

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1473 CUTTACK, SATURDAY, OCTOBER 17, 2015/ASWINA 25, 1937

REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 5th October 2015

S. R. O. No. 485/2015—The following draft of certain rules further to amend the Odisha Irrigation Rules, 1961, which the State Government proposes to make in exercise of the powers conferred by Section 53 of the Odisha Irrigation Act, 1959 (Odisha Act 14 of 1959) is hereby published as required under sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft shall be taken into consideration on or after expiry of a period of thirty days from the date of their publication in the *Odisha Gazette*.

Any objection or suggestion which may be received from any person with respect to the said draft before the expiry of the period specified above shall be considered by the State Government :—

DRAFT

1. Short title and commencement —

- (1) These rules may be called the Odisha Irrigation (Amendment) Rules, 2015.
- (2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Irrigation Rules, 1961 (hereinafter referred to as the said rules), in Rule 23-A,—

(1) In sub-rule (1),—

- (i) for clause (b), the following clause shall be substituted, namely :—

“(b) the Executive Engineer shall order installation of a Flow Meter or a suitable measuring device, as the case may be, after execution of the agreement in accordance with the provision of clause (e) of sub-rule (2) and before making any drawal of water at its own cost by the concerned industrial, commercial or other establishment to measure the quantum of water to be drawn from the Government water source and the Flow Meter or the measuring device, as the case may be, shall be installed under the direct supervision of the Executive Engineer or an Engineer not below the rank of an Assistant Executive Engineer to be specifically authorized by him, failing which the water supply shall not be made and the industrial, commercial or other establishment found drawing water without execution of such agreement and installation of Flow Meter or a suitable measuring device, as the case may be, shall be charged with penal rate at six times the rate specified in the Schedule III on the allocated quantity.”;

- (ii) in clause (c), the word "and" occurring at the end shall be omitted ;
 (iii) in clause (d), at the end, the semicolon and the word "and" shall be added ;
 (iv) after clause (d), the following clause shall be inserted, namely :—

" (e) for bulk supply to Municipalities, Notified Area Councils, other local authorities and cluster of villages such industrial, commercial or other establishment shall instal separate Flow Meter or measuring device, as the case may be, at a suitable place along the pipe line to ensure quantum of water supplied to such Municipalities, Notified Area Councils, other local authorities and cluster of villages for drinking and washing, etc. in addition to installation of the Flow Meter under clause (b) which shall be treated as industrial or commercial use and license fee for such industrial or commercial use shall be at the rate as provided in item 3 (ii) of Schedule III." and

(2) In sub-rule (2),—

- (i) for clause (f), the following clause shall be substituted, namely :—

"(f) License fees shall be charged and collected at the rate as specified in Schedule III per unit or quantity of water actually drawn or allocated whichever is higher and shall be enhanced at the rate of ten percentum for annum with effect from the first day of April :

Provided that the State Government may, in the public interest, by notification in the *Odisha Gazette*, further revise the rates of license fees as and when it is considered necessary." and

- (ii) in clause (i), for the word "lifted" the words "allocated, whichever is higher" shall be substituted.

3. In the said rules, for Schedule II, the following Schedule shall be substituted, namely :—

"SCHEDULE II

(See Rules 23 and 26)

SPECIAL RATES FOR PURPOSES OTHER THAN IRRIGATION

Item No.	Purpose for which supply is given	Rates in rupees	Per
(1)	(2)	(3)	(4)
1	Bricks or tiles making	30.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated, whichever is higher for industrial/commercial purposes: Slab I - Consumption not exceeding 5 cusecs Slab II - Consumption exceeding 5 cusecs	4.20 5.60	1000 litre (1 m ³) 1000 litre (1 m ³)
	(ii) For water used for Hydropower Generation	0.01	1 KWH
3	(i) For bulk supply to Municipalities and Notified Area Councils and other local authorities for drinking, washing, etc.	0.25	1000 litre (1 m ³)
	(ii) For bulk supply to Municipalities and Notified Area Councils and other local authorities and cluster of villages by industrial, commercial or other establishments actually drawn or allocated whichever is higher for drinking, washing, etc.	0.50	1000 litre (1 m ³)

(1)	(2)	(3)	(4)
4	Construction of commercial buildings	7.10	1000 litre (1 m ³)
5	For filling tanks	0.10	1000 litre (1 m ³)
6	For filling tanks mainly for drinking purposes	0.05	1000 litre (1 m ³)

4. In the said rules, for the Schedule III, the following Schedule shall be substituted, namely :—

SCHEDULE III

[See Rules 23-A (1) (e) and (2) (f)]

RATE OF LICENCE FEE FOR INDUSTRIAL/COMMERCIAL USE OF WATER FROM GOVERNMENT WATER SOURCES

Item No.	Purpose for which supply is given	Rates in rupees	Per
(1)	(2)	(3)	(4)
1	Bricks or tiles making	25.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated, whichever is higher for industrial/commercial purposes: Slab I - Consumption not exceeding 5 cusecs Slab II - Consumption exceeding 5 cusecs	3.40 4.50	1000 litre (1 m ³) 1000 litre (1 m ³)
	(ii) For water used for Hydropower Generation	0.01	2 KWH
3	(i) For bulk supply to Municipalities and Notified Area Councils and other local authorities for drinking, washing, etc.	0.20	1000 litre (1 m ³)
	(ii) For bulk supply to Municipalities and Notified Area Councils and other local authorities and cluster of villages by industrial, commercial or other establishments actually drawn or allocated whichever is higher for drinking, washing, etc.	0.40	1000 litre (1 m ³)
4	Construction of commercial buildings	5.30	1000 litre (1 m ³)
5	For sub-soil water actually used and consumed for industrial/commercial purposes : Slab I - Consumption not exceeding 5 cusecs Slab II - Consumption 5 cusecs or more	6.80 9.00	1000 litre (1 m ³) 1000 litre (1 m ³)

5. In the said rules, in Form 'K', for Clause 9, the following clause shall be substituted, namely :—

"9. M/s Ltd, drawing or allocated water from the reservoir for its uses, shall sign supplementary agreement with the Odisha Hydropower Corporation Limited, to compensate the loss of energy generation due to its drawal and the Odisha Hydropower Corporation Limited, shall raise demands for compensation of loss of energy generation within first week of every month against the quantity of water drawn or allocated, whichever is higher."

6. In the said rules, in Form 'V', the following Form shall be substituted, namely:—

Form 'V'

[See Rule 23-A (2)(i) and Rule 26]

NOTICE OF DEMAND

Office of the Executive Engineer

No.

Date

To

M/s (Name of the industrial commercial or other establishment). Notice is hereby given that you have been drawing/lifting water from the Government water source/irrigation works as shown in the Format during the month of As per Flow Meter reading you have consumed cubic metre/litre of water in your Industrial/Commercial Establishment against the allocated quantity for the month is cubic metre/litre. As per sub-rule 2 (f) of Rule 23-A, read with Rule 23 and Rule 26, the quantity of water for this month is cubic metre/litre and you have been assessed with an amount as shown in the Format.

You are hereby directed to deposit the fees so assessed in the office of the Executive Engineer noted below by failing which action as deemed proper under the provisions of the Act and rules shall be taken against you.

FORMAT

(1)	(2)	(3)	(4)	(5)	(6)	Collection during the month			(10)	(11)	(12)
						Current	Arrear	Total (Col. 9 = Col. 7 + Col. 8)			
Name of the Government water source/ Irrigation work	Khata/ Plot No.	Quantum of water for the month (In cum)/ Energy generated in KWH	Unit rate of license fee/special water rate (Rate/cum.) (Rate/KWH)	Total amount assessed for the month (Col. 5= Col. 3x Col. 4)	Cumulative demand for the previous month (Col. 11 of previous month)				Interest @ 2% per month (Col. 10 = (Col. 6 - Col. 9) x 2/100]	Cumulative demand for the month (Col. 11 = Col. 5 + Col. 6 + Col. 10 - Col. 9)	REMARKS
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Rs. in Lakh

Signature

(Designation of the Officer issuing the notice of Demand"

[No. 28356—III-W-04/2015-R&DM.]

By order of the Governor

MONA SHARMA

Principal Secretary to Government

Printed and published by the Director, Directorate of Printing, Stationery and Publication, Odisha, Cuttack-10

Ex. Gaz. 967—173+10