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REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 24th September, 2016

S.R.O. No.450/2016— Whereas, the draft of certain rules further to amend the Odisha Irrigation Rules, 1961 was published as required by sub-section (1) of Section 53 of the Odisha Irrigation Act, 1959 (Odisha Act, 14 of 1959) in the Extraordinary issue of the *Odisha Gazette* No.1473, dated the 5th October, 2015 under the notification of the Government of Odisha in the Revenue & Disaster Management Department No. 28356-III-W-04/2015, dated the 5th October, 2015 as **S.R.O. No.485/2015** inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of thirty days from the date of publication of the said notification in the *Odisha Gazette*;

And, whereas, the objections and suggestions received within the stipulated period from the persons interested have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by Section 53 of the said Act, the State Government do hereby make the following rules further to amend the Odisha Irrigation Rules, 1961, namely:—

1. Short title and commencement:— (1) These rules may be called the Odisha Irrigation (Amendment) Rules, 2016.

(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 2, after clause (g), the following clause shall be inserted, namely:—

“(gg) “OHPC” means the Odisha Hydropower Corporation, a company registered under the Companies Act, 1956.”

3. In 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 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 of the clause the semi colon 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 install 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 double the existing 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 the Schedule-III per unit or quantity of water actually drawn or allocated whichever is higher and shall be enhanced at the rate of ten per centum per 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.

4. 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	Quantity
(1)	(2)	(3)	(4)
1	Bricks or tile making	30.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated , whichever is higher for industrial or commercial purposes.		
	Slab-I - Consumption not exceeding 5 cusecs	4.20	1000 litre (1 m ³)
	Slab-II - Consumption of 5 cusecs or more	5.60	1000 litre (1 m ³)
	(ii) For water used for Hydro Power 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)
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)”

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

“Schedule-III

[See rule 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	Quantity
(1)	(2)	(3)	(4)
1	Bricks or tile making	25.00	1000 bricks or tiles
2	(i) For water actually drawn or allocated whichever is higher for industrial or commercial purposes.		
	Slab-I - Consumption not exceeding 5 cusecs	3.40	1000 litre (1 m ³)
	Slab-II - Consumption 5 cusecs or more	4.50	1000 litre (1 m ³)
	(ii) For water used for Hydro Power Generation	0.01	1 KWH
3.	(i) For bulk supply to Municipalities and Notified Area Councils and other local authorities for drinking, washing etc.	0.20	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 purpose.		
	Slab-I - Consumption not exceeding 5 cusecs	6.80	1000 litre (1 m ³)
	Slab-II - Consumption of 5 cusecs or more	9.00	1000 litre (1 m ³)

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

“9. M/sLtd, drawing or allocated water from the reservoir for its uses, shall sign supplementary agreement with the Odisha Hydro Power Corporation Limited, to compensate the loss of energy generation due to its drawal and the Odisha Hydro Power 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.”

7. In the said rules, for 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/allocated water from the Government water source or Irrigation works as shown in the Format during the month of As per Flow Meter reading you have consumedcubic metre/litre of water in your Industrial/Commercial Establishment against the allocated quantity for the month of.....,which iscubic 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 iscubic 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 on or before dt....., failing which action as deemed proper under the provisions of the Act and rules shall be taken against you.

FORMAT

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.3 x Col.4).	Collection during the 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		
					Current	Arrear					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
					(Col.11 of previous month).			(Col.7+C ol.8).			

Rs. In Lakh

Signature

(Designation of the Officer issuing the notice of Demand"

[No. 29870-III-W-04/2015/R&DM.]
By Order of the Governor

Dr. MONA SHRMA

Principal Secretary to Government

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