

FORM-44

Application in case of disputes about supply of water under section 60 of the Assam Irrigation Act, 1983.

Name of Applicant :

Father's Name :

Full Address :

Description of the land relating to the Dispute :

Village :

Dag No. :

Patta No. :

Area :

Nature of interest in the land :

Name of the Irrigation work from which water is being supplied to the land.

Name/number of the distributory, if any.

Name (s) of cop(s) in respect of which supply of water is disputed

Period for which water has been supplied for Irrigation of the crop(s).

Period for which water has been supplied for Irrigation of the crop(s)

Date(s) by which reaping of crop is expected

subject of the Dispute

Remedy sought for :

Additional particulars, if any that the applicant wants to furnish (separate sheet may be used if necessary)

Signature of the Applicant.

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

IRRIGATION DEPARTMENT : IRRIGATION BRANCH

NOTIFICATION

The 26th September, 1998

No.IGN(W)131/74/pt.II/15.--In exercise of the powers conferred by sub-section (1) of Section 82 of the Assam Irrigation Act No. VIII of 1989), the Governor of Assam is hereby pleased to make the following rules, namely :

CHAPTER-I
PRELIMINARY

- Short title and commencement
1. (1) These rules may be called the Assam Irrigation Rules, 1997.
- (2) These shall come into force on the date of their publication in the Official Gazette.
- Definitions
2. In these rules, unless the context otherwise requires,
- (a) "Act" means the Assam Irrigation Act, 1983 (Assam Act No. VIII of 1989),
- (b) "Block" means the whole area of certain specified land served by an outlet or outlets from all Irrigation work which may be mapped out in convenient size in accordance with the features of the ground, natural or artificial.
- (c) "Canal" means the main canals, branch canals, distributory canals, minor and sub-minor canals ;
- (d) "Form" means a Form appended to these rules ;
- (e) "Notice" means a notice appended to these rules ;
- (f) "Section" means a section of the Act, and

(g) All words and expressions used in these rules and not defined, but defined in the Act, shall have the same meanings as are respectively assigned to them in the Act.

CHAPTER-II
IRRIGATION SCHEME

Manner of notification of intention to apply or regulate water for irrigation (Proviso to section 3).

Public notice of notification.

3. The notification, as required to be made by the State Government expressing its intention to apply or regulate water for irrigation under section 3 of the Act, shall be made as per Form-1.

4. The Divisional Irrigation officer or any other officer duly empowered by the State Government in this behalf shall cause public notice of the notification as per Form-1 :

(a) On the Notice Boards of the office of the Commissioner of Divisions, Deputy Commissioner, Sub-divisional Officer, Circle Officer, Block Development Officer, Chief Executive councillor of Mahkuma Parishad, Gaon Panchayat within the limits of which any land, likely to be benefitted or affected by the proposed Irrigation Scheme, is situated ;

(b) At a conspicuous place in every village in which any land, likely to be benefitted or effected by the proposed Irrigation Scheme, is situated and a copy of the notification to the filed in the records of the Divisional Irrigation Officer.

Publication of Irrigation Scheme

5. The State Government, after receipt of an Irrigation Scheme from the Divisional Irrigation Officer through the Superintending Irrigation Officer and Chief Engineer, shall finalise the same, with or without modification.

Section 9 of the Act and may cause such scheme to be published by notification as per Form 2 as required under section 9 of the Act as follows :-

(a) On the Notice Boards of the office of the Commissioner of Divisions, Deputy Commissioner, Sub-divisional Officer, Circle Officer, Block Development Officer, Chief Executive Councilar of Mahakuma Parishad, Gaon Panchayat within the limits of which any land, likely to be benefited or affected by the proposed Irrigation Scheme is situated;

(b) On the Notice Board of the office of the Town Committee, Municipal Committee, local Board, Local Office of the Engineering section of the Railway Administration, local office of the State Government. Departments like Flood Control Deptt., Public Health Engineering Deptt., Roads and Building Deptt. Inland Water Transport Deptt., Agriculture Deptt. or any other authority likely to be affected by the proposed Irrigation Scheme ;

(c) At a conspicuous place in every village in which any land, likely to be benefited or affected by the proposed Irrigation Scheme, is situated in presence of not less than two witnesses whose signatures or thumb impressions shall be obtained on a copy of the Notification to be filed in the record of the Divisional Irrigation Officer.

Notice inviting objections to Irrigation Scheme (Proviso to Section 10)

6. As soon as possible, after the publication of an Irrigation Scheme by notification as per rule 5, the Deputy Commissioner or where the scheme affects areas in more than one

district the Commissioner of Divisions, on receipt of the materials under rule 5 from the Government, shall invite objections to the scheme, if any, under section 10 of the Act by proclamation issued in Form-3 from the public, Town Committee, Municipal Committee, Local Board, Gaon Panchayat, Railway Administration or any other authority likely to be affected by the execution of proposed Irrigation scheme within 30 days from the date of proclamation.

Inspection of objections received by the public

7. (1) All objections, called for under rule 6, shall be filed in duplicate before the Deputy Commissioner or the Commissioner of Divisions, as the case may be, and a copy of each objection shall be kept open for inspection of the public in the office of the Deputy Commissioner or the Commissioner of Divisions, as the case may be, for a period of 15 days from the last date as specified in Form-3 as the date fixed for filing objections.

(2) All persons having the same ground of objection may jointly till the date.

Notice of date, time and place of enquiry

8. On receipt of objections, called for under rule 6, if any, the Deputy Commissioner or the Commissioner of Divisions, as the case may be, shall cause publication of Notification in Form-4 under section 11 of the Act stating the date, time and place at which the enquiry will be held for the purpose of ascertaining the validity or otherwise of the objections received.

(1) The Deputy Commissioner, or the Commissioner of Divisions, as the case may be, shall, at the time of enquiry of the objections, obtain the expertise advice of the Divisional Irrigation Officer on technical points ;

(2) The Deputy Commissioner or the Commissioner of Divisions, as the case may be, shall forward the objections, after the completion of the enquiry, along with his recommendations under section 12 of the Act to the State Government.

Preparation and
publication of
Irrigation Scheme.

9. The State Government may, after considering the report and recommendation of the Deputy Commissioner or the Commissioner of Divisions, as the case may be, direct the Divisional Irrigation Officer to prepare the final Irrigation Scheme with such modifications, if any, as may be decided or without any modifications. The Divisional Irrigation Officer, on receipt of such direction, shall, after revising the Irrigation Scheme as per directions of the State Government, where necessary, cause publication of the Scheme by notification in Form-5 and give wide publicity in the same manner as indicated in rule-5.

(1) For construction of new wells in the areas, as specified in the notification as per rules, for any purpose other than exclusively for domestic use, either on personal or community basis, permission will have to be obtained under section 14 (3)(i) of the Act from the Irrigation Officer/Assistant Executive Engineer, as the case may be, as per Form-6 for constructions and operations.

This Rule can however be relaxed in the case of urgent installation of new wells, tube wells etc. which become emergent necessity during natural calamities like flood, drought etc.

(2) For operation of the existing wells in the areas, as specified in the notification as per rule-8, for any purpose other than exclusively for domestic use, either on personal or community basis, permissions will have to be obtained under section 14(3) (ii) of Act from the Irrigation Officer/Assistant Executive Engineer, as the case may be, for operating the wells as per Form-7.

(3) Under Section 14(3)(iv) of the Act, Irrigation Officer/Assistant Executive Engineers, as the case may be, will give prior publicity by notification as per Form-8(a) or 8(b), as the case may be, amongst the villages concerned, about the area and extent of land or block of land, which may be subjected to transfer or temporary submergence in the Irrigation Scheme notified under Rule-9.

Additional canal Crossing 10. When the Chief Engineer directs the construction of any additional means of crossing a canal on receipt of written application from any five or more of the owners or occupiers of lands within the culturable command area of any Irrigation work under provision of section 15 of the Act, the applicants alongwith other owners or occupiers of lands shall deposit half the estimated cost of constructions of such means of additional crossings on receipt of informations from the Executive Engineer/Divisional Irrigation Officer as per notification in Form-9 within a period of 30 days from the date of issue of such notification.

The status of the land, of the applicants, in such cases however should be ascertained from local Revenue Officer. In no cases applications from encroachers of Government land are to be entertained for giving irrigation benefit on Govt. land. Because creating more encumbrance over the Govt. land may make it more difficult to evict the encroachers.

CHAPTER-III

SUPPLY SCHEME

Publication of draft supply scheme

11. Every supply scheme, prepared under section 16 and 17 of the Act to provide for the supply and distribution of water from an Irrigation work through the supply works, meaning a field channel and field Drain, to the land within the culturable command area of an Irrigation work, shall be published by notification in Form-10, as required under section 18 of the Act, and the said notice shall be served on each owner or occupier whose lands are likely to be benefitted or affected by the said supply scheme and a copy of the notice to be hung at conspicuous places in the village or villages and also in the office of the concerned Gaon Panchayats.

Submission of objections.

12. Objections or suggestions, if any, to the proposed constructions of the supply scheme, as per provisions under section-19 of the Act, shall be submitted to the Executive Engineer/ Divisional Irrigation Officer as per Form-11 within 21 days from the date of publication of such scheme under rule-11.

Publication of approved scheme or rejection

13. The Divisional Irrigation Officer/Executive Engineer on receipt of the objections or suggestions, if any, as per Form-11 under Rule-12, shall cause publication of a notification

In Form-12 stating the date, time and place to those, who have expressed desire of being heard, and shall approve the supply scheme, with or without modifications, as may be deemed fit and proper and shall cause publication by notification of such approved scheme as per Form-13 in the same manner as indicated at Rule 3(b) and 5(c) or may reject the supply scheme.

Execution of supply scheme by the owner or occupier

14. The Divisional Irrigation Officer/Executive Engineer, after publication of the supply scheme under section 20 or 21 of the Act, as the case may be, shall call upon the owner or occupiers of the land, falling within the supply scheme, by a notification as per Form-14 to execute or get executed the works of the supply scheme at their own cost.

Determining amount to be recovered from owner or occupier and serving notice thereof.

15. In respect of any supply work of any supply scheme executed at the cost of Government under section 23(2) of the Act, the Executive Engineer/Divisional Irrigation Officer shall determine the share of cost of construction to be recovered from each owner or occupier whose lands fall within the supply scheme so executed, on proportionate basis of the area of each over the actual cost of construction and serve notice to such owner or occupier as per Form-15 as required under section 24 of the Act, to recover the amount within 36 months from the date of serving

notice at a time or on instalment basis and a copy of the notice shall be displayed in a conspicuous place in the village or villages and also in the office of the concerned Gaon Panchayat.

Government to take over maintenance of supply works.

16. In the event of the failure to carry out repair or maintenance of supply works by the owner or occupier properly even after due notice served by the Executive Engineer/ Divisional Irrigation Officer as per Form 16 as required U/S 25(2) of the Act, the latter shall carry out the said repair for maintenance at the cost of the Government under section 25(2) of the Act, and serve notice as per Form-17 as required under section 25(2) of the Act, to each owner or occupier to recover the amounts within 180 days from the date of serving notice and a copy of the notice shall be displayed in a conspicuous place in the village or villages and also in the office of the concerned Gaon Panchayat.

Publication of the draft scheme on On Farm Development.

17. Every scheme for On Farm Development (OFD) works prepared under section 27(1) and (2) of the Act, to provide for On Farm Development of a group of block of fields in the culturable command area of an Irrigation work, shall be published by notification as per Form 18 as required under section 27(3) of the Act, and the said notice shall be served on each owner or occupier whose lands are likely to be benefitted or affected by the said scheme and a copy of the notice shall be displayed in a conspicuous place in the village or villages and also in the office of the concerned Gaon Panchayat.

Publication of approved scheme or rejection thereof

18. The Divisional Irrigation Officer/Executive Engineer, on receipt of the objection or suggestion, if any as per Form-19, in the same manner as indicated at Rule-12, shall cause publication of a notification as per Form-20, in the same manner as in Rule-13. He shall approve the On Farm Development (O.F.D.) Scheme, with or without modification, as may be deemed fit and proper as per section 37(4) of the Act, or where an appeal is pending, as per section 27(5) and 27(6) of the Act, after it has been disposed of by the Superintending Engineer, shall cause publication by notification of such approved scheme as per Form-21 in the same manner as indicated at Rule-13.

(1) The Divisional Irrigation Officer shall, thereafter, call upon the owner or occupier of the land, falling within the scheme for OFD works under sub-section 27(4) and 27(7) of the Act, by a notification as per Form 22 to execute or get executed the OFD works at their own cost within six months from the date of issue of notification.

(2) In respect of any scheme for O.F.D. works executed at the cost of Government under Section 27(8) of the Act, the Divisional Irrigation Officer/Executive Engineer shall serve notice to each owner or occupier whose lands are likely to be benefited or affected by the said scheme for OFD works as per Form-23 as required under section 27(8) of the Act, to recover the amount within

36 months from the date of serving notice at a time or on instalment basis in the same manner as indicated at Rule -15.

CHAPTER-IV

REGULATION OF IRRIGATION

Declaration to regulate crops.

19. The declaration, as required to be made by the State Government, to regulate the kind of crop that should be grown on lands within the culturable commanded area of any Irrigation work and the period of sowing and planting of such kind of crop, under section 35 of the Act, shall be made through the notification as per Form-24.

Notice of crop to be grown

20. At any time after the declaration has been made under section 35 of the Act, the Irrigation Officer/Asstt. Executive Engineer with the approval of the Divisional Irrigation Officer/Executive Engineer shall specify by notice the kinds of crop that shall be grown, the land on which a particular kind of crop shall be grown and the period during which sowing and planting of such crop in such land shall be done as per Form-25 and give publicity in the same manner as indicated at Rule-5(a) (b) and (c).

Application for supply of water

21. Application under section 30 of the Act, for supply of water for Irrigation shall be made to the Irrigation Officer/Asst. Executive Engineer in Form-26, supplied to the intending applicants free of charge, at least two months before the date from which supply of water is applied for :

Provided that if the application received less than two months before the date of supply asked for and the Irrigation Officer is satisfied about the reasons of delay, he may accept such application.

Factors to be taken into consideration in determining supply of water.

22. (1) On receipt of application, the Irrigation Officer shall make or cause to be made such summary enquiry as he considers necessary and shall ordinarily allow the application, if it is for a crop according to the crop specified in the Form-25 under section 35 of the Act, giving due regard to the availability of the water and total area of land for which water is to be supplied.

If the application is for supply of water for a crop other than those included in the Form-25, the application may ordinarily be rejected. But if it is for a crop with similar water requirement as the crop specified in the Form-25, the Irrigation Officer may in his discretion allow it. The Irrigation Officer may refuse to sanction supply of water for Irrigation to any land, if such Irrigation would in his opinion, lead to excessive or wasteful use of water, or cause or contribute to cause damage or injury to such land or any other land or cause loss or injury to the cultivator of any other land.

(2) If an applicant is in arrears of water rates which become due before the date of application, the application may be 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.

Disposal of application.

23. When the application is allowed, a permit in Form-27 shall be issued to the applicant. An intimation shall also be given in Form-28 in case the application is rejected.

Stoppage of supply of water

24. The supply of water from any Irrigation work to any supply work or to any person who is entitled to such supply shall not be stopped, except under such circumstances and subject to such limitations as are specified under section 34(a), (b), (c), (d) and (e) of the Act, and within the periods fixed from time to time by the Divisional Irrigation Officer/Executive Engineer, under the provision to section 34(f) of the Act, giving due notice in Form-29.

CHAPTER-V

LEVY OF WATER RATE AND BETTERMENT CONTRIBUTION

Assessment of water rate.

25. The Irrigation Officer, shall as required under the section 40(a) and 40(b) of the Act, prepare an assessment of the water rates for the lands in respect of which water was supplied, made available or used from an Irrigation work, and serve the assessment notice on such owner or occupier of land as per Form-30 as required under section 41 of the Act. In case an objection is preferred by the assessee against the assessment order to the Divisional Irrigation Officer within 30 days of serving of the

notice he (assessee) or his authorised agent shall be liable to pay the assessed amount within sixty days from the date of serving of the assessment notice.

The meaning of 'Occupier' and 'owner' are respectively as defined under Chapter-I Sub-Section (16)&(19) of Section-2 of the Assam Irrigation Act, 1983.

Appeal against
assessment order

26. - An appeal under section 42 of the Act, shall be presented by the assessee or by his duly authorised agent within 30 (thirty) days of the date of serving of the assessment notice in Form-30 under Rule 25 and shall be accompanied by the authenticated copy of the assessment notice which is appealed against : Provided that on the grounds to be recorded in writing the Divisional Irrigation Officer may after expiry of thirty days admit an appeal.

(1) On receipt of the application, the Divisional Irrigation Officer/Executive Engineer shall send to the Irrigation Officer, who made the assessment application appealed against, a copy of the application and call for the later's report thereon. The Irrigation Officer shall submit to the Divisional Irrigation Officer his report and other relevant papers, if any, within fifteen days from the date of receipt of the Divisional Irrigation Officer's requisition for the same.

(3) On receipt of the Irrigation Officer's report under Sub-rule (2), the Divisional

Irrigation Officer may, after giving the appellant a reasonable opportunity of being heard and for reasons to be recorded in writing, allow in part or full or reject the application or pass such other orders, as he may deem fit and proper.

(4) An authenticated copy of the Divisional Irrigation Officer's final order in respect of the appeal shall be sent to the Irrigation Officer concerned within seven days from the date of the passing of such order.

Serving of notice of demand. 27. As soon as an assessment is made, as per rule 25 and under section 41 of the Act, or where an appeal has been preferred and disposed of, as per rule 26 and under section 42 of the Act, the Irrigation Officer shall serve a notice of demand, giving thirty days time for payment of the amount of water rates assessed, in Form-31 under section 43 and 44 of the Act, on every person liable to pay the same.

Liability to pay water-rate within a fixed period 28. Any person, on whom a notice of demand has been served under section 42 and section 43, shall be liable to pay the same within the period fixed under rule 25, rule 26 and rule 27 in this behalf.

Penalty rates for unauthorised use of or waste of water and water rates to be changed in addition to penalty 29. (1) The rate for water use in unauthorised manner from any Irrigation work shall be made for recovery from the owners or occupiers of all lands benefitted thereby at a rate not exceeding thirty times the water rates payable for such use in such proportion as the Irrigation Officer may find just

in addition to any penalty he may incur under this Act, for such unauthorised use, provided that the person, by whose Act or neglect such unauthorised use has occurred, cannot be found after such enquiry as the Irrigation Officer may deem sufficient and due opportunity shall be afforded, giving not less than one month's notice, to the owners and occupiers of the land, benefitted for such use, for being heard before passing final orders.

(2) The charge for waste of water, supplied through a water-course and field channel, shall be made for recovery from the person or all the persons chargeable in respect of water supplied through such water-courses or field channel at a rate not exceeding three times the water rates payable for the use of water in addition to any penalty he may incur under this Act for such waste of water, provided that the person through whose Act or neglect such water was suffered to run to waste cannot be discovered after such enquiry as the Irrigation Officer may deem sufficient.

(3) The Irrigation Officer, on receipt of a report of unauthorised use or waste of water, shall, after examination of such witness as he may consider necessary record his orders fixing the levy of rates for such unauthorised use or for wastage of water and the person or persons liable to pay the same with the reasons thereof.

(4) The Irrigation Officer shall issue a demand notice in Form-32 alongwith a copy of the order passed by him to each person so assessed to make payment of the amount within a specified date not exceeding sixty days from the date of service of notice. The amount when paid shall be credited as Irrigation revenue.

The meaning of 'Occupier' and 'Owner' are respectively as defined under Chapter-I sub-sec (16, and (19) of Section 2 of the Assam Irrigation Act, 1983.

Appeal against
decision of
Irrigation Officer

30. (1) An appeal may be filed/preferred by any person aggrieved by the decision of the Irrigation Officer, before the Divisional Irrigation Officer, within thirty days of service of notice mentioned in rule 28(iv). Divisional Irrigation Officer may stay/recover, of the assessment till the disposal of appeal.

(2) An authenticated copy of the Divisional Irrigation Officer's final order on appeal shall be sent to the Irrigation Officer concerned within seven days from the date of passing such order.

(3) As soon as the appeal under section 45(3) & (4) is disposed of the Irrigation Officer shall serve a fresh demand notice in Form-33 alongwith a copy of the Divisional Irrigation Officer's order for recovery of water rate in addition to any penalty imposed on account of the unauthorised use

or waste of water giving thirty days time for payment of the amount of water rates in addition to penalty on every person liable to pay the same. The amount when paid shall be treated as Irrigation revenue.

The period during which to pay penalty water rate shall be similar as indicated in rule 28.

Liability to pay
betterment
contribution.

31. (1) All lands under the culturable commanded area of the Irrigation work specified in rule-20, where staple crops are generally grown in the area, shall be liable to betterment levy.

A tax called betterment contribution/betterment levy shall be levied from the owner/occupier, who is benefitted by the construction, construction, addition or alteration of any Irrigation work, by the State Government.

(2) Betterment contribution/betterment levy is ordinarily the rate per hectare/per bigha/per annum of land benefitted.

(3) For the purpose of levy of betterment contribution, the Betterment Contribution Officer or any officer empowered on his behalf shall, by notification in Form 34, specify the date of commencement and completion of the construction, reconstruction, addition or alteration of any Irrigation work, depending upon the date on which water is made available to such land.

(4) The date of completion under this rule shall be deemed to be the date from which

water has been made available for five consecutive years to the culturable commanded area or part of culturable commanded area from a completed or partially completed Irrigation work. Depending upon the dates of availability of water on different lands under the culturable commanded area the dates of completion for the purpose of levy of betterment levy (tax) shall be different.

The amount of betterment contribution payable per hact/per bigha/per annum in respect of any land referred to in sub-rule 31(3) shall be an amount not exceeding 0.5% of the latest estimated cost per ha/per Bigha of the Irrigation work on the date of publication of the notice in Form-34. Full rate of betterment contribution as mentioned above shall be payable where water has been made available for 5 consecutive years for more than (1) one crop season annual rate of betterment contribution/levy per Ha/per bigha for lands where water has been made available for five consecutive years for 1 (one) crop season annually shall be 75% of the full rate of betterment contribution/levy payable per Ha/bigha.

No betterment contribution/levy shall be levied in respect of any land which is unarable.

Statement showing 32. (1) - As soon as may be, after publication the land under of the notice in Form-34 under rule 31(3) Irrigable demand and issue of public in respect of any Irrigation work, the notice and service of betterment contribution/levy officer or notice to owner etc.

any other officer empowered by him shall prepare a Statement in Schedule-35(A) showing the lands under the irrigable command of the Irrigation work in respect of which the betterment contribution/levy according to the provisions of rule 31(4) is payable along with name of owners/occupiers and the nature and extent of irrigability of different lands.

(2) The statement referred to in sub-rule (1) along with a public notice in Form-35 shall be published:--

(a) In the office of the Betterment Contribution/levy officer under whom the statement has been prepared.

(b) In the Block Office where the irrigable command is situated ;

(c) In some conspicuous place of the village such as the local post office, school or bazar ;

(d) In the Circle Officer's office in whose Revenue Circle the irrigable command is situated ;

(e) At the office of the concerned mauzadar ;

(f) On the Notice Board of the concerned Gaonbura requiring the owners/occupiers of lands under the culturable commanded area of the Irrigation work to appear before the betterment contribution/levy officer or any other officer empowered by levier, in this respect in his office or at such other place as mention in the notice within 7(seven).

weeks from the date of publication of the notice and to state their objections, if any as specified under sub-section 47(3) (a) (i) 47(3)(a)(ii) and 47(3)(b). The originals or copies of all statements prepared under section 47(3) of the Act, ordinarily be open daily except on holidays for inspection by the public free of charge, at the office of the betterment contribution/levy officer from 2 P.M. to 4 P.M. during the stipulated period of filing objections. The inspection will be made in the presence of the betterment contribution/levy officer or his assistant.

No one will be allowed to remove the statements from the place where they are kept, or in any way to alter or erase any part of them or record anything on them. Persons requiring information may take notes or copies in pencil.

(3) Simultaneously, the betterment contribution/levy officer shall also serve notice to the same effect, in Form-36 on the owner/occupier of such land or his authorised agent to receive service on his behalf who resides within the revenue district in which the land is situated and keep a duly receipted copy of the same for office record. If the owner/occupier of the land or his authorised agent residing within the revenue district is not available for service of the notice a copy of the notice shall be pasted on a conspicuous place of his house and another copy with certificate of service to be recorded

and kept in file for office record. This certificate shall be attested by at least two witnesses. Where service of notice to the owner/occupier or his agent in the manner specified above is not possible a copy of statement will be despatched by post to the last known address of the owner/ occupier under certificate of posting and the certificate of posting filed with the office record.

Power to hold enquiry.

33. An enquiry under section 47(5) of the Act, shall be held by the Betterment contribution, levy Officer in respect of a statement/objection made by the owner/occupier or by his duly authorised agent by making in writing an application in duplicate to him within 7 (seven) weeks of the date of publication of the notice under Rule-32(2) or service of the notice under Rule-33(3), whichever is later, provided that on sufficient cause being shown the Betterment contribution, levy officer may, after expiry of 7 (seven) weeks, admit an objection. The application shall be accompanied by an authenticated copy of the statement objected against.

(2) On receipt of the Application the Betterment Contribution/levy officer shall send to the officer concerned who made the statement objected against, a copy of the application and call for the later's report thereon and records of enquiry, if any, made by him. The concerned officer shall submit to the Betterment Contribution/levy officer his report and other relevant papers, if any, within 15 (fifteen) days from the date of receipt of the Betterment Contribution/levy Officer's requisition for the same.

(3) On receipt of the report mentioned under Sub-rule (2) above, the betterment contribution/levy officer may, after giving the applicant a reasonable opportunity of being heard for reasons to be recorded in writing, make an order specifying -

- (a) The amount of betterment contribution/levy payable in respect of the said land, and
- (b) The date from which such betterment contribution/levy shall be payable.

(4) An authenticated copy of the betterment contribution/levy officer's final order shall be sent to the applicant for making payment of the amount within specified date not exceeding 30 (thirty) days from the date of service of the final notice in Form-37.

Date of payment
of betterment
contribution

34. The date in each year for payment of betterment contribution/levy shall be the 31st March in respect of all cases where demand notice in Form-36 has been served and where no objection has raised in manner specified and where no enquiry is pending under Rule-33.

Revision of rate
after every four
years.

35. At the end of every four years from the year in which betterment contribution is finally determined under Rule-3(4), any future instalment of such contribution may be revised on the same basis as provided in this sub-rule.

(1) The State Government may grant total or partial exemption from the enforcement of all or any of the provisions of this chapter either permanently or for a specified period in respect of lands within any block if they consider such exemption fair and equitable.

(2) Application for total or partial exemption shall be made to the Betterment Contribution Officer or Divisional Irrigation Officer. Such an application shall not be considered unless it reaches the Divisional Irrigation Officer at least two weeks before reaping of the crops for which exemption is applied for.

(3) The Divisional Irrigation Officer on receipt of the application under Sub-rule (2) may make or cause to be made a local enquiry to consider whether the extent of exemption applied for is justified. After making such enquiry, he shall record his opinion and submit a report to the State Government for consideration. The State Government shall consider the same and may grant total or partial exemption from the betterment contribution/levy/penalty rate or water rate or refuse to grant any exemption according to the merit of the case. In case of grant of partial exemption, the State Government may under special circumstances stay recovery of the balance to the next year.

Demand notice
on owner.

37. The betterment contribution shall become payable under this chapter on the date stipulated on the written notice of demand thereof in Form-36 issued by the Betterment Contribution/levy Officer or any officer as the State Government may authorise being served on the owner/occupier provided that no enquiry under section 47(5) of the Act is pending.

In cases where objection has been made by the owner/occupier or by his duly authorised agent in due manner, final notice of demand shall be served in Form-37 after an enquiry, as specified under rule-34, has been held and final order thereof passed in accordance to rule 33(3) (a) and (b).

Where before the commencement of this Act, five years or more have elapsed from the date of completion of the construction, reconstruction, additions or alterations of the work and water has been made available for five consecutive years, such notice may be served at anytime after such commencement.

Instalment not
to exceed twenty.

37. (1) The owner/occupier of any land, in respect of which any water-rate, penalty, water-rate or betterment contribution/levy is payable, shall pay it in each case in twenty annual instalments. Provided that if on or before the date on which the first instalment is payable or at subsequent date within a period of two years from that date the owner/occupier pays the entire amount of water-rate, penalty

water rate or betterment contribution/levy or the balance of the aforesaid amounts, as the case may be, he shall be entitled to a rebate of 5% on such amount or balance of amount, as the case may be.

(2) Water-rate, penalty water-rate or Betterment Contribution/levy payable under the Assam Irrigation Act, 1983, in respect of any land shall be deemed to be revenue demand due upon the said land. Water-rate, penalty water-rate or betterment contribution, levy not paid on the date, when it falls due, shall be deemed to be an arrear and every person, liable for it, shall be deemed to be a defaulter. The Divisional Irrigation Officer may, after arrear has fallen due in his Division, file a defaulters list in the court of the Deputy Commissioner or Sub-Divisional Officer relating to arrears accruing not earlier than in the two revenue years previous to the preceding 30th June, for the recovery of arrears on public demand as per provision under section 81 of the Assam Irrigation Act, 1993.

Rebate for payment of betterment contribution.

(1) Any person having interest in a land may, notwithstanding that he is not the owner of such land, pay the water rate, penalty water-rate, betterment contribution/levy of water-rate payable by owner in respect of such land and shall, if such person pays the entire payable amount in each case within a period of two years from the

date on which the owner/occupier becomes liable to pay be entitled to a rebate of 5%.

(2) The Government may, in the interest of public service, transfer the operation, maintenance and management of any Irrigation Scheme or part thereof to a Water Users Association (WUA) duly registered under the Assam Co-operative Societies Act or Indian Companies Act, the Societies Registration Act, 1860 having majority of the members from the beneficiary farmers of the command of the concerned Irrigation system.

The rights and duties of such registered Water Users Association in connection with the affairs of water management services shall be prescribed under provisions made in the bye-laws duly approved that such provisions are not inconsistent with the provisions of the Assam Irrigation Act, 1983, as amended from time to time, and that the ownership of Irrigation works and assets of Irrigation work shall continue to remain with the State Government.

However, in the starting phase a water Users' Association with proposed authorised share capital upto Rs.2,00,000/- (Rupees two lakhs) may be given recognition as a proposed Irrigation Society by the Irrigation Department, Assam at circle level.

CHAPTER-VI

Provision to
sub-section 51(3)
of Act).

39. Preparation of list of able-bodied persons who may be required for urgent works/repairs etc.

(1) The Irrigation Officer with the help of Circle Officer shall from time to time cause a list to be prepared of the able-bodied persons who reside within 8 K.M. of the place of work and who can be called upon to assist in the execution of any work, repair or clearance under Sub-Section (1) or Section 51 of the Act. Submit the list so prepared to the Divisional Irrigation Officer for obtaining the approval of the collector.

(2) A copy of the list duly approved by the collector shall be affixed on the notice board of the office of the Divisional Irrigation Officer, S.D.C. and Irrigation Officer and also on the notice board of the office of B.D.O. Mouzadar and Gaonbura for information of the general public along with a public notice in Form-38.

The meaning of 'collector' is as defined under Chapter-I Sub-Section (4) of Section 2 of the Assam Irrigation Act, 1983.

(3) Classes of persons to be included in or exempted from the list of labourers. Every list of ~~labourers~~ prepared under Sub-rule-40(1) shall contain the name of every able bodied land holder holding land within 8 K.M. of the place of work and of every

able-bodied man or woman who resides within such area and earns his or her livelihood by manual labour.

(4) 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 enquiry (if any) as he thinks necessary, shall record his decision in writing rejecting or granting or application.

(5) Payment of compensation under section 51(1)(b) shall be made as per approved Schedule of rates or as per approved rates of Deputy Commissioner whichever is higher as per norms prescribed under section 54 to 57 of the Act.

CHAPTER-VII

DRAINAGE AND PREVENTION OF WATER LOGGING

Removal or
modification
of obstruction

40. Government notification under section 52 of the Act for Removal of modification of obstruction shall be issued in Form-39. Notice under Section-52 of the Act to the persons causing or having control over any obstruction to any Irrigation work, to remove or modify the same shall be issued by the Irrigation Officer in Form-40 as soon as such cases come to his notice.

Notice to the afore-mentioned persons to pay the expenses incurred by Government for removal/modification of the obstruction

which are recoverable under section-52 of the Act shall be served by the Irrigation Officer in Form-41 within 15 days from the date of completion of such work and if no payment is made within the stipulated time the amount shall be treated as arrear of land revenue and reported to the Collector within three months of its becoming due for effecting recovery as per provision made under ~~Sanction~~^{Section}-81 of the Assam Irrigation Act, 1983.

CHAPTER-VIII

Claims,
compensation
and awards

41. (1) Provision under section-53-59 of the Assam Irrigation Act 1983 read with Section-6-8 of the Assam Irrigation (Amendment) Act 1990 are self-explicit executive instructions for guidance of officers and shall come into force Suo motu (on one's own initiative) depending on necessity. Proposal for remission of water rate under Section-55 clause (d) of the Act shall be referred to State Government for final decision.

(2) Notice for receiving compensation under Section-57(1) and 57(2) of the Act shall be served in Form-42 and Form-43 respectively.

CHAPTER-IX

STATEMENT OF DISPUTES

Application in
case of disputes
about supply of
water

42. Provision under section-60-62 in the Assam Irrigation Act, 1983 are self-explicit executive instructive instructions for guidance of Irrigation Officer and Divisional Irrigation

Officer and shall come into force 'Suo Motu' (on one's own initiative) depending on necessity.

Application in case of disputes about supply of water under Section-60 of the Act, may as far as practicable be submitted by the affected persons in Form-44 which shall be available free of cost in the office of Irrigation Officer.

CHAPTER-X

SAFETY OF IRRIGATION WORKS

Notice to
occupiers etc.

43. Provisions under Section-63-68 of the Assam Irrigation Act, 1981 are self-explicit executive instructions for guidance of officers connected with safety of Irrigation works and shall come in to force 'Suo Motu' (on one's own initiative) depending on the necessity.

Notice to occupiers etc. under section-68 of the Act shall be issued in Form-45.

CHAPTER-XI

OFFENCES, PENALTIES AND RECOVERIES

44. Provisions under section-69 to 78 of the Assam Irrigation Act, 1983 are self-explicit executive instructions for guidance of officers connected with Irrigation works and shall come into force 'Suo Moto' (on one's own initiative) depending on the necessity :

Provided that the terms prescribed relating to recovery rates shall be deemed to be rates prescribed by State Government.

CHAPTER-XII

APPEALS

Appeals

45. All appeals under Sub-sections (1), (2) and (3) of the Act section 79 of the Assam Irrigation Act, 1983 shall be accompanied by an authenticated copy of the order appealed against.

The provisions under section 79(4), (5) and (6) of the Act, are self-explicit executive instruction for guidance of officers passing orders and appellate authorities and shall come into force 'Suo moto' (on one's own initiative) depending on the necessity, provided that at least 15 (fifteen) days time shall be allowed to the appellant for due formalities of service of notice as prescribed under sub-rule 32(3), shall be followed.

The procedures to be followed in the case of hearing and appeal etc. will be as specified under chapter-XII Section-79 sub-section (1) to (6).

CHAPTER-XIII

ACQUISITION

Acquisition of land for Irrigation works and supply works

46. Provision under Section 80, Sub-Sections (1) (2) (3) of Assam Irrigation Act, 1983, read with section 11 of the Assam Irrigation (Amendment) Act, 1990 are self-explicit executive instructions for guidance of officers connected with irrigation works and shall come into force 'Suo Moto' (on one's own initiative) depending on necessity. The total cost of acquisition of land under sub-section (1) of Section 80 shall be

recovered from the owners or occupiers in twenty equal annual instalments.

The meaning of 'Occupier' and 'Owner' are respectively as defined under Chapter-I sub-section (16) and (19) of Section-II of the Assam Irrigation act, 1983.

* * *

FORM - 1

Notification of intention to supply or regulate water for irrigation as required U/S 3 of the Act.

In accordance with the section 3 of the Assam Irrigation Act, 1983 it is hereby notified that an Irrigation scheme is intended to be taken up to supply or regulate water for irrigation, the particulars of which are given below.

1. Name of the proposed Irrigation scheme :

2. Type of the Scheme :

3. Name of the source :

4. Aim of the Scheme :

5. Name of the Irrigation Division :

6. Situation and particulars of land or Block of land to which the water from the said proposed scheme will be applied or used

(a) Name of District/Civil Sub-Division :

(b) Name of Block :

(c) Name of Village :

(d) Area of the land that will be covered after implementation of schemes under :

(i) Rabi & Pre-Kharif Crops :

(ii) Kharif Crops :

Signature of Divisional Irrigation Officer/Executive Engineer.

FORM-2

Publication of the Irrigation Scheme w/s 9 of the Act

In accordance with the section-9 of the Assam Irrigation Act, 1983 it is hereby notified that the State Government has decided to take up the following Irrigation Scheme, detail particulars of which are given below :

1. Name of the proposed Irrigation Scheme :
2. Type of the Scheme :
3. Name of the source :
4. Aim of the Scheme :
5. Name of the Irrigation Division :
6. Situation and particulars of land likely to be benefitted or affected by the proposed Scheme :
 - (i) Name of District/Civil Sub-Division :
 - (ii) Name of Block :
 - (iii) Name of Village :
 - (iv) Area of the land that will be covered after implementation of the Scheme under :-
 - (a) Rabi & Pre-Kharif Crops :
 - (b) Kharif Crops :
7. Locations of Head works/Lift point/DIW point/STW point :
8. Approximate cost of Construction :
9. Approximate cost per Ha of land (AIA) :
10. Probable design discharge proposed to be supplied through the Head regulator/off-taking main canal :
11. Approximate length of the canal system :
12. Approximate width of the land likely to be acquired :
13. Approximate period and time during which water proposed to be supplied :
14. Situation of Railway crossing/National highway crossing, if any :-
15. Name of the existing Irrigation work to be included in the Irrigation scheme, if any :

Signature of the Divisional Irrigation
Officer/Executive Engineer.

FORM-3

Notice inviting objections to proposed Irrigation
Scheme under Section 10 of the Act.

Objection to the proposed
Irrigation Scheme published under section-9 of the Act. in
Form-2, if any, are hereby invited from the public, Town Committee,
Municipal Committee, Local Board, Gaon Panchayat, Railway
Administration or any other authority likely to be affected
by the execution of the proposed Irrigation Scheme. All objections
should reach this office within 30 days from the date of issue
of this Notice.

Signature of D.C./Commissioner
of Divisions.

FORM-4

NOTICE FOR ENQUIRY ON OBJECTION TO THE PROPOSED IRRIGATION SCHEME U/S 11 OF THE ACT.

With reference to the objection/objections made against the proposal of Irrigation Scheme all persons, representative of Town Committee/Municipal Committee/Local Board/Gaon Panchayat/Railway Administration/any other authority filing objections and the concerned Divisional Irrigation Officer Executive Engineer shall attend at the place of enquiry at the date and time as mentioned below.

Place of enquiry

Date and time of enquiry

.....

.....

Signature of D.C./Commissioner
of Division.

FORM-5

Preparation and publications of Irrigation Scheme U/S 13 of the Act. In accordance with the section 13 of the Assam Irrigation Act, 1983 it is hereby notified that the state Government has finally decided to take up the Irrigation Scheme, as indicated below looking taking into consideration the objection and recommendation under section 10 and 12 of the Act.

1. Name of the Scheme :
2. Jurisdiction (Name of the Divn./Block) :
3. Name of Civil Sub-Division :
4. Object of Scheme :
5. Statement of Cost :
6. Description of area likely to be benefitted :

The land which is likely to be benefitted by this Scheme is shown by a blue line which may be seen in the office of the Divisional Irrigation Officer, Asstt. Executive Engineer.

A detailed map of the proposed alignment may also be seen in the same office.

The name of the villages and Gaon Panchayat likely to be benefitted area stated below.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
7. Location of Head works/Lift point/DIW point/STW point :
8. Area of land that will be covered after implementation of the scheme under :
 - (i) Rabi and post-Kharif Crops :
 - (ii) Kharif Crops :
9. Cost per Hact. of land (A.I.A.)

10. Length of the canal :

- (i) Main Canal :
- (ii) Branch Canal :
- (iii) Distributaries :
- (iv) Minor and Sub-Minor Canal :

11. Width of the canal likely to be acquired :

- (i) Main Canal :
- (ii) Branch Canal :
- (iii) Distributaries :
- (iv) Minor and Sub-Minor Canal :

12. Design discharge proposed to be supplied through Head Regulator/ off-taking main canal :

13. Period and time during which water is proposed to be supplied.

Crop	Period	Water to be supplied in Hect.M.
(i) Kharif		
(ii) Rabi		
(iii) Pre-Kharif		

14. Period during which the yearly rate at which the betterment contribution is proposed to be levied :

15. Water rate payable by the beneficiaries for the supply of water from the said scheme :

Signature of Divisional Irrigation
Officer

FORM-6

Permission for construction of new well and operation thereof within the command area U/S 14(3)(i) of the Act.

Whereas the State Government has finally decided to implement the irrigation scheme, the detail particulars of which have already been notified vide notification dt..... in Form-5 under section-13 of the Assam Irrigation Act, 1983, it is hereby notified that all owners/occupiers of land/association intending to construct new wells and operate the same, for any purpose other than exclusively for domestic use, either on personal or community basis, within the area of the proposed Irrigation scheme, are requested to take proper permission from the undersigned as per Form prescribed below.

Signature of the Irrigation Officer

1. Type of the proposed new well :
2. Situation of the proposed new well :
 - (a) Name of the block :
 - (b) Name of the village
3. Name of the proposed Irrigation Scheme in the specified area of which the well is proposed to be constructed
4. Name of the owner/occupier of land/association intending to construct the well
5. Purpose of the proposed construction of the well

Signature of the applicant

Office use only

Recommended/not recommended

Signature of the Irrigation Officer.

FORM-7

Permission for operation of the existing wells within the command area U/S 14(3)(ii) of the Act.

Whereas the State Government has finally decided to implement the Irrigation Scheme, the detail particulars of which have already been notified vide Notification dt. in Form-5 under section 13 of the Assam Irrigation Act, it is hereby notified that all owners/occupiers of land/association intending to operate the existing wells, for any purpose other than exclusively for domestic use, either on personal or on community basis, within the area of the proposed Irrigation Scheme, are required to take proper permission from the undersigned as per Form prescribed below :

Signature of the Irrigation Officer

1. Type of the existing well :
2. Situation of the existing well :
 - (a) Name of the Block :
 - (b) Name of the village :
3. Name of the proposed Irrigation Scheme in the specified area of which the well exists:
4. Name of the owner/occupier of land/association intending to operate the well :
5. Purpose of operation of the Well :

Signature of the applicant

For office use

Recommendation of operation schedule

Signature of the Irrigation Officer

FORM-8(A)

Area and Extent of land that may be subjected to transfer in the Irrigation Scheme U/S 14(3)(iv) of the Act.

It is for general information for the public of the following village that Hect. of land under these villages may be subjected to transfer and provided in the proposed Irrigation Scheme notified in Form-5 under Section 13 of the Act.

Name of the villages

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Signature of Irrigation Officer/
Asstt. Executive Engineer.

FORM-8 (b)

Notification of the area and extent of land that may be subjected to submergence in the irrigation Scheme U/S 14(3)(iv) of the Act.

It is hereby notified for general information of the public of the following villages that Hact. of land under these villages may be subjected to temporary submergence as provided in the proposed Irrigation Scheme notified in Form-5 under section-13 of the Act.

Name of the Village :

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Signature of Irrigation Officer/
Asstt. Executive Engineer.

FORM-9

Permission for additional canal crossing U/S 15 of the Act.

In pursuance of the Chief Engineer's direction for the construction of additional means of crossing at ch..... of Irrigation Scheme in village under Civil Sub-Division, the following owners or occupiers of the land, at whose request the said direction of the Chief Engineer has been issued are hereby required to deposit Rs..... which is half the estimated cost of construction of the aforesaid means of crossing within 30 (thirty) days from the date of issue of this notification, failure to which the construction shall not be made.

If the actual cost exceeds the estimated cost, half the difference of the excess amount shall be deposited within 15 (fifteen) days from the date of communication of the same.

Name of the owners or occupiers of the land

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

Signature of Divisional
Irrigation Officer/Executive,
Engineer.

FORM-10

PUBLICATION OF DRAFT SUPPLY SCHEME U/S 18 OF THE ACT.

A supply scheme with supply works, detail particulars of which are given below, is proposed to be prepared to provide for the supply and distribution of water from
..... Irrigation scheme to the land within its culturable commanded area. Each owner or occupier whose lands are likely to be benefitted or affected by the said supply scheme is hereby informed through this notification.

1. Name of proposed supply scheme :
2. Name of branch canal/Minor/Sub-Minor/
outlet from which supply scheme
starts. :
3. Name of the Irrigation Scheme :
4. Name of the Irrigation Division :
5. Location of the proposed supply scheme :
6. Situation and particulars of land
likely to be benefitted or affected
by the proposed supply scheme. :
 - (a) Name of the Block :
 - (b) Name of the village :
 - (c) Area of the land that will be
covered after implementation of
the supply scheme under :
 - (i) Rabi :
 - (ii) Pro-Kharif :
 - (iii) Kharif crops :

Signature of Divisional Irrigation
Officer/Executive Engineer.

FORM-11

SUBMISSION OF OBJECTIONS ON DRAFT
SUPPLY SCHEME U/S 19 OF THE ACT.

Objections or suggestions, if any, in the manner prescribed below, shall be submitted to the Executive Engineer/Divisional Irrigation Officer by the owner or any other person or occupier likely to be benefitted or affected by the proposed construction of the supply scheme within 21 (twenty-one) days from the date of publication of such supply scheme vide rule 11 under section 18 of the Act in Form-10.

1. Name of the proposed supply scheme :
2. Name of Branch Canal/Minor/Sub-Minor/ :
outlet from which supply scheme starts
3. Name of the Irrigation Scheme :
4. Name of the Irrigation Division :
5. Location of the proposed supply scheme :
6. Ground of objection :
7. Date of filing objection :
8. I Express/do not express desire
of being heard.

Signature of the owner or occupier
or any other person likely to be
affected by the supply scheme.

FORM-12

HEARING OF OBJECTION OF THE DRAFT SUPPLY SCHEME U/S 20 OF THE ACT

All owners or occupiers of the land, who have filed objections/ suggestions to the proposed construction of the supply scheme and also have expressed desire of being heard, as per Form-11 under section 19 of the Act, shall attend at the place of enquiry at the date and time as mentioned below.

Name of supply scheme

Date and time of Enquiry

Place of enquiry

.....

.....

Signature of Divisional Irrigation
Officer/Executive Engineer.

FORM-13

PUBLICATION OF APPROVED SUPPLY SCHEME U/S 20/21 OF THE ACT

In accordance with the section 20/21 of the Assam Irrigation Act, 1983, it is hereby notified that the supply scheme, the details of which are mentioned below, has been approved/rejected after due consideration of the objections, as received vide Form-11 and after giving due opportunity vide notification dt..... in Form-12 to those who desired to be heard.

1. Name of the supply scheme :
2. Name of Branch Canal/Minor/Sub-Minor/ :
outlet from which supply scheme starts.
3. Name of the Irrigation Scheme :
4. Name of the Irrigation Division :
5. Location of the proposed :
supply scheme
6. Situation and particulars of ;
land likely to be benefitted or
affected by the proposed supply
scheme.
7. (a) Name of the block :
(b) Name of the Village :
(c) Area of the land that will :
be covered after implementation;
of the supply scheme under

(i) Rabi & pre-Kharif crops
(ii) Kharif crops :
8. Length of the supply scheme :
9. Approximate cost of the supply :
scheme.

Divisional Irrigation Officer/
Executive Engineer.

FORM-14

EXECUTION OF SUPPLY SCHEME BY THE OWNER OR OCCUPIER OF LAND U/S 23(1) OF THE ACT

In accordance with the Sub-Section 23(1) of the Assam Irrigation Act, 1983, the owners or occupiers of the land falling within the supply scheme published on vide Form-13 under section 20/21 of the Act are hereby called upon to execute or yet executed the works of the said supply scheme at their own cost within a period of 6 (six) months from the date of issue of this notification.

Divisional Irrigation Officer/
Executive Engineer.

FORM-15 (A)

NOTICE OF CROPS TO BE GROWN U/S 36 OF THE ACT.

In accordance with section 36 of the Assam Irrigation Act, 1983, and in pursuance of the Government notification (in Form 2) dt..... declaring the necessity to regulate the kinds of crops that shall be grown on the lands within the culturable commanded area of it is hereby notified that the following kinds of crop shall be grown in the lands situated in the above culturable command area as per detailed particulars specified below.

Sl. No.	Kind of crop that shall be grown	Location of land		period during which sowing and planting of crop to be done
		Name of the village in which the land is situated	Name of Irrigation canal, outlet No., supply scheme no. under the command of which the land is situated.	
1	2	3	4	5

1.

2.

3.

Irrigation Officer/
Asst. Executive Engineer.

FORM-15(b)

Recovery of cost of construction of any supply work of any supply scheme, executed at the cost of Govt. from each owner or occupier of land U/S 24 of the Act.

In accordance with the section 24 of the Assam Irrigation Act, 1983, notice is hereby served to following owners or occupiers of land falling within
..... supply scheme
of Irrigation scheme published as per Form-13 under section 20/21 of the Act to deposit the amount mentioned against their names within 36 (thirty-six) months from the date of issue of this notice at a time or on suitable instalment as indicated.

Name of the owner/occupier of land	Amount to be deposited at a time	Amount to be deposited in instalments
------------------------------------	----------------------------------	---------------------------------------

1.

2.

3.

4.

Divisional Irrigation Officer/
Executive Engineer.

FORM-16

Notice to owner/occupier of land to carry out repair or maintenance of the supply scheme U/S 25(2) of the Act.

In accordance with the sub-section 25(2) of the Assam Irrigation Act, 1983, the owner or occupier of the land falling within the supply scheme No. of Irrigation Scheme in the village under block, details of which were published as per Form-13 under section 20/21 of the Act and subsequently executed as per section 23 of the Act, are hereby called upon to carry out repair or maintenance of the above supply scheme properly.

Signature of Divisional Irrigation
Officer/Executive Engineer.

FORM-17

Notice to the owner or occupier of the land for recovery of the cost of repair or maintenance carried out by the State Government U/S 25(2) of the Act.

In accordance with the sub-section 25(2) of the Assam Irrigation Act, 1983, notice is hereby served to following owners or occupiers of land falling within the supply scheme No..... of Irrigation Scheme in village under development Block, details of which were published as per Form-13 under section 20/21 of the Act, to recover the amount mentioned against their names being the repairing and maintenance cost of the above supply works within 180 days from the date of issue of this notice.

Name of the owner/occupier of land	Amount
------------------------------------	--------

1.

2.

3.

4.

Signature of Irrigation Officer/
Executive Engineer.

FORM-18

Publication of draft scheme on On Farm Development work U/S 27(3) of the Act.

In accordance with the section 27(3) of the Assam Irrigation Act, 1983, it is hereby notified that a scheme for On Farm Development (OFD) works, detail particulars of which are given below, is proposed to be executed to provide for onfarm development of a group of blocks of fields in the culturable command area of Irrigation Scheme. Each owner or occupier, whose lands are likely to be benefitted or affected by the said scheme, is hereby informed through this notification inviting objection and suggestions with respect thereof within 20 days of the date issue of this notification as per Form-19.

1. Name of the proposed scheme for onfarm development works (OFD)
2. Name of the Irrigation Scheme
3. Name of the Irrigation Division
4. Location of the proposed scheme for onfarm development works (OFD)
5. Situation and particulars of land..... likely to be benefitted or affected by the proposed scheme for OFD
 - (a) Name of the Development Block
 - (b) Name of the Village
 - (c) Estimated cost of the OFD works.....
 - (d) Particulars of the owners/..... occupiers to be benefitted by the scheme of OFD work
 - (e) Sketch plan of the area proposed to be covered by the said scheme.

Divisional Irrigation Officer/
Executive Engineer.

FORM-19

Notice inviting objection against draft scheme on **OnFarm** Development works published in Form-18 U/S 27(3) of the Act.

In accordance with the section 27(3) of the Assam Irrigation Act, 1983, objections or suggestion, if any, in the manner prescribed below, shall be submitted to the Executive Engineer/Divisional Irrigation Officer by the owner or occupier, whose lands are likely to be benefitted or affected by the proposed constructing of the scheme for onfarm development work (OFD) within 21 (twenty-one) days from the date of publication of such scheme under section 27(3) of the Act, in Form-18.

1. Name of the proposed Scheme for
Onfarm development works (OFD)
2. Name of the Irrigation Scheme
3. Name of the Irrigation Division
4. Location of the proposed scheme for
onfarm development works (OFD)
5. Ground of objection
6. Date of filing objection
7. I express/do not express desire of
being heard.

Signature of the Divisional Irrigation
Officer/Executive Engineer.

FORM-20

Notice intiting persons who have field objections on proposed onfarm Development (OFD) works to appear hearing U/S 27(4) of the Act.

In accordance with the section 27(4) of the Assam Irrigation Act,1983, all owners or occupiers of the land who have field objections or suggestions to the proposed construction of the scheme for On-Farm Development (OFD) works and also have expressed desire of being heard as per Form-19 under section 27(3) of the Act. shall attend at the place of enquiry at the date and times as mentioned below.

Name of OFD works

Date and time of enquiry

Place of enquiry

.....

.....

Signature of the Divisional
Irrigation Officer/Executive Engineer.

FORM-21

Publication of approved scheme of on-farm development works U/S 27 (4) or 27 (7) of the Act.

In accordance with section 27(4) of the Assam Irrigation Act, 1983, it is published through this notification that the scheme for On-Farm Development (OFD) works, the details of which are mentioned below, has been approved after due consideration of the objections as received vide Form-19 and after giving due opportunities to those who desired to be heard and were invited by Form-20.

1. Name of the Scheme for
On-Farm Development works
2. Name of the Irrigation Scheme
3. Name of the Irrigation division
4. Location of the proposed scheme
for On-Farm Development work (OFD)
5. Situation and particulars of land
likely to be benefitted or affected
by the proposed scheme for OFD
 - (a) Name of the Development Block
 - (b) Name of the village
 - (c) Area of the land and the number
of blocks in the group in which
On-Farm Development is proposed
to be provided.
 - (d) Particular of owners/Occupiers likely
to be benefitted from this scheme.
 - (e) Approximate cost of the scheme.....
for O.F.D. works.
 - (f) Sketch plan of the Area proposed.
to be benefitted.

Signature of the Divisional Irrigation
Officer/Executive Engineer.

FORM-22

(UNDER SUB-SECTION 27(7) OF THE ACT)

Notice calling the owners or occupiers of the land to carry out the On-Farm development work at their own cost U/S 27(4) or 27(7) of the ~~Act~~ Act.

In accordance with the section 27(4) or 27(7) of the Assam Irrigation Act, 1983, the following owners or occupiers of land falling within the scheme for On-Farm Development (OFD) works.
under
Irrigation Scheme published vide Form-21 under section 27(4) or 27(7) of the Act, are hereby called upon to execute or get executed the works of the said scheme at their own cost within a period of 6 (six) months from the date of issue of this notification, failing which the work will be get executed by the State Government and the cost thereof shall be recovered from them within 36 (thirty-six) months.

Name of the owner/occupier of the land

- 1.
- 2.
- 3.
- 4.
- 5.

Signature of Divisional Irrigation
Officer/Executive Engineer.

FORM-23

Notice to the persons to pay the expense for the execution of the On-Farm Development (OPD) work by the State Government U/S 27(8) of the Act.

To

Shri

Address

Whereas by notification dt. in Form-22, you were directed to carry out the On-Farm Development work within 6 (six) months from the date of notification and whereas you have failed to carry out the same within the stipulated period, the work has been executed at the expense of the Government and an expenditure of Rs. (Rs.) only has been incurred by the State Government for the said purpose.

Now, you are hereby directed to deposit your share of amount as indicated below within 36 (thirty-six) months at a time or on suitable instalment.

Name of the owners/occupier of land	Amount to be deposited at a time	Amount to be deposited in instalment.
1	2	3

1.

2.

3.

4.

5.

Signature of the Irrigation Officer/
Asstt. Executive Engineer.

FORM-24

DECLARATION TO REGULATE CROP U/S 35 OF THE ACT, AS AMENDED

In accordance with section 35 of the Assam Irrigation Act, 1983, as amended, a declaration as hereby made, through this notification to the effect that it has become expedient and desirable in the public interest to regulate the kind of crop that should be grown on lands within the culturable command area of
.....
.....
and the period of sowing and planting of such kinds of crop.

The details in respect of kinds of crops that should be grown and the period of sowing, planting etc. may be obtained from the office of the concerned Irrigation Officer before any crop is grown on lands within culturable commanded area of the above irrigation work.

Signature of the Chief Engineer.

FORM-25

NOTICE OF CROPS TO BE GROWN U/S 36 OF THE ACT

In accordance with section 36 of the Assam Irrigation Act, 1983, and in pursuance of the Government notification (in Form-24) dt. declaring the necessity to regulate the kinds of crops that shall be grown on the lands within the culturable commanded area of it is hereby notified that the following kinds of crop shall be grown in the lands situated in the above culturable commanded area as per detailed particulars specified below.

Sl. No.	Kind of crop that shall be grown	Location of land		Period during which sowing and planting of crop to be done.
		Name of the village in which the land is situated	Name of Irrign. canal/outlet No/ supply scheme No. under the command of which the land is situated	

Irrigation Officer/
Asst. Executive Engineer.

FORM-26

Form of application for supply of Water for Kharif/Rabi/pre-Kharif crops U/S 30 of the Act.

To,

The Irrigation Officer,

.....

.....

Sir,

In accordance with section 30 of the Assam Irrigation Act, 1983, I, son of resident of village Police Station Block Sub-Division District hereby apply to Irrigation Department, Assam for the supply of Water from canal of Irrigation Scheme from subject to all the conditions specified below for the purpose of Irrigating the land hereafter described :-

1

Name of Applicant	Name of village in which the land is situated	Distribution		Day No. & Patta No.	Approximate area	Remarks
		Name of Irrigation canal	Outlet No.			
1	2	3	4	5	6	7

Contd....

2. I am owner/occupier/tiller of the land for which water has been applied for.
3. I agree to prevent water being ~~con~~ fed or used in an unauthorised manner.
4. I agree to pay for the supply of water, whether used or not, at the rate and on the date fixed by the Government for the purpose.
5. I agree that water will be supplied at such times and in such quantities as you may order and that any sums due from me, which are not paid by the date fixed, will be recoverable from me or my successor as arrear of land revenue with interest at 6 percent per annum.
6. I know that no suit for compensation lies either against the State Government or its officers in connection with my application for supply of water and an order passed thereon.
7. I agree to abide by all the provision of the Assam Irrigation Act, 1983, and the rules framed thereunder.
8. I agree to abide by all the condition that may be imposed by you regarding supply and use of water.
9. Date of application.

Signature or left hand
thumb impression of
witness.

Address
.....
.....

Signature or left hand
thumb impression of the
applicant.

FORM-27

Permit of supply of water for Kharif/Rabi/Pre-Kharif crop U/S 31 of the Act.

To,

..... (Name of Applicant)
..... (Village/Block)
..... (Police Station)
..... (Post Office)
..... (District)

Sir,

In accordance with section 31 of the Assam Irrigation Act, 1983, I hereby grant your application dated for supply of water to the extent indicated below :

Particulars of land (Dag No..... & Patta No. measuring..... acrs. in village Block for Irrigation of crop during the period from to from canal of Irrigation Scheme.

You shall have to take steps to prevent water being wasted or used in an unauthorised manner failing which all charges for the unauthorised use or waste of water will be recovered from you as water rates in addition to any penalty, incurred on account of such unauthorised use or waste, water rate will be charged at the rate of Rs..... per Ha. and you will be liable to pay the amount for the lands in respect of which water was supplied within sixty days of service of notice of demand.

Signature of Irrigation Officer.

Copy forwarded to the
.....
for information and necessary action.

Signature of Irrigation Officer.

FORM-28

Intimation to the applicant when the application for supply of water is rejected U/S 31 of the Act.

1. Application No.
2. Date of receipt of the application
3. Name of applicant
4. Name of the Irrigation Scheme
5. Name of Distributory
canal and outlet No,
if any.
6. Village and Dag No. and Patta No.....
7. Area demanding Irrigation
8. Period of supply (Applied for)
from to
9. Reasons for rejection

To,

..... (Name of applicant)

..... (Address)

Sir,

In accordance with section 31 of the Assam Irrigation Act, 1983, it is hereby informed that your above application is rejected for reasons included above.

Signature of Irrigation Officer.

FORM-29

TEMPORARY STOPPAGE OF SUPPLY OF WATER U/S 34 OF THE ACT.

The owners or occupiers of the land falling within the supply scheme no..... of Irrigation scheme, to whom permit for supply of water for crop has been issued in the Form-27 vide No. dt. are hereby informed that the supply of water will be temporarily stopped in the land hereafter described.

Name of owner/occupier of land	Name of village in which land is situated.	Distribution		Dag No. & Patta No.	Approximate area	Period or temporary stoppage of water	Reason for stoppage of water
		Name of Irrigation	Outlet No.				
1	2	3	4	5	6	7	8

Divisional Irrigation Officer/
Executive Engineer.

Copy forwarded of information
To,

.....
.....

Divisional Irrigation Officer/
Executive Engineer.

FORM-30

Notice of assessment/payment of water rate U/S 41/44 of the Act.

To:

Shri

Father's Name

Address

Dear Sir,

In accordance with section 41 of the Assam Irrigation Act, 1983, I hereby give this notice that the land/lands specified in the Schedule enclosed of which you are the owner/occupier and in which water was supplied, made available or used from Canal of Irrigation Scheme during Kharif/Rabi/ pre-kharif crop season from to are liable for assessment of water rate under the above Act, and hence water rates as assessed with corresponding amount are indicated in the enclosed schedule. In case of any objection against this assessment order you may file your appeal before the Divisional Irrigation Officer within 30 (thirty) days from the date of serving this notice. If no objection is received within the above stipulated time it shall be deemed as your acceptance of the assessed water rates and you will be liable to pay the assessed amount to the undersigned within 60(sixty) days from the date of serving this demand notice.

The amount of water rates not paid on the date, when it falls due shall be deemed to be an arrear and you shall be liable to pay an interest @ 5% per annum on the arrear amount of water rates.

Signature of the Irrigation Officer/
Asst. Executive Engineer.

SCHEDULE FORM-30

Name of Irrigation Scheme

Name of the beneficiary

Village Police Station

Dist.

Crop

Dag No. and Patta No.	Area in Bigha	Water rate leviable per Bigha	Amount	Remarks

Signature of Irrigation Officer

FORM-31

(Under section 43-46 of the Assam Irrigation Act, 1983)

NOTICE OF DEMAND FOR PAYMENT OF WATER RATES

(See Rule 27)

To

Shri

Father's Name

Address

Dear Sir,

Consequent upon the order no dated..... of Divisional Irrigation Officer disposing the appeal, preferred by you against the assessment order No. dt. in Form-30, fresh notice of demand is hereby served in accordance with section 43-44 of the Assam Irrigation Act, 1983, for the payable amount of water rates in respect of the land/lands of which you are owner/occupier and in which water was supplied made available or used from canal of Irrigation scheme during Kharif/Rabi/Pre-Kharif crop season from to as per particulars given below.

You shall be liable to pay the freshly assessed amount to the undersigned within 30 (thirty) days from the date of serving this demand notice.

The amount of water rates not paid in the date when it falls due shall be deemed to be in arrear and you shall be liable to pay an interest @ 6% per annum for the arrear amount of water rates.

Name of Irrigation Scheme

Name of the Beneficiary

Village Police Station District

Crop

Bag No. & Patta No.	Area in Bigha	Rate of water rate leviable per bigha	Amount	Remarks

Signature of Irrigation Officer.

FORM-33

Notice of demand for payment of penalty for unauthorised use of or waste of water U/S 45 of the Act.

To

Sri
Father's Name
Address

Dear Sir,

Consequent upon the order Rs. dated of Divisional Irrigation Officer disposing the appeal preferred by you against the notice of demand for payment of penalty for unauthorised use of or waste of water vide No..... dated in Form-32, fresh notice of demand is hereby served in accordance with section 45/51 of the Assam Irrigation Act, 1983, in respect of water being used from canal No of Irrigation Scheme in unauthorised manner for Irrigation of lands or misused in excess of the requirement of the crops for which irrigation has been sanctioned, showing the payable amount of penalty water rates for such unauthorised use/waste of water as specified below.

You shall be liable to pay the amount indicated in this fresh notice of demand to the undersigned within 30 (thirty) days from the date of service of this notice.

The amount of penalty water rates not paid on the date, when it falls due, shall to demand to be an arrear and you shall be liable to pay an interest @ 6% per annum for the arrear amount of penalty water.

Name of assessee

Name of Irrigation Scheme

Village Police Station

District

Contd....P/2.

-:-

Dag No. & Patta No.	Area in Bigha	Penalty water rate/Bigha assessed under section 45(5)	Total amount of penalty water rate assessed	Remarks

Signature of Irrigation Officer.

FORM-34

Notice of commencement/completion of construction and availability of water under section 46(2) of the Assam Irrigation act, 1983.

No. Date

In accordance with sub-section 46(2) of the Assam Irrigation Act, 1983, it is hereby notified that water has been made available to the land/lands specified in the schedule below from the Irrigation work/works pertaining to Irrigation Scheme which were commenced and completed on date/dates mentioned against each.

The date/dates from which water has been made available to the staple crops is/are also mentioned in each case.

As the owner/occupier of the land/lands specified in the schedule are liable for the payment of betterment contribution/levy under the above mentioned Act annually from the year indicated therein against each, the affected owner occupier of the land/lands may file before the undersigned written objection of, if any, on the particulars contained in this notification within 30 (thirty) days from the date of publication of this notice.

SCHEDULE

Name of Irrigation Scheme :

Village Police Station Dist.

Name of Irrigation work	Date of commencement	Date of Completion	Dag No. & Patta No. to which water made available	Area in Bigha	Date from which water supplied	Year from which betterment contribution to be levied

Signature of Betterment Levy officer.

FORM-35

Public notice alongwith statement in Form 35(A) showing the lands under the irrigable command of the irrigation work in respect of which betterment contribution/levy is payable under Sub-Section 47(3) the Assam Irrigation Act, 1983.

No.

Date :

In accordance with Sub-section 47(3) of the Assam Irrigation Act, 1983 and in contribution to the notification No. date..... in Form-34 a statement in Form 35(A) is hereby published showing the names of owner/occupier of the lands under the irrigation command of the irrigation works in respect of which betterment contribution/levy is payable according to provisions under Sub-Section 47(g) of the Act.

Rates and amount payable and the year of levy have been specified in each case in the statement mentioned above.

Areas in which water has been made available during 5 (five) consecutive years for more than 1 (one) crop season annually have been subjected to betterment contribution/levy at full rate and those in which water has been made available during 5 (five) consecutive years for 1 (one) crop season annually, have been subjected to betterment contribution/levy at 75% of the full rate. The amount of betterment contribution/levy as assessed is required to be paid by last March every year.

The amount of betterment contribution not paid on the date when it falls due shall be deemed to be an arrear and shall be recovered with interest at 6% per annum if the entire arrear amount of betterment contribution is not paid within two years of its becoming due.

On the other hand farmers paying the entire amount of betterment contribution/levy within two years of its becoming due shall be entitled for a rebate of 5% on the total amount.

The affected owners/occupiers of lands under the culturable command area of the irrigation work human are required to appear before the undersigned in my office at personally or through against the state their objection if any as specified under sub-section 47(3)(i), 47(3)(a)(ii) and 47(3)(b) of the Act, within 7 (seven) weeks from the date of publication of this notice during office hours from 2 P.M. to 4 P.M. (except holiday).

Enclo : As stated above.

Signature of Betterment
Contribution/levy Officer.

SCHEDULE-35(a)

STATEMENT SHOWING THE LANDS UNDER THE IRRIGABLE COMMAND OF THE IRRIGATION WORK IN RESPECT OF WHICH BETTERMENT CONTRIBUTION/ LEVY IS PAYABLE ACCORDING TO THE PROVISIONS UNDER SUB-SECTION 47(2) OF THE ASSAM IRRIGATION ACT, 1983 :

(See Sub-Rule-32(4) and Sub-Rule 33(1))

Name of Irrigation Scheme

Name of Irrigation work

Name of Village	Name of owner/ occupier	Daq No. Patta No.	Area in Bigha	Rate of Betterment contribution/levy leviable per Bigha	Area in Bigha Subjected to Betterment contribution/levy at full rate	Area in Bigha subjected to betterment contribution/levy at 75% of full rate	Year of levy	Amount of betterment contribution/levy leviable in respect of the area in col. 6	Amount of betterment contribution/levy leviable in respect of the area in col. 7.	Total amount of betterment contribution/levy leviable (9&10)	Remarks
1	2	3	4	5	6	7	8	9	10	11	

Signature of Betterment Levy Officer.

PORM-36

Notice of owner/occupier or his agent of the land/lands under the irrigable command of the Irrigation work in respect of which betterment contribution/levy is payable under sub-section 47(A) and section 48-50 of the Assam Irrigation Act, 1983.

No.

Date :

To

Sri

Father's Name

Address

Dear Sir,

In accordance with sub-section 47(4) of the Assam Irrigation Act, 1983, I hereby give notice that the land/lands specified in the schedule 36(A), attached, of which you are owner, occupier are liable for the payment of betterment contribution/levy under the above mentioned Act annually commencing from the year at rates noted against each and the amount is required to be paid by 31st March every year to the undersigned.

The amount of betterment contribution/levy not paid on the date when it falls due shall be deemed to be an arrear and shall be recovered with interest at 6% per annum if the entire arrear amount of betterment contribution is not paid within two years of its becoming due.

On the other hand persons paying the entire amount of betterment contribution/levy within two years of its becoming due shall be entitled for a rebate of 8% on the total amount. You may file before the undersigned your written objection, if any, as specified under sub-section 47(3)(A) (i, ii, 47(3)(a), ii, and 47(3) (b) of the Act within 7 (seven) weeks from the date of service of this notice.

Enclo : As stated above.

Signature of Betterment
Contribution/Levy Officer.

FORM-37

Notice of command under section 48-50 of the Assam Irrigation Act, 1983.

OFFICE OF

No.

Date :

To,

Shri
Father's Name
Address

Dear Sir,

In accordance with sub rule. of Rule 34 of the Assam Irrigation Act, 1983, hereby give notice that in respect of the land/lands of which you are the owner/occupier of particulars of which are given below betterment contribution/levy as specified below has been finally assessed as being payable by you and that you are hereby required to pay the amount due by 19..... of the 1st year and subsequently by 31st March every year to the undersigned.

An authenticated copy of the final order in this respect is sent herewith for your information and necessary action.

The amount of betterment contribution/levy not paid on the date when it falls due shall be deemed to be an arrear and shall be recovered with interest at 08 per annum if the entire arrear amount of betterment contribution/levy is not paid within two years of its becoming due.

On the other hand persons paying the entire amount of betterment contribution/levy within two years of the becoming due shall be entitled for a rebate of 5% with total amount.

Contd...

Name of Irrigation Scheme :

Name of Irrigation Work :

Village Police Station

District.....

Serial No. of the assessment list of the village	Dag No. and Patta No.	Area in Bigha	Note of the betterment contribution/levy finally assessed under sub-section 47(3)	Amount of betterment contribution/levy finally assessed under sub-section 47(5)	Remarks
1	2	3	4	5	6

Enclo : As stated above.

Signature of the Betterment
Contribution/levy Officer.

FORM-38

(See Sub-Rule-40(2))

Public notice alongwith approved list of able-bodied persons under sub-section (3) of Section 51 of the Assam Irrigation Act, 1983.

No.

Date :

In accordance with Section-51(3) of the Assam Irrigation Act, 1983, a list of able-bodied persons who may be required for urgent works, repairs etc. at short notice is published herewith for general information.

Every person whose name has appeared in this list shall be liable to attend in person or through authorised persons at such place and to carry out such duties as allotted to each of them by the Divisional Irrigation Officer or any Officer acting under his general or special order in connection with the execution of the work necessary for preventing sudden damage, injury or interruption apprehended or for otherwise protecting the irrigation work or supply work whenever called for by public proclamation by beat of drum failing which it will be treated as ~~contribution~~ of the provisions under Section 51, sub rule 1(d), of the Assam Irrigation Act, 1983.

Any person whose name is appeared into the aforesaid list may apply in writing to the collector to have his name ~~received~~ therefrom within 15 (fifteen) days of publication of this notice. Decision of the Collector in this regard shall be final.

Divisional Irrigation Officer.

FORM-40 (See Rule-41)

Notice to the persons causing or having control over any obstruction to any Irrigation work to remove or modify the same under Section 52 of the Assam Irrigation Act, 1983.

No.

Date :

To

Shri
Address
.....

Dear Sir,

Whereas the Government of Assam in the Irrigation Department notification No..... dated..... it has been notified that injury to land (to be specified) Public Health, Public convenience has arisen/is likely to arise from the obstructions of the river/spring/stream/irrigation work/drainage work mentioned in the schedule below and that orders have been issued in the said notification prohibiting the formation of any such obstruction/for the removal/modification of all such obstructions already formed within the limits and to the extent specified in column 3 to 7 of the schedule. And whereas it appears that you have caused/have control over the obstructions, you are hereby directed to remove/modify the obstruction to the extent specified in the Schedule by and intimate the fact of removal/modification, the undersigned by failing which the same shall be removed/modified at the cost of Government and the cost of such removal/modification shall be recovered from you as arrear of land revenue in accordance with Section 52 of the Assam Irrigation Act, 1983.

SCHEDULE

Sl. No.	Name of the river/spring/stream/Irrigation work/drainage work	Nature of obstruction likely to be formed	Location to be specified		Extent to which removal to be effected	Extent & nature of modification to be effected	Remarks
			4	5			
1	2	3	4	5	6	7	8

Irrigation Officer.

FORM-41
(See Rule 42)

Notice to the person causing or having control over any obstruction to an irrigation work to pay the expenses incurred by Government for removal/modification of the obstruction under section 52 of the Assam Irrigation Act, 1983.

To

Sri
Address
.....

Whereas in this office order No..... you were directed to remove/modify the obstruction to the Irrigation work specified therein by and to send intimation to the undersigned by and whereas you have not removed/modified the obstruction by the aforesaid date and the said obstruction has been removed/modified at the expense of Government and an expenditure of Rs..... (Rupees has been incurred by Government for the said purpose.

Now, you are hereby directed to deposit the sum aforementioned in the office of the undersigned by failing which it shall be recovered from you as arrear of land-revenue.

Irrigation Officer.

FORM-42

(See Sub-Rule 2 of Rule 42)

Notice to the land owner or occupier for receiving compensation under section 57(1) of the Assam Irrigation Act, 1983.

No.

Date :

To

Shri
 Father's Name..
 Address

Dear Sir,

In accordance with section 57(1) of the Assam Irrigation Act, 1983, I hereby give notice that compensation as specified in the schedule below has been assessed for damages caused by to your land as shown in the schedule the entry and/or by execution of work thereon.

The sum payable to you is ₹..... if you are willing to accept payment, you should appear before during office hour. In the case of failure to appear in time, it shall be assumed that the tender is not accepted by you.

Irrigation Officer.

SCHEDULE

Sl. No.	Description of the land (name of village Holding No. Dag No. etc.	Damaged caused	Work executed if any	compensation assessed	Remarks
---------	---	----------------	----------------------	-----------------------	---------

FORM-43
(See Sub-Rule 2 of Rule 42)

Notice to the land owner or occupier for attending enquiry as to the amount of compensation assessed under Sub-section (2) of section 57 of the Assam Irrigation Act, 1983.

No. Date

Shri.....
Father's Name
Address

Whereas the Irrigation Officer had tendered compensation amounting to Rs..... (Rupees.....) to you in his notice served on you on on account of damages caused to your land specified in the schedule below by the entry or/and by execution of work thereon and you have not accepted his tender, notice is hereby given that the enquiry for deciding the amount of compensation payable to you has been fixed to be held on at..... A.M./P.M. at (place).

You are hereby called upon to appear personally or by duly authorised agent on the date and time fixed before the undersigned to state the reasons as to why the compensation tendered by the Irrigation Officer has not been accepted by you. If you fail to put in an appearance as required above compensation will be decided ex parte.

Schedule
description of land

.....
.....

Collector.

Copy forwarded to Irrigation Officer for information with reference to his letter No..... dated He is hereby called upon to appear before the undersigned on the date and time mentioned above for giving evidence in deciding the amount of compensation.

Collector.