act done or proceedings taken under this Act by the Corporation or Committee appointed by the Corporation shall be invalidated merely on the grounds of,---
(a) any vacancy of Director or any defect in the constitution or re-constitution of the Corporation or a committee thereof; or
(b) any defect or irregularity in the appointment of a person as Director of the Corporation or of a committee thereof; or
(c) any defect or irregularity in such Act or proceedings, not affecting the substance.

11. **Officers and servants of Corporation.**
(1) The State Government shall appoint for the Corporation a Chief Accounts and Finance Officer not below the rank of Joint Director from the Goa Finance and Accounts Service.

(2) The Corporation may, with the prior approval of the State Government, appoint such other officers and servants as it considers necessary for the efficient performance of its duties.

(3) The conditions of appointment and service of the officers and servants and their scale of pay shall---
(a) as regards the officer mentioned in sub-section (1), be such as may be prescribed, and
(b) as regards the officers and servants mentioned in sub-section (2), be such as may be laid down, from time to time, by regulations.

(4) Subject to the superintendence of the Corporation, the Managing Director shall supervise and control all its officers and employees including any officer of the State Government appointed on deputation to the Corporation.

12. **Disqualification of all officers and staff.** No person who has, directly or indirectly, by himself or by his partner or agent, any share or interest in any contract, by or on behalf of the Corporation or in any employment under, by or on behalf of the Corporation otherwise than as an officer or staff thereof, shall be qualified to be an officer or staff of the Corporation.

13. **Authentication of orders, etc. of the Corporation.** All proceedings of the Corporation shall be authenticated by the Chairman and all orders and instruments of the Corporation, shall be
14. **Vesting and transfer of property to the Corporation.** -
(1) From such date as may be specified from time to time, by the State Government (hereinafter in this section referred to as “the appointed date”), --
(a) the assigned projects of the Corporation and their assets comprising movables and immovables including irrigation project works under construction, specified in that behalf, situated in the area of operation of the Corporation, which immediately before the appointed date vested in the State Government and were under the control of the Irrigation Department, shall vest in and stand transferred to the Corporation, and all income derived and expenses incurred in that behalf be brought on the books of the Corporation; and
(b) the rights, liabilities and obligations of the State Government, whether arising out of any contract or otherwise pertaining to the said projects of the State Government, shall be deemed to be the rights, liabilities and obligations of the Corporation.

(2) Such properties, assets, rights, liabilities and obligations shall be valued in such manner as the State Government may determine.

(3) All suits and other legal proceedings with respect to any Scheme for the development of the Tillari Irrigation Project entrusted to the Corporation, instituted or defended by or against the State Government before the appointed date may be continued, or instituted, or defended by or against the Corporation.

15. **Decision of State Government on the vesting of property to be final.**-Where any doubt or dispute arises as to whether any property or assets have vested in the Corporation under section 14 or any rights, liabilities or obligations have become the rights, liabilities or obligations of the Corporation under that section, such doubt or dispute shall be referred to the State Government, whose decision thereon shall be final.

16. **Power of State Government to depute certain Government employees to the Corporation.** - (1) Where, on account of conferment of any powers, duties and functions on the Corporation by or under this Act, in the opinion of the State Government, any employee in the field establishments, that is, officers and employees belonging to technical as well as ministerial and non-ministerial staff (permanent, regular, temporary) in the Irrigation Department, on the
date specified by the State Government engaged in the fields of planning, investigation, design, construction, management, land development of the State sector of Tillari Irrigation Project, have been rendered surplus or are likely to be rendered surplus, wholly or partially, to the requirements of the State Government or where the services of such officers and servants are required by the Corporation for efficient exercise of its powers, performance of its duties or discharge of its functions, the State Government, or any officer authorised by the State Government in this behalf, may, from time to time, having regard to the necessity therefor, by order, depute such officers or employees to the Corporation and the Corporation shall take them over and employ them on deputation, subject to the provisions of this section.

(2) The period of deputation of any such employee to the Corporation shall be five years except when any such person is required to be repatriated on the grounds such as promotion, reversion, termination or superannuation or any other reasons as may be directed by the State Government. After the expiry of the period of deputation, he shall stand repatriated to service under the State Government:

Provided that, during the period of such deputation, all matters relating to pay, leave, allowances, retirement, pension, provident fund and other conditions of service of the employees on deputation shall be regulated by the rules applicable to the State Government employees or such rules as may, from time to time, be made by the State Government.

(3) All regular, temporary and permanent employees of the said establishment transferred on deputation to the Corporation under sub-section (1) shall have a lien on their posts in the service under the State Government and the period of their service under the Corporation shall, on their repatriation to the services under the State Government, be counted for their increments, pension, and other matters relating to their service.

(4) The Corporation shall have the authority to transfer the officers and staff members within the area of operation of the Corporation.

(5) No employee on deputation to the Corporation shall be entitled to any deputation allowance.

(6) The salaries and allowances of employees on deputation to the Corporation shall be paid from the Corporation fund.

(7) Save as otherwise provided in this section, the terms and conditions of services of employees on deputation to the Corporation, shall not be less advantageous than those applicable to them immediately before deputation and shall not be varied to their disadvantage except with the previous sanction of the State Government.
CHAPTER IV

FUNCTIONS AND POWERS OF THE CORPORATION

17. Functions of the Corporation.- The functions of the Corporation shall be,--
(a) to promote and operate the Tillari Irrigation Project and Command Area Development;
(b) to plan, investigate, design, construct and manage the Tillari Irrigation Project and its Command Area Development;
(c) to enter into contracts in respect of the works and any other matters transferred to the Corporation along with assets and liabilities;
(d) to invite tenders, bids and enter into contracts for the purpose of all the activities of the Corporation;
(e) to promote participation of any person or body or association of individuals, whether incorporated or not, in planning, investigation, designing, construction and management of the Tillari Irrigation Project and command area development;
(f) to undertake Schemes or works, either jointly with other corporate bodies, or institutions, or with Government or local authorities or on agency basis in furtherance of the purposes for which the Corporation is established and all matters connected therewith;
(g) to prepare annual plan and five year working plan;
(h) to prepare annual budget.

18. General powers of the Corporation.—(1) The corporation shall have the power to accord technical sanction, acceptance of all tenders, sanctioning budget and making financial provisions, settling disputes arising out of contracts and any other thing which may be necessary or expedient for the purposes of carrying out its functions under this Act.
(2) Without prejudice to the generality of the foregoing provision, such power shall include power,--
(a) to acquire and hold property, both movable and immovable, as the Corporation may deem necessary for the performance of any of its functions, duties, activities and to lease, sell, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the Corporation;
(b) to construct or cause to be constructed such dams, barrages, reservoirs, irrigation works, flood control and drainage canals and such other works and structures that may be required;

(c) to utilise the water and other resources in most economical manner for the Tillari Valley, Mandovi Valley and Terekhol Valley in North Goa District of Goa;

(d) to engage suitable qualified consultant or person having special knowledge or skill to assist the Corporation in the performance of its functions;

(e) to do all such other things including making interest bearing monetary advances to the contractors executing works on the projects of the Corporation and perform such acts may be necessary for, or incidental or conducive to any matters which are necessary for furtherance of the objectives for which the Corporation is established.

19. **Water charges for supply of water for irrigation, industrial and domestic purpose.**-The Corporation shall from time to time, determine and levy water charges according to volume, for supply of water for irrigation, industrial and domestic purposes to the State Government, local authorities, Government agencies, cultivators and water users associations.

20. **Responsibility of the Corporation for payment of interest on borrowed money.**-The Corporation shall pay the interest charges on the borrowed money through the recovery of water charges.

21. **Prohibition of construction of dam, bandhara, weir, etc. except with the approval of the Corporation.**-No person shall construct, operate or maintain within the area of operation of the Corporation any dam, bandhara or weir or other work or any installation for the extraction of surface water without prior approval of the Corporation.

22. **Co-ordination with other authorities to minimise inconvenience caused by submergence.**-The Corporation shall keep co-ordination with the State Government, Railway Authorities, local authorities and statutory bodies with a view to minimising the inconvenience likely to be caused by the submergence of railways, lands, roads and communications and shall bear the cost of any re-alignment thereof or re-settlement of any population rendered necessary by such submergence.

23. **Powers of State Government to issue directions.**-The State Government may issue to the Corporation such general or special directions as to policy or exercise of the powers or performance of the functions by the Corporation, excepting in respect of levying and recovery of water charges by the Corporation, as it may think necessary or expedient for carrying out the purposes of this Act and the Corporation shall be bound to follow and Act upon such directions.
CHAPTER V

ACQUISITION OF LAND

24. **Power to acquire land for purposes of this Act.**—The State Government may, for carrying out the purposes of this Act, compulsorily acquire land under the Land Acquisition Act, 1894 (Central Act I of 1894) and the acquisition of any land for any of the said purposes shall be deemed to be a public purpose within the meaning of that Act.

25. **Transfer of Government land to the Corporation.**—(1) For the furtherance of the objects of this Act, the State Government may, by notification in the Official Gazette, upon such conditions as may be agreed upon between the Government and the Corporation, place at the disposal of the Corporation any lands vested in the State Government:

Provided that, the State Government shall not place at the disposal of the Corporation any lands which are notified and included in the reserved forest.

(2) After any such land has been so placed at the disposal of the Corporation, it shall be dealt with by the Corporation in accordance with the provisions of this Act, or the rules or regulations made thereunder and the directions, if any, given by the State Government in this behalf.

(3) If any land placed at the disposal of the Corporation under sub-section (1) is not required by the Corporation, the State Government, may ask the Corporation to transfer it back to the State Government upon such terms and conditions as may be mutually agreed upon.

26. **Power of Corporation to dispose of land, etc.**—Subject to any rules made by the State Government under this Act, the Corporation may retain, lease, sell, exchange or otherwise dispose of any land, any building or other property vested in it, in such a manner as it thinks fit for carrying out the purposes of this Act.

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT

27. **Application of Corporation’s assets, etc.**—All property, fund and other assets vesting in the Corporation shall be held and applied by it, for the purposes of this Act.

28. **Fund of the Corporation.**—(1) The Corporation shall have and maintain its own fund, to which shall be credited,—

(a) all moneys received by the Corporation from the State Government by ways of grants, subventions, loans, advances and the loans raised under this Act;
(b) all fees, costs and charges received by the Corporation under this Act;

(c) all moneys received by the Corporation from the disposal of lands, buildings and other properties, movable and immovable and other transactions;

(d) all moneys received by the Corporation by way of water charges, rents, and profits or from any other source.

(2) The Corporation may keep current and deposit account with the State Bank of India or any other Bank approved by the State Government in this behalf.

(3) Such accounts shall be operated by such officers of the Corporation as may be authorised by it in this behalf.

(4) Notwithstanding anything contained in sub-sections (2) and (3), the Corporation may keep on hand such sum as it thinks fit for its day to day transactions, subject to such limits and conditions as may be prescribed.

29. Contribution of State Government to Corporation fund.- (1) The State Government shall, by appropriation duly made in this behalf from time to time, provide such funds as it may deem necessary, as its share of the Capital required by the Corporation, for the performance of the functions of the Corporation under this Act:

Provided that, the contribution made by the State Government shall be exclusive of the expenditure incurred by the State Government for and in connection with the establishment of the Corporation.

(2) The Capital provided by the State Government shall not carry any interest.

30. Grants, subventions, loans and advances to Corporation.- The State Government may, after due appropriation made by the State legislature by law in this behalf, make such grants, subventions, loans and advances to the Corporation as it may deem necessary for the performance of the functions of the Corporation under this Act; and all grants, subventions, loans and advances made shall be on such terms and conditions as the State Government may determine.

31. Power of Corporation to borrow.- (1) The Corporation may, subject to such conditions as may be prescribed in this behalf, borrow money from the financial institutions or non-resident Indians or from the open market by issue of guaranteed or un-guaranteed bonds, debentures, stocks, cash certificates, fixed deposit receipts and otherwise, for the purpose of providing itself with adequate resources.
(2) The maximum amount which the Corporation may at any time have on loan under sub-section (1) shall not exceed Rupees 90 crores, unless the State Government fixes a higher maximum limit for this purpose.

32. Acceptance of deposits by the Corporation.- The Corporation may accept deposits on such conditions as it deems fit from persons, authorities or institutions, to whom allotment or sale of land or buildings or fishing rights is made or is likely to be made in furtherance of the objects of this Act.

33. Power to spend.- The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorised under this Act from and out of the fund of the Corporation referred to in section 28 or from the reserve and other funds referred to in section 34, as the case may be.

34. Reserve and other funds.- (1) The Corporation shall make provisions for such reserve and other specially denominated funds as the State Government may, from time to time, direct.

(2) The management of the funds referred to in sub-section (1), the sums to be transferred, from time to time, to the credit thereof and the application of money comprised therein, shall, subject to the directions, if any, issued by the State Government in this behalf, be determined by the Corporation.

(3) None of the funds referred to in sub-section (1), shall, except with the previous approval of the State Government, be utilised for any purposes other than that for which it is constituted.

35. Submission of budget to Corporation.- (1) The Managing Director of the Corporation, shall, at a special meeting to be held in the month of September in each year, lay before the Corporation the budget estimates of the Corporation for the next year.

(2) Every such budget estimate shall be prepared in such form as the State Government may, from time to time, by order, determine and shall provide for,-

(i) the proposals, plans and projects which the Corporation proposes to execute either in part or in whole, during the next year;

(ii) the due fulfillment of all the liabilities of the Corporation; and

(iii) the implementation of the provisions of this Act;

and such estimates shall contain a statement showing the estimated income and expenditure on capital and revenue accounts for the next year and such other particulars, indicating the financial performance of the Corporation, as the State Government may direct. The budget shall clearly reveal the financial outlay and performance.
36. **Sanction of budget estimates.** - The Corporation shall consider the budget estimates submitted to it under section 35 and approve the same with or without modifications on or before such date as the State Government may, from time to time, determine.

37. **Government as Guarantor.** - The State Government may guarantee the repayment of any loans and payments of interest on all or any of the loans, given or transferred to the Corporation.

38. **Disposal of profits and deficits.** - (1) Subject to the provisions of sub-section (2) of section 40 of this Act, the net profit, if any, attributable to each of the main objects shall be fully credited to the Corporation.

   (2) The net deficit, if any, in respect of the objects shall be solely borne by the State Government.

39. **Interest charges and other expenses to be added to and receipts taken for reduction of capital cost.** - The interest charges and all other expenditure shall be added to the capital cost and all receipts shall be taken in reduction of such capital cost, if the Corporation is in deficit.

40. **Depreciation Fund.** - (1) The Corporation may make provisions for depreciation fund at such rates and on such terms as may be specified by the Comptroller and Auditor General of India, and in consultation with the State Government.

   (2) The net profit for the purpose of Section 38 shall be determined after such provision has been made.

41. **Apportionment of betterment charges levied by State Government.** - In the event of any betterment levy being imposed by the State Government, the apportionment of proceeds thereof in so far as they are attributable to the operations of the Corporation, shall be credited to the Corporation.

42. **Financial Statement and programme of work.** - (1) The Corporation shall, by such date in each financial year, as may be prescribed, prepare and submit to the State Government for approval an annual financial statement and the programme of work for succeeding financial year and the State Government may approve such financial statement and the programme of work of the Corporation as submitted by the Corporation or with such variations as the State Government thinks fit.

   (2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.
(3) The Corporation shall be competent to make variations in the approved programme of work in the course of the financial year provided that all such variations and re-appropriations out of the sanctioned budget are brought to the notice of the State Government by a supplementary financial statement.

(4) A copy each, of the annual financial statement and the programme of work and the supplementary financial statement, if any, shall be placed before the State Legislature as soon as may be after their receipt by the State Government.

43. *Accounts and Audit.*-(1) The Corporation shall maintain books in relation to the business and transactions in such form, and in such manner, as may be prescribed.

(2) The accounts of the Corporation shall be audited by an Auditor appointed by the State Government, in consultation with the Comptroller and Auditor General of India.

(3) Within nine months from the end of the financial year, the Corporation shall send a copy of the accounts audited together with a copy of the report of the Auditor thereon to the State Government.

(4) The State Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid before the State Legislature, as far as possible, before the expiry of the year next succeeding the year to which the accounts and the report relate.

44. *Concurrent and special audit of accounts.*-(1) Not withstanding anything contained in the last preceding section, the State Government may order that there shall be concurrent audit of the accounts of the Corporation by such person as it thinks fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transactions or class or series of transactions or to a particular period.

(2) When an order is made under sub-section (1), the Corporation shall present or cause to be presented for audit all such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit.

CHAPTER VII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

45. *Furnishing of annual reports and returns, etc.*--(1) The Corporation shall prepare and submit to the State Government, in such form as may be prescribed, an annual report within six
months after the end of every financial year of its activities during the previous financial year, with particular reference to,

(a) irrigation, command area development and flood control;
(b) water supply;
(c) use of lands;
(d) re-settlement of displaced persons; and
(e) other activities of the Corporation.

(2) The Corporation shall also furnish to the State Government such returns, statistics, reports, accounts and other information with respect to its conduct of affairs, properties or activities or in regard to any proposed work or Scheme as the State Government may, from time to time, require.

46. Rehabilitation and resettlement of the project affected persons.- The rehabilitation and resettlement of the persons affected due to irrigation project shall be carried out on terms and conditions as mutually agreed between the Corporation and the Maharashtra Government.

Provided that, all the expenditure required to be incurred by the State Government for the rehabilitation and the resettlement of persons affected by the irrigation project shall be borne by the Corporation.

47. Execution of contracts, etc.- Every contract or assurance of the property on behalf of the Corporation shall be in writing and executed by such authority or Officer and in such manner as may be provided by regulations.

48. Power of entry.- Any officer or servant of the corporation generally or specially authorised by the Corporation may at all reasonable times enter upon any land or premises and do such things as may be necessary for the purpose of lawfully carrying out any of its work or making any survey, examination or investigation, preliminary or incidental to the exercise of powers or the performance of functions by the Corporation under this Act.

49. Dues to be recovered as arrears of land revenue.— All sums due or payable by any person to the Corporation or recoverable by it on account of any charge, costs, expenses, fees, rent, compensation, or on any other account under this Act or any rule or regulation made thereunder or any agreement made with the corporation and all charges or expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, be recoverable as an arrears of land revenue.
50. **Service of notice, etc.** (1) All notices, orders and other documents required by this Act or any rules or regulations made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rules or regulations, be deemed to be duly served,--

(a) where a person to be served is a company, if the service is effected in accordance with provisions of section 51 of Companies Act, 1956 (Central Act I of 1956);

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business, identifying it by the name and style under which its business is carried on and is either,—

(i) sent under a certificate of posting or registered post; or

(ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a corporation or a society or other body, if the document is addressed to the Secretary, Treasurer or other officer of that body, Corporation or Society at its principal office and is either,—

(i) sent under a certificate of posting or by registered post; or

(ii) left at that office;

(d) in any other case, if the document is addressed to the person to be served and,—

(i) is given or tendered to him; or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates; or

(iii) is sent under a certificate of posting or by registered post to that person.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed to “the owner” or “the occupier”, as the case may be, of that land or building (naming that land or building and specifying the name or description), and shall be deemed to be duly served,—

(a) if the document so addressed is sent or delivered in accordance with clause (d) of subsection (1); or
(b) if the document so addressed or a copy thereof so addressed is given or tendered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered, is affixed to some conspicuous part of the land or building.

(3) Where a document is served on the firm in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any property, the occupier (if any) of the property may be required by notice in writing by the State Government or the Corporation, as the case may be, to state the name and address of the owner thereof.

51. **Public notice how to be made known.**—Every public notice given under this Act or any rule or regulation made thereunder shall be in writing and under the signature of the officer concerned and shall be widely made known in the locality or in the farms or estates to be affected thereby by affixing copies thereof in conspicuous public places, within the said locality or the said farms or estates, or by any other means that the officer may think fit.

52. **Notice period for performance.**—Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed in this Act or the rule or regulation, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith.

53. **Default in performance of duty.**—(1) If the State Government is of the opinion that the Corporation has made a default in the performance of any duty or obligation imposed or cast on it by or under this Act, the State Government may fix a period for the performance of that duty or obligation and give notice to the Corporation accordingly.

(2) If, the Corporation fails or neglects to perform such duty or obligation within the period so fixed for its performance, it shall be lawful for the State Government to supersede and reconstitute the Corporation as it deems fit.

(3) After the supersession of the Corporation and until it is reconstituted in the manner laid down in Chapter II, the powers, duties and functions of the Corporation under this Act shall be carried on by the State Government or by such officer or officers or body of officers as the State Government may appoint for this purpose, from time to time.

(4) All property vested in the Corporation shall, during the period of such supersession, vest in the State Government.

54. **Offences by companies.**—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, 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 had exercised all due diligence to prevent the commission of such offence.

(2) Not withstanding 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 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 purpose of this section, -

(a) "company" means a body corporate and includes a firm, association of persons or body of individuals, whether incorporated or not, and

(b) "director", in relation to a firm, means a partner in the firm, and in relation to any association of persons or body of individuals, means any member controlling the affairs thereof.

55. Authority for prosecution.--Unless otherwise expressly provided, no Court shall take cognisance of any offence relating to property belonging to or, vested by or under this Act in the Corporation, punishable under this Act except on the complaint of, or upon information received from the Corporation or some person authorised by the Corporation by general or special order in this behalf.

56. Compounding of offences by Corporation.--(1) The Corporation or any person authorised by the Corporation by general or special order in this behalf may, either before or after the institution of the proceedings, compound any offence made punishable by or under this Act.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

57. Penalty for obstruction. --Any person who obstructs the entry of a person authorised under Section 48 to enter into or upon any land or building or molests such person after such entry or who obstructs the lawful exercise by him of any power conferred by or under this Act, shall, on conviction, be punished with, imprisonment for a term which may extend to six months, or with a fine which may extend to one thousand rupees or with both.

58. Delegation of powers of Corporation.--The Corporation may, through the Managing Director of the Corporation and with the previous approval of the State Government, delegate any of its powers under this Act to any officer of the State Government or to any of its officers and to Permit them to re-delegate specific powers to their subordinates, by general or special order in this behalf.
59. **Protection of action taken in good faith.** - No suit, prosecution or other legal proceedings shall be against any person or anything which is in good faith done or intended to be done under this Act or rules or regulations made thereunder.

60. **Chairman, Directors and Officers, etc., to be public servants.** - The Chairman, Directors and Officers and servants on deputation or of the Corporation, as the case may be, shall, while acting or purporting to Act in pursuance of any of the provisions of this Act or rules or regulations made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Act 5 of 1860).

61. **Effect of provisions of Act inconsistent with other laws.** - The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

62. **Power to make rules.** - (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

   (2) All rules made under this Act shall be subject to the condition of previous publication.

63. **Power to make regulations.** - (1) The Corporation may, with the previous approval of the State Government, make regulations consistent with this Act and the rules made thereunder for all or any of the matters to be provided under this Act by regulations and generally for all other matters for which provision is, in the opinion of the Corporation, necessary for the exercise of its powers and the discharge of its functions under this Act.

   (2) Pending making of regulations by the Corporation, the rules and procedures followed by the Irrigation Department which are not inconsistent with this Act shall be followed by the Corporation for carrying out its functions.

64. **Power to remove doubts and difficulties.** - If any doubt or difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or 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.

65. **Dissolution of Corporation.** - (1) Where the State Government is satisfied that the purposes for which the Corporation was established under this Act have been substantially achieved so as to render the continued existence of the Corporation, in the opinion of the State Government, unnecessary, the State Government may, by notification in the Official Gazette, declare that the Corporation shall stand dissolved with effect from such date as may be specified in the
notification, and the corporation shall be deemed to be dissolved accordingly and upon such dissolution the Directors (including the Chairman) shall vacate their respective offices.

(2) From the said date,—

(a) all properties, funds and dues which are vested in, or realisable by, the Corporation shall vest in, or be realisable by, the State Government;

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the State Government.

SCHEDULE
[See section 1(2) and 2(a)]

Area to which the Goa Tillari Irrigation Development Corporation Act, 1999, extends.

Catchment area, submergence area, Command Area of the Tillari Irrigation Project within the geographical limits of the Districts specified: against Sr. No. 1.

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<tr>
<th>Sr. No.</th>
<th>Name of the Project</th>
<th>District Covered</th>
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<tr>
<td>1.</td>
<td>Tillari Inter-State Project</td>
<td>Sindhudurg District of Maharashtra</td>
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<td>North Goa District of Goa</td>
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Secretariat Annexue
Panaji
Dated: 30-8-1999:

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

Published in the Official Gazette,
Series I No. 22 dated 30-8-1999
(Extra ordinary No.3)
Whereas certain draft rules proposed to be made under clause (a) of Sub-Section (1) of section 4 read with Section 3 of the Goa TillaIi Irrigation Development Corporation Act, 1999 (Goa Act 6 of 1999). were published as required by Sub-Section(2) of Section 62 of the said Act in the Official Gazette, Series I, No. 35, dated 25-11-1999, inviting objections and suggestions from all persons likely to be affected 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 25-11-1999;

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 clause(a) of Sub-Section (1) of Section 4, read with Section 3 of the Goa TillaIi Irrigation Development Corporation Act, 1999 (Goa Act 6 of 1999), the Government of Goa hereby makes the following rules, namely:-

1. Short title and commencement.- (l) These rules maybe called the Goa TillaIi Irrigation Development Corporation Rules, 1999.
(2) They shall come into force at once.

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

(a) "Act" means the Goa Tillari Irrigation Development Corporation Act, 1999 (Goa Act 6 of 1999);

(b) "Government" means the Government of Goa;

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

3. Qualifications of Chairman of the Corporation:- No person shall be qualified to be appointed as Chairman of the Corporation, unless:-

(i) he possesses a degree in Civil Engineering from a recognized University or equivalent and has held the post of Engineer-in-Chief for a period of at least two years in the Government of India, or any State Government, or

(ii) he is a M. E. (Civil) or M. Tech (Civil) from a recognized University or equivalent and has held the post of Chief Engineer for a period of at least two years in any Government of India Organization or the Government or any State Government, or

(iii) he is an Officer belonging to All India Services with at least 15 years of service.

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

Venkataratnam,
Secretary (Irrigation).

The following draft rules which are proposed to be made under clause (a) of sub-section (1) of section 4 read with section 62 of the Goa Tillari Irrigation Development Corporation Act, 1999 (Goa Act 6 of 1999) are hereby pre-published as required by sub-section (2) of section 62 of the said Act for the information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

Objections and suggestions to the said draft rules may be forwarded to the Secretary to the Government of Goa, Water Resources, Department, Junta House (Annexe), Panaji-Goa before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

DRAFT RULES

In exercise of the powers conferred by clause (a) of sub-section (1) of section 4 read with section 62 of the Goa Tillari Irrigation Development Corporation Act: 1999 (Goa Act 6 of 1999), the Government of Goa hereby
makes the following rules so as to amend the Goa Tillari Irrigation Development Corporation Rules 1999, as follows:-
1. **Short title and commencement:**
(1) These rules may be called the Goa Tillari Irrigation Development Corporation (Amendment) Rules, 2006.
(2) They shall come into force at once.

2. **Amendment of Rule 3.**— In rule 3 of the Goa Tillari Irrigation.
“(iv) He is a graduate with sufficient knowledge of Irrigation, as the Government deems fit.”

By order and in the name of the Governor of Goa

_S.T. Nadkami,_
Chief Engineer, WRD &
ex officio Additional Secretary.

ORDER

Approval of the Government is hereby conveyed for the termination of the deputation of the employees of Regular and Work charged Establishments of the Water Resources Department (WRD) shown respectively at Annexure-I and II to this Order, to the Goa Tillari Irrigation Development Corporation (GTIDC) on 30.09.2014. Approval of the Government is also conveyed for the revival of the Posts shown at Annexure-III and IV in the WRD. Consequently, all these employees stand repatriated to WRD with effect from 01.10.2014. They shall continue to function in the same post in the offices in which they are presently posted. In addition to attending to his own duties, the additional Chief Engineer (Projects) who by virtue of the ex-officio appointment is presently the Mananging Director of GTIDC, shall continue to officiate as such, after repetritiation to the WRD, till the GTIDC is dissolved.
This order issues with the approval of the Government conveyed under

By order and in the name of the Governor
of Goa

-sd-
(S.T. Nadkarni)

Encl: Annexure-I & II

Chief Engineer(WRD)
Ex-Officio & Additional Secretary to
the Government

To,
1. The Chairman, G.T.I.D.C., 1st floor, Sinchai Bhawan, Near Police Station, Porvorim-Bardez-Goa.
2. The Managing Director, 1st floor, Sinchai Bhawan, Near Police Station, Porvorim-Bardez-Goa.
6. Officials concerned.
7. Office file
8. Guard File.

Copy To:-
1. The Principal Secretary, Water Resources, Secretariat, Porvorim-Bardez Goa.
3. The Director of Accounts, Panaji-Goa.
4. The Jt. Director of Accounts, South Branch, Margao.