

**THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)
RULES,1965
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**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)
RULES,1965**

(As amended by GSR 1157, dated 22-9-1966; GSR 356, dated 3-8-1967; GSR 104, dated 2-4-1968; GSR 165, dated 24-4-1969; GSR 214, dated 13-7-1971; S.O.1410, dated 3/5-8-1971; GSR 301, dated 31-8-1972; GSR 27, dated 25-1-1973; GSR 6, dated 29-12-1975; GSR 71, dated 23-2-1976; S.O.745, dated 16-3-1976;GSR 187,dated 30-6-1976;GSR 411,dated 30-11-1976;GSR 207, dated 5-7-1979; GSR 11, dated 1-1-1980; GSR 84, dated 6-3-1984; GSR 293, dated 4-11-1987; GSR 80, dated 4-7-1997: **WRD 16 NPC 99(P), dated 9-10-2002 and WRD 02 NMS 2008,date:d 12-7-2011.**)

GSR 789. - In exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, the draft of the same having been previously published as required by sub-section(1) of the said section, in Notification No.PWD 33 LBW 64, dated the 8th November,1965 as GSR 726 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated the 11th November,1965, namely.-

1. Title and commencement.- (1)These rules may be called the **Karnataka Irrigation(Levy of Water Rates) Rules,1965.**

(2) They shall be deemed to have come into force on the First day of July, 1965.

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

- 1) **"Act"** means the Karnataka Irrigation(Levy of Betterment Contribution and Water Rates) Act,1957;
- 2) **"Assistant Commissioner"** means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

2[(2-A) **"Lift Irrigation Works"** means an Irrigation work wherein water is lifted by mechanical contrivance from a natural stream or halla

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- (1) Published in the Karnataka Gazette,6-1-1966,vide Notification No.PWD 33 LBW 64, dated 28-12-1965.
 - (2) Clause(2-A) inserted by GSR 187,dated 30-6-1976 and shall be deemed to have come into force w.e.f.1-7-1976

or river or from a reservoir, pond, anicut and canal belonging to Government ¹[or Nigam] and used for irrigation purpose, and shall include all intake works, machinery and appurtenances required for the suction, delivery and distribution of water;]

²[(2-B) **“Nigam”** means the Krishna Bhagya Jala Nigam Limited or the Karnataka Neeravari Nigam Limited [or the Cauvery Neeravari Nigam Limited or any other body or Corporation established by the State Government for this purpose] incorporated under the Companies Act, 1966 (Central Act of 1956)];

(3) **“Revenue year”** means the year commencing on the First day of July;

(4) **“Section”** means a section of the Act;

(5) **“Tahsildar”** means the Tahsildar entrusted with the land revenue administration of the taluk in which the land in respect of which water rate is leviable is situated.

⁴[3. Levy of Water Rates for the use of water from Irrigation works.-(1) In respect of water supplied, made available or ⁵[used from any irrigation work] for growing the crops specified in column (2) of the Table below, ⁶[except in the case of water supplied or made available to Water Users Societies] water rates at the rate specified in the corresponding entries in column (3) thereof shall, in respect of each such crop grown, be levied.

⁷[TABLE
Flow Irrigation

Sl no	Crops	Water rate in rupees per acre
1	Sugarcane	400.00
2	Paddy	100.00

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1. Inserted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.
 2. Clause (2-B) inserted Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.
 3. Inserted by Notification No WRD 02 NMS 2008, dated 12-7-2011, w.e.f. 11-8-2011.
 4. Rule 3 substituted by GSR 214, dated 13-7-1971 and shall be deemed to have come into force w.e.f 1-7-1965
 5. Substituted for the words “used from any major or medium irrigation work” Notification No WRD 16 NPC 99(P), dated 09-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.
 6. Inserted by Notification No WRD16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000
 7. Table, including the note and the explanation substituted by Notification No WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.

3	Wheat, cotton, Groundnut and Sunflower	60.00
4	Jower, Maize, Navane, Ragi and Semi dry crops	35.00
5	Pulses	35.00
6	Tobacco	35.00
7	Garden Crops	60.00
8	Manurial Crops	15.00
9	Other Crops	35.00

Provided that where the crops specified in the table are grown by conjunctive use of ground-water along with the water supplied, made available or used from the irrigation work the levy of water rate in respect of such crops shall be at such proportion of the rates so specified in the table as they correspond to the same proportion to the period of water used, supplied or made available from the irrigation work bears to the crop period.]

¹[XXXXXX]

(3) Where water supplied or made available from any irrigation work cannot be used for irrigating any land without baling or using a mechanical contrivance and the water supplied or made available is used for irrigation after such baling by using mechanical contrivance, water rates shall be levied at half the rates ²[specified in sub-rule (1)].

³[(4) where water is supplied or made available or used for irrigation of land which had not been irrigated by water before coming into force of the Karnataka Irrigation (Levy of Water Rates)(Amendment)Rules, 2002.-

- i. no water rate shall be levied during the first and second years after such commencement;
- ii. water rates shall be levied at half the rate specified in sub – rule(1) during the third year after such commencement; and
- iii. water rates shall be levied in full as specified in sub- rule (1) for the fourth and subsequent years after such commencement:

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1. Sub-rules (1-A) and (2) omitted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.
 2. Substituted for the words, figures and brackets “specified in sub-rules (1) and (2)”by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.
 3. Sub-rule (4) substituted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.

Provided that nothing under this sub-rule shall be applicable in the case of water supplied or made available or used from lift irrigation work.]

¹**[3-A. Levy of water rate where no crop is grown.** – Notwithstanding anything contained in Rule 3 where water is supplied made available or used for growing any crop or the irrigation of any land but no crop is actually grown, water rate shall be levied at the rates prescribed in the said rule as if the concerned crop was grown’.]

²**[3-B. Levy of water rate for use of water from natural waterways, etc** –(1) Where water is used from natural waterways, rivers and streams or parts thereof after obtaining permission for such use, for irrigation of any land ³[x x x x x], water rate at ⁴[ten rupees] per acre shall be levied in respect of each revenue year.

(2) The provisions of Rule 4 applicable to the determination of water rate levied under Rule 3 shall *mutatis mutandis* apply to the determination of water rate payable under sub-rule(1).]

⁵**[3-C. Levy of water rate for use of water from Lift Irrigation Works.** – In respect of water supplied made available or used from any lift irrigation work owned and maintained by Government ⁶[or Nigam] for irrigation of any land, water rates shall be levied as below.-

(1)	For sugarcane or Paddy crops.	Three times the rate as indicated in the table under Rule 3, Sub-rule (1)
(2)	For Crops other than Paddy and sugarcane.	Twice the rate as indicated in the table under Rule 3, sub-rule (1).]

⁷**[3-C. Levy and determination of water rate for use of water for purposes other than agriculture.** –⁸(1) Where water is used from any irrigation work for any purpose other than agriculture after obtaining necessary permission, water rate shall be levied at the following rates, namely.-

1. Rule 3-A inserted by GSR 104, dated 2-4-1968 and shall be deemed to have come into force w.e.f 1-7-1965.
2. Rule 3-B inserted by GSR 165, dated 24-4-1969, w.e.f 15-5-1969
3. The words “after bailing or using a mechanical contrivance” omitted by GSR 27, dated 25-1-1973, w.e.f. 8-2-1973
4. Substituted for the words “ four rupees” by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f 13-7-2000.
5. Rule 3-C inserted by GSR 187,dated 30-6-1976 and shall be deemed to have come into force w.e.f. 1-7-1976
6. Inserted by notification No.WRD 16 NPC 99(P) dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000
7. Rule 3-C inserted by GSR 11,Dated 1-1-1980 and shall be deemed to have come in to force w.e.f 1-3-1967
8. sub – rule (1) including provision substituted by notification No.WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000

(a)	if water is used for domestic purpose	Rs. 375 per Meft
(b)	if water is drawn from natural water-ways, rivers or streams for industrial use	Rs. 1,800 per Meft
(c)	if water is drawn from canal, Tank-Reservoir, Anicut and Bandhara, Pond, Kunta, Madagu Talaparige belonging to Government or Nigam for industrial use.	Rs. 3,200 per Meft

Provided that where water used under clause(c) is returned unpolluted to such canal, tank, reservoir, anicut, bandhara, pond, kunta, talaparige or madagus the water rate for the quantity of water returned, shall be limited to fifty per cent of the rate payable under that clause:

Provided further that no water rate shall be levied under clause (b) or (c) for a period of two years from the date of starting of such industry and water rate shall be levied at half the water rate specified in clause (b) or (c) during the third year and full water rate as specified shall be levied from fourth year onwards].

(2) Necessary approved measuring device shall be installed by the person drawing water to measure the water drawn and returned.

(3) The Executive Engineer in charge of the irrigation work shall determined and recover the amount of water rate levied under sub-rule(1). The amount of water rate levied under sub-rule (1) shall be paid within fifteen days from the date of the demand notice, failing which supply of water may be stopped.

(4) Any person objecting to the levy of water rate as specified in the notice under sub-rule(3), may within thirty says from the date of service of such notice appeal to the Superintending Engineer who shall after giving the appellant an opportunity of being heard pass such orders as he thinks fit and the order of the Superintending Engineer on such appeal shall be final:

Provided that the Superintending Engineer may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.]

¹[(5) Where water is used from any irrigation work belonging to the Nigam reference to “Executive Engineer” and “Superintending Engineer” in sub rule(3) and (4) shall be constructed as reference to “Executive Engineer” and “Superintending Engineer” respectively of the Nigam.]

4. Determination of water rates ²[by the Government] – ³[(1) In determining water rate levied under sub-rule(1) of Rule-3, in respect of each crop an officer of the Water Resources Department nominated by the Assistant Executive Engineer, shall inspect and prepare a statement of each survey number to which water was supplied, made available or used for irrigation of crop raised therein. The assistant Executive Engineer shall after satisfying himself of the correctness of statement, prepare a statement of water rates payable by each landholder. The statement so prepared shall be notified in the village chavadi and the office of the Assistant Executive Engineer, inviting objections if any, in writing by the Concerned landholders. If no objections are received the Assistant Executive Engineer shall send the statement to the Tahsildar for collection of water rates specified therein. If any objection is received by the Assistant Executive Engineer, in respect of any land, he shall, after giving the landholder concerned an opportunity of being heard, revise the statement if he thinks fit to do so. The revised statement shall be forwarded to the Tahsildar for collection of water rates specified therein.]

(2) After the preparation of the statement of water rates payable by each landholder under sub-rule(1), The Tahsildar shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person by tendering or delivering it to such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it, to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence, or by sending the same by registered post to his last known place of residence.

(3) Any person objecting to the levy of water rate as specified in the notice of demand served on him may, within thirty days from the date of service of such notice appeal to the ⁴[Executive Engineer] who shall after giving the appellant an opportunity of being heard, pass such orders on appeal as he thinks fit:

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1. Sub-rule(5) inserted by notification No. WRD16 NPC 99(P),dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000
 2. Inserted by Notification No.WRD 16 NPC 99(P),DATED 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000
 3. Sub-rule(1) substituted by Notification No. WRD16 NPC 99(P),dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000
 4. Substituted for the words” Assistant Commissioner” by Notification No. WRD16 NPC 99(P),dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000

Provided that the ¹ [Executive Engineer] may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

²[(4)xxxxx]

CASE LAW

Rule 4- Scope of.

K.S Puttaswamy and N.R. Kudoor, JJ.- Under Rule 4, if the determination made by the Tahsildhar is objected to by the land owner in an appeal, then the Assistant Commissioner is required to hold an inquiry and provide an opportunity of hearing to the land owner and then determined all questions of fact and law that arise in such an appeal. This view is in accord with the rules and the requirements of the principles of natural justice for provide for a post decisional hearing and the same does not call for interference.- *Sharanappaswamy Gowda V state of Karnataka, 1984(2)Kar. L.J.382:ILR 1985 Kar.627(DB).*

³[**4-A Levy of Water Rates for the use of Water from irrigation works from Nigam.-**
x x x x x]

4-B. Determination of water rate ⁵[by Nigam]. - ⁶[(1) In determining the water rates levied under sub-rule(1) of Rule 3, an officer authorised by the Nigam in this behalf (hereinafter referred to as the empowered officer) shall inspect and prepare a statement of such survey number to which water was supplied, made available or used for irrigation and crops raised therein. The Assistant Executive Engineer (hereinafter referred to as Sub-Divisional Officer) shall after satisfying himself of the correctness of statement, prepare a statement of water rates payable by each landholder and shall issue a notice of demand to the person liable to pay water rate.]

(2) Any person objecting the levy of water rate as specified in the notice of demand served on him may within 30days from the date of service of such notice appeal to the empowered officer, who shall after giving the appellant an opportunity of being heard pass such order on the appeal as he thinks fit:

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1. Substituted for the words “ Assistant Commissioner” by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall deemed to have come into force w.e.f 13-7-2000.
 2. Sub-rule (4) omitted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.
 3. Rule 4-A and 4-B inserted by GSR 80, dated 4-7-1997, w.e.f, 24-7-1997
 4. Rule 4-A omitted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.
 5. Inserted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.
 6. Sub-rule (1) substituted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000.

Provided that the empowered officer may admit an appeal preferred after a period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

¹[(3)xxxxx]

(4)xxxxxx]]

²**4-C. Levy and collection of water rate of water supplied to water users Societies on volumetric basis.-(1)** In respect of water supplied or made available to water users Societies for the purpose of irrigation under sub-section (1-A) of section 10 by the Government or Nigam, water rate shall be levied on volumetric basis at the rate of rupees twelve per 1000 cum.

(2) The Assistant Executive Engineer in-charge of the irrigation works shall calculate the amount of water rate levied under sub rule (1) in accordance with an agreement entered into with the Water Users Society and shall issue a notice of demand to the Water Users Society. The amount of water rates so demanded shall be recovered in accordance with such agreement.

(3) The Water Users Society objecting to the levy of water rate as specified in the notice of demand issued under sub-rule (2) may within thirty days from the date of service of such notice appeal to the Executive Engineer in-charge of the irrigation work who shall after giving the appellant an opportunity of being heard pass such order as he thinks fit.

4-D. Collection of water charges by the Society.-(1) Water Users Society shall collect water charges from the members of the society and also non-members holding lands within the jurisdiction of the society, which shall include, apart from the water rates payable to the Government or Nigam by the Society, the operation and maintenance costs of sub-systems, parts of the systems for irrigation that are handed over by the Government or Nigam to the Society, the administrative and other related costs incurred by the society as well as a reasonable surplus that shall be decided by the General Body of the Society from time to time.

(2) The Government or Nigam may give to the Water Users Society such amount in the form of subsidy or set-off against the water rate payable by it for such period as may be notified from time to time.

4-E. Time limits for issue of demand of water rate and payment thereof.-(1) Except where water is used from any irrigation work for any purpose other than agriculture under Rule 3-C(2), the following time-limits are fixed for the issue of notice of demand of water rates by the Government or Nigam, namely:-

-
1. Sub-rule (3)and(4) omitted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000
 2. Rule 4-C to4-E inserted by Notification No. WRD 16 NPC 99(P), dated 9-10-2002 and shall be deemed to have come into force w.e.f. 13-7-2000

(i)	Kharrif crops	31st August of the concerned year
(ii)	Rabi crops	31st December of the concerned year
(iii)	Summer crop	31st March of the concerned year

(2) The amount of water rate specified in the notice of demand referred to in sub-rule (1) shall be paid within two months from the date of service of notice of demand and where an appeal has been preferred under sub-rule (3) of Rule 4 or sub-rule (2) of Rule 4-B or sub-rule (3) of Rule 4-C against such notice of demand the amount of water rate payable in accordance with the decision of such appeal shall be paid within fifteen days from the date of appellate order.]

5. Repeal and savings.-The provisions made for the levy of water rate, water cess or irrigation cess in respect of any lands under any enactment repealed by Section 12 are hereby repealed:

Provided that the said repeal shall not affect the levy and collection of such water rate, water cess or irrigation cess payable under the said provision before the commencement of these rules and such levy and collection may be made as if the said provisions had not been repealed by these rules.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1966**

GSR 1157.- In exercise of the powers conferred by section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of the said section in Notification No.PWD 33 LBW 64, dated the 31st May, 1966 as GSR 971 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated the 9th June, 1966, namely.-

1. **Title and commencement-**(1) These rules may be called the Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1966.

(2) They shall be deemed to have come into force on the first day of April, 1966

2. **Amendment of Rule 3.-** In Rule 3 of Karnataka Irrigation (Levy of Water Rates) Rules, 1965, (hereinafter referred to as the principal rules).-

(1) In sub-rule (1)(a) of the principal rules, the expression “in any Revenue Year” at the end may be *deleted*.

(a) for the Table in clause (a), the following Table shall be *substituted*, namely.-

**“TABLE
PART-I**

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land

Crop		Water rate per acre
(i)	For Sugarcane crop	Forty rupees
(ii)	For paddy crop	Sixteen rupees
(iii)	For a crop of chillies, cotton, gingelly, groundnut, onion, potato, sweet potato or tobacco	Ten rupees
(iv)	For a crop of millet or pulses.	Six rupees
(v)	Any crop other than those specified in item (i), (ii), (iii) or (iv).	Four rupees

1. Published in the Karnataka Gazette, dated 29-9-1966, vide Notification No.PWD 33 LBW 66, dated 22-9-1966

PART-II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land

Crop		Water rate per acre
(i)	For Sugarcane crop (a) to be harvested after a period of sixteen to eighteen months. (b) to be harvested after a period of eleven months.	Eighty rupees Sixty rupees
(ii)	For paddy crop	Twenty-four rupees
(iii)	For a crop of chillies, cotton, gingelly, groundnut, onion, potato, sweet potato or tobacco	Twenty rupees
(iv)	For a crop of millet or pulses.	Ten rupees
(v)	Any crop other than those specified in item (i), (ii), (iii) or (iv)	Five rupees

(b) in clause (b), after the word ‘arecanut’, the word ‘Pepper’ shall be *inserted*, and for the Table, the following Table shall be *substituted*, namely.-

TABLE

Irrigation work		Rate per acre
1.	Irrigation work capable of irrigating not more than one hundred acres of land.	Sixteen rupees.
2.	Irrigation work capable of irrigating more than one hundred acres of land	Twenty-six rupees

(2) In sub-rule (2) of the principal rules, the words “for the second crop” shall be *added* at the end, and for the Table, the following Table shall be *substituted*, namely.-

TABLE

Irrigation work		Rate per acre
1.	Irrigation work capable of irrigating more than one hundred acres of land	Eight rupees.
2.	Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.

3. **Amendment of Rule 4.**- In sub-rule (1) of Rule 4 of the principal rules, for the words “At the end of each crop season”, the words “In respect of each crop” shall be *substituted*.
4. **Saving.**- Notwithstanding the amendments made by Rule 2 water rates at the rates specified in Rule 3 of the Principal rules as in force before the said amendments shall be levied and collected in respect of the period from 1st July, 1965 to 31st March, 1966.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1967**

GSR 356.- In exercise of the powers conferred by section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, the draft of the same having been published in Notification No.PWD 10 LBW 67, dated the 23rd June, 1967 in the Karnataka Gazette, dated the 29th June, 1967, as required by sub-section (1) of the said section, namely.-

- 1. Title and commencement.**-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1967.**
- (2) Rule (2) shall be deemed to have come into force on the first day of July, 1965.
- 2. Amendment of Rule 3.**- In Rule 3 of Karnataka Irrigation (Levy of Water Rates) Rules, 1965.-
 - (1) In sub-rule (1).-

1. Published in the Karnataka Gazette, dated 17-8-1967, vide Notification No.PWD 10 LBW 67, dated 3-8-1967

(a) for clause (a) and the Table therein, the following clause and Table shall be *substituted*, namely.-

“(a) In respect of water supplied, made available or used from the Irrigation works specified in Parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grow, be levied.

**TABLE
Part-I**

Irrigation work capable of irrigating not more than one hundred acres of land-

Crop		Water rate per acre
(i)	For Sugarcane crop.- (a) to be harvested within a period of twelve months (b) to be harvested after a period of twelve months but before a period of eighteen months	Twenty rupees Thirty rupees
(ii)	For paddy crop	Eleven rupees.
(iii)	For a crop of jowar, maize, ragi, navane, saje, pulses, greengram, wheat, cotton, groundnut, vegetables, chillies, potatoes, sweet potatoes, gingelly, onions, tobacco or coriander	Five rupees and fifty paise
(iv)	For any manurial crop such as, sannhemp or sesbania	Three rupees

PART-II

Irrigation work capable of irrigating more than one hundred acres of land.-

Crop		Water rate per acre
(i)	For Sugarcane crop.- (a) to be harvested within a period of twelve months (b) to be harvested after a period of twelve months but before a period of eighteen months	Thirty rupees. Forty-five rupees.
(ii)	For paddy crop	Sixteen rupees.

(iii)	For a crop of jowar, maize, ragi, navane, saje, pulses, greengram, wheat, cotton, groundnut, vegetables, chillies, potatoes, sweet potatoes, gingelly, onions, tobacco or coriander	Eighty rupees.
(iv)	For manurial crop namely, sannhemp or sesbania	Four rupees.”

(b) for clause (b) and Table therein the following clause and Table shall be *substituted*, namely-

“(b) In respect of water supplied, made available or used from any Irrigation works specified in column (1) of the Table below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column (2) of the said Table shall, in respect of each revenue year be levied.

Irrigation work		Rate per acre
(1)	Irrigation work capable of irrigating not more than one hundred acres of land	Twelve rupees
(2)	Irrigation work capable of irrigating not more than one hundred acres of land	Twenty rupees.”

(2) for sub-rule (2) and the Table therein, the following sub-rule and Table shall be substituted, namely.-

“(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands in which paddy crop, or any crop of jowar, maize, ragi, navane, saje, pulses, gerrengam, wheat, cotton, groundnut, vegetables, chillies, potatoes, sweet potatoes, ginjelly, onions, tobacco or coriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in column (2) and (3) respectively of the said Table shall be levied for the second crop.

TABLE

Irrigation work		Rate per acre of second crop of	
		Paddy	Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet potatoes, Gingelly, Onions, Tobacco or Coriander
(1)	Irrigation work capable of irrigating not more than one hundred acres of land	Five rupees and fifty paise	Two rupees and seventy-five paise
2	Irrigation work capable of irrigating more than one hundred acres of land	Eight rupee	Four rupees.”

3. **Omission of Rule 4.**- Rule 4 of Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1966, shall be and deemed always to have been *omitted*.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1968**

GSR 104.- In exercise of the powers conferred by section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 18 of 1957), the Government of Karnataka hereby makes the following rules, the draft of the same having been published in Notification No.PWD 6 LBW 66 (Part II), dated the 19th February, 1968, in the Karnataka Gazette, dated 22nd February as required by sub-section(1) of the said section, namely.-

- 1. Title and commencement.**-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1968.**

(2) They shall be deemed to have come into force on the first day of July, 1965.

1. Published in the Karnataka Gazette, dated 18-4-1968, vide Notification No.PWD 6 LBW 66, dated 2-4-1968

2. **Insertion of new Rule 3-A.-** After Rule 3 of Karnataka Irrigation (Levy of water Rates) Rules,1965, the following rule shall be *inserted*, namely.

“3-A, Levy of water rate where no crop is grown.- Not withstanding anything contained in Rule 3 where water is supplied made available or used for growing any crop or the irrigation of any land but no crop is actually grown, water rate shall be levied at the rates prescribed in the said rule as if the concerned crop was grown.”

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES,1969**

GSR 165.- In exercise of the powers conferred by section 11 of the Karnataka irrigation (Levy of Betterment Contribution and water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules further to amend the Karnataka irrigation (Levy of water Rates) Rules, 1965, the draft of the said rules having been published as required by sub – section (1) of the said section in Notification No.PWD 26 LBW 66,dated 24th September, 1968 as GSR 342 in part IV, Section 2-C(i) of the Karnataka Gazette, dated the 10th October, 1968, namely.-

1. **Title and commencement.-**(1) These rules may be called the **Karnataka irrigation (Levy of Water Rates) (Amendment) Rules, 1969.**

(2) They shall come into force at once.

2. **Amendment of Rule 3.-** In Rule 3 of the Karnataka irrigation (Levy of Water Rates) Rules, 1965 (hereinafter referred to as the principal rules).-

(i) for the words “ Levy of water rates” occurring in the margin, the words “Levy of water rates for use of water from certain irrigation works”, shall be *substituted*;

(ii) in sub- rule (3).-

(a) for the words “without bailing or using mechanical contrivances installed at the cost of the holder of the land”, the words” without bailing or using a mechanical contrivance”; and

-
1. Published in the Karnataka Gazetted dated 15-5-1969, vide Notification No.PWD 26 LBW 66 dated 24-4-1969

(b) for the words “after such bailing or using of mechanical contrivances”, the words “After such bailing or using a mechanical contrivance”, shall be *substituted*.

3 Insertion of new Rule 3-B.- After Rule 3-A of the principal rules, the following rule shall be *inserted*, namely.-

“3-B. Levy of water rate for use of water from natural waterways, etc.- (1) where water is used from natural waterways, rivers and streams or parts thereof after obtaining permission for such use, for irrigation of any land after bailing or using a mechanical contrivance, water rate at four rupees per acre shall be levied in respect of each revenue year.

(2) The provision of Rule 4 applicable to the determination of water rate levied under Rule 3 shall *mutatis mutandis* apply to the determination of water rate payable under sub-rule (1).”

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)(AMENDMENT)
RULES,1971**

GSR 214.-Whereas, a draft of rules further to amend the Karnataka irrigation (Levy of water Rates) Rules, 1965 was published as required by sub-section (1) of section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957) in Notification No.GSR 157 (PWD 6 LBW 71) dated the 25th May, 1971 in the Karnataka Gazette, dated the 27th May, 1971 inviting objections and suggestions from all persons likely to be affected thereby on or before 15th June, 1971.

And whereas, the said Gazette was made available to the public on 27th May, 1971.

And whereas, the objections and suggestions received on the said draft have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.- (1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1971.**

1. Published in the Karnataka Gazette, dated 15-7-1971, vide Notification No.PWD 6 LBW 71, dated 13-7-1971

(2) They shall be deemed to have come into force on the First day of July, 1965.

2. **Substitution of Rule 3.**- For Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, the following rule shall be *substituted*, namely.-

“3. Levy of Water Rates for the use of water from Irrigation works.- (1) In respect of water supplied, made available or used from any irrigation work for growing the crops specified in column (2) of the Table below, water rates at the rate specified in the corresponding entries in column (3) thereof shall, in respect of each such crop grown, be levied.

TABLE

Sl.No.	Crops	Water Rate per Acre
1.	For sugarcane crop.- (a) to be harvested within a period of twelve months	Twenty rupees
	(b) to be harvested after a period of twelve months but before a period of eighteen months.	Thirty rupees
2	For paddy crop.-	Eleven rupees
3.	For any crop of jowar, maize, ragi, navane, sajje, pulses, green gram, wheat, cotton, groundnut, vegetables, chillies, potatoes, sweet-potatoes, gingelly, onions, tobacco or coriander.	Five rupees and fifty paise
4.	For any manurial crop such as a sannhemp or sesbania	Three rupees
5.	For any crop of arecanut, plantian betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry or any fruits.	Rupees Twelve

(2) Where water is supplied, made available or used from any irrigation work for irrigating any land on which any of the crops specified in Sl.Nos.2 and 3 of the Table to sub-rule(1) is grown twice in a revenue year, water rate on the second crop of such crops also shall be levied at the rate of.-

(i) five rupees and fifty paise per acre, where the crop grown is paddy;

(ii) two rupees and seventy-five paise, per acre, in other cases.

(3) Where water supplied or made available from any irrigation work cannot be used for irrigating any land without bailing or using a mechanical contrivance and the water supplied or made available is used for irrigation after such bailing by using mechanical contrivance, water rates shall be levied at half the rates specified in sub-rules(1) and (2).

(4) Where water is supplied, made available or used for irrigating any land which had not been irrigated by water before coming into force of these rules, water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands, namely.-

- (i) for the first year : Nil.
- (ii) for the second year : One-fourth of the rates specified in sub-rules (1)and (2).
- (iii) for the third year : One-half of the rates specified in sub-rules(1)and(2)."

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1972**

GSR 301.- In exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules,1965, the draft of the said rules having been published as required by sub-section(1)of the said section in Notification No.GSR 258 (PWD 29 LBW 72), dated the 11th July, 1972 in the Karnataka Gazette, dated the 13th July, 1972,namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1972.**

(2) They shall be deemed to have come into force on the first day of July, 1972.

2. Amendment of Rule 3. -In Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965.-

1. Published in the Karnataka Gazette, dated 7-9-1972, vide Notification No.PWD 29 LBW 72, dated 31-8-1972

- (i) for the Table in sub-rule (1), the following Table shall be *substituted* namely.-

“ TABLE

SI No	Crops	Water rate per acre
1	For sugarcane crop; (a) to be harvested within a period of twelve months. (b) to be harvested after a period of twelve months but before a period of eighteen months.	Forty rupees. Sixty rupees.
2	For paddy crop	Twenty rupees.
3	For any crop of jower, maize, ragi, navane, saje, pulses, greengram, wheat, cotton, groundnut, vegetables, chillies, potatoes, sweet potatoes, gingilly, onions, tobacco or coriander.	Twelve rupees.
4	For any manurial crop such as a sannhemp or sesbania.	Six rupees.
5	For any crop of arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry or any fruit.	Twenty –four rupees.”

- (ii) in sub-rule (2).-

- (a) in clause (i), for the words “ five rupees and fifty paise”, the words “ ten rupees” shall be *substituted*; and
(b) in clause (ii), for the words “ two rupees and seventy-five paise”, the words “ Six rupees” shall be *substituted*.

¹CORRIGENDUM

S.O.1410.- In the final Notification issued in No.PWD 6 LBW 71, dated 13th July, 1971 and published in the Karnataka Government Gazette, dated 15th July, 1971, the Governor has been pleased to make the following corrections and they should be deemed to have been made on the date of publication.-

1. Published in the Karnataka Gazette, dated 12-8-1971, vide Notification No.PWD 6 LBW 71, dated 3/5-8-1971

In para 1, line 2 – for (Levy of water rate) 1955

Read - (Levy of water rate) Rules, 1965

In para 4, lines 2 and 3 – for (Levy of Betterment and Contribution and Water Rates) 1957

Read - ((Levy of Betterment and Contribution and Water Rates) Act, 1957.

In the table against Sl No.2 under the amended Rule 3 of the said rules below column (3), the words “ Eleven Rupees” may be *inserted* and the words “ Eleven rupees” now appearing against Sl.No.1 shall be *omitted*.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1972**

GSR 27.- In exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment and Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules further to amend the Karnataka Irrigation (Levy of water rates) Rules, 1965, the draft of the said rules having been published as required by sub-section (1) of the said section in Notification No.GSR 315 (PWD 41 LBW 70, dated 25/26th September, 1972) in the Karnataka Gazette, dated the 28th September, 1972, namely.-

1. **Title and commencement.**– (1) These rules may be called the **Karnataka Irrigation (Levy of Water rates) (Amendment) Rules, 1972.**

(2)They shall come into force at once.

2. Amendment of Rule 3-B.– In sub-rule (1) of the Rule 3-B of the Karnataka Irrigation (Levy of Water rates) Rules, 1965, the words “ after bailing or using a mechanical contrivance” shall be *omitted*.

1. Published in the Karnataka Gazette, dated 8-2-1973, vide Notification No.PWD 41 LBW 70, dated 25-1-1973

¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1975

GSR 6.-Whereas, a draft of the rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in Karnataka Gazette, Notification No.GSR 360 (PWD 95 LBW 75, dated 3rd December 1975) dated 11th December, 1975 inviting objections and suggestions from all persons likely to be affected thereby on or before 27th December, 1975.

And, whereas, the said Gazette was made available to the public on 11th December, 1975.

And whereas, objections and suggestions received on the said draft have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1975.**

(2) They shall be come into force at once.

2. Substitution of new sub-rule for sub-rule(2) of Rule 3.- For sub-rule (2) of Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, the following sub-rule shall be *substituted*, namely.-

"(2) Where water is supplied, made available or used from any irrigation work for irrigating any land on which any of the crops specified in Sl.Nos.2 and 3 of the Table to sub-rule (1) is grown twice in a revenue year, water rate on the second crop of such crops also should be levied at the same rate as for the first crop".

1. Published in the Karnataka Gazette, dated 8-1-1976, vide Notification No. PWD 95 LBW 75, dated 29-12-1975

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1976**

GSR 71.-Whereas, a draft of the rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in Karnataka Gazette, Notification No.GSR 40, dated 5th February 1976 inviting objection and suggestion from all persons likely to be affected thereby on or before 20th February,1976.

And, whereas, the said Gazette was made available to the public on 5th February, 1976.

And whereas, no objections or suggestions have been received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.- (1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1976.**

(2) They shall be come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 3.- In Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules,1965, for the Table in sub-rule (1) the following Table shall be *substituted*, namely:

“TABLE

Sl.No.	Crops	Water Rate per Acre
1.	For Sugarcane crop.-	
	(a) to be harvested within a period of twelve months.	Eighty rupees.
	(b) To be harvested after a period of twelve months but before a period of eighteen months.	One hundred and twenty rupees.

1. Published in the Karnataka Gazette , dated 4-3-1976, vide Notification No.PWD 95 LBW 75, dated 23-2-1976.

2	For paddy crop.-	Eighteen rupees
	(a) for paddy crop (in Malnad) areas with annual rain fall of 1250 mm.	Twenty rupees.
	(b) in other areas	Thirty rupees.
3	For any crop of jowar, maize, ragi,navane, sajje, pulses, green gram, wheat, cotton, groundnut, vegetables, potatoes, sweet-potatoes, gingelly, onions, tobacco or coriander.	Eighteen rupees
4	For any manurial crop such as a sannhemp or sesbania	Nine rupees
5	For any crop of arecanut, plantian betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry or any fruits.	Thirty six rupees.

¹CORRIGENDUM

S.O.745.- in the Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1976, published in Notification No. GSR 71, Dated 23rd February 1976 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated 4th March 1976, in sub rule(2) of Rule 1, for.-

“ on the dated of their publication in the Official Gazette”

Read

“on the first day of July, 1976”.

²THE KARNATAKA IRRIGATION (LEVY OF WATER RATES) (SECOND AMENDMENT) RULES, 1976

GSR 187.- Whereas, a draft of the rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment

1. Published in the Karnataka Gazette, Extraordinary, No. 1532, dated 17-3-1976, vide Notification No.PWD 97 LBW 75, dated 16-3-1976
2. Published in the Karnataka Gazette, dated 8-7-1976, vide Notification No.PWD 4 LBW 66, dated 30-6-1976

Contribution and Water Rates) Act,1957(Karnataka Act 28 of 1957) in Notification No.GSR 142(PWD 4 LBW 66, dated 14th May, 1976) in the Karnataka Gazette, dated 20th May 1976, inviting objections and suggestions from all persons likely to be affected thereby on or before 4th June, 1976.

And, whereas, the said Gazette was made available to the public on 20th May 1976.

And whereas, no objections or suggestions have been received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. **Title and commencement.- (1)** These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Second Amendment) Rules, 1976.**

(2) They shall be deemed to have to come in to force on the First day of July 1976.

2. **Amendment of Rule 2.-**In Rule 2 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, (hereinafter referred to as the said rules), after clause(2), the following “clause” shall be *inserted* namely.-

“(2-A) “**Lift Irrigation Works**” means an Irrigation Work wherein water is lifted by mechanical contrivance from a natural stream or halla or river or from a reservoir, pond, anicut and canal belonging to Government and used for irrigation purpose, and shall include all intake works, machinery and appurtenances required for the suction, delivery and distribution of water.”

3. **Insertion fo new Rule3-C.-** After Rule 3-B of the said rule, the following rule shall be inserted, namely.-

“**3-C. Levy of Water rate for use of water from Lift Irrigation Works.-** In respect of water supplied made available or used from any lift irrigation work owned and maintained by Government for irrigation of any land, water rates shall be levied as below.-

(1)	For sugarcane or Paddy crops	Three times the rate as indicated in the Table under Rule 3, sub-rule (1).
(2)	For crops other than Paddy and Sugarcane	Twice the rate as indicated in the table under Rule3, sub-rule (1)”.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)(THIRD AMENDMENT)
RULES, 1976**

GSR 411.- Whereas, a draft of the rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act,1957, (Karnataka Act 28 of 1957) in Notification No, GSR 239(PWD 97 LBW 75),dated 12th August, 1976 in Part IV, Section 2-C(i)of the Karnataka Gazette, dated 12th August,1976, inviting objections and suggestions from all persons likely to be affected thereby on or before 27th August, 1976.

And whereas, the said Gazette was made available to the public on 12th August, 1976.

And whereas, no objections or suggestions have been received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates)Act, 1957(Karnataka Act 28 of 1957),the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1) These rules may be called **the Karnataka Irrigation(Levy of Water Rates)(Third Amendment)Rules, 1976.**

(2) They shall be deemed to have come into force on the 1st day of July, 1976.

2. Amendment of Rule 3.- In .sub-rule(1)of Rule 3 of the Karnataka Irrigation(Levy of Water Rates)Rules,1965,after the Table, the following\ Explanation shall be *inserted*, namely.-

"Explanation.- Malnad Areas having rainfall of 1250 mm for purposes of Sl.No.2(a) means the following areas, in the Districts specified therein.-

1. Published in the Karnataka Gazette, dated 9-12-1976, vide Notification No.PWD 97 LBW 75, dated 30-11-1976.

District		Area
(1)	Belgaum District:	(a) Belgaum Taluk (b) Khanapur Taluk
(2)	North Kanara District	(a) Haliyal Taluk (b) Supa Taluk (c) Karwar Taluk (d) Yallapur Taluk (e) Ankola Taluk (f) Sirsi Taluk (g) Kumta Taluk (h) Siddapur Taluk (i) Honnavar Taluk (j) Bhatkal Taluk
(3)	Shimoga District	(a) Sorab Taluk (b) Sagar Taluk (c) Hosanagar Taluk (d) Thirthahally Taluk
(4)	South Kanara District	(a) Coondapur Taluk (b) Udipi Taluk (c) Karkal Taluk (d) Mangalore Taluk (e) Bantwal Taluk (f) Puttur Taluk (g) Sullia Taluk (h) Belthangady Taluk
(5)	Chickmagalur District	(a) Narasimharajapura Taluk (b) Koppa Taluk (c) Sringeri Taluk (d) Mudigere Taluk
(6)	Hassan District	(a) Belur Taluk (b) Alur Taluk (c) Sakleshpura Taluk
(7)	Coorg District	(a) Mercara Taluk. (b) Somwarpet Taluk (c) Virajpet Taluk.

**'THE
KARNATAKA
IRRIGATION(LEVY OF WATER RATES) (AMENDMENT)
RULES, 1979**

GSR 207.-Whereas,a draft of the rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in the Karnataka Gazette, dated 6th July, 1978, inviting objections and suggestion from all persons likely to be affected thereby on or before 21st July, 1978.

And whereas, the said Gazette was made available to the public on the 6th day of July,1978.

And whereas, objections and suggestions received have been considered by the Government.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1)These rules may be called the Karnataka Irrigation(Levy of Water Rates) (Amendment) Rules,1979.
- (2) They shall be deemed to have come into force from 1st July, 1978.

2. **Amendment of Rule 3.-** In Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, for the Table in sub-rule(1),the following table shall be *substituted*, namely.-

"TABLE

SI. No.	Crops	Water rate per acre
1.	Sugarcane to be harvested within 11 months.	Two hundred rupees.
2.	Sugarcane to be harvested after 11 months but within 18 months.	Three hundred rupees.
3.	Paddy in Malnad areas with rainfall of 1250 mm.	Twenty-five rupees

1. Published in the Karnataka Gazette, dated 19-7-1979 vide Notification No.PWD 228 LBW 79.dated 5-7-1979

4.	Paddy in other areas.	Thirty-five rupees
5.	Wheat	Thirty rupees.
6.	Jowar and Groundnuts.	Twenty rupees.
7.	Cotton	Fifty rupees.
8.	Maize, Ragi, Navane, Sajje, Pulses, Greengram, Sweet Potato, Gingelly, Onion, Tobacco, Coriander.	Eighteen rupees.
9.	Manurial crop	Nine rupees
10.	Garden crop	Thirty-six rupees".

**¹THE
KARNATAKA
IRRIGATION(LEVY OF WATER RATES)(AMENDMENT)
RULES, 1979**

GSR 11.-Whereas,a draft of rules further to amend the "Karnataka Irrigation (Levy of Water Rates) Rules, 1965 which was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation(Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in Notification No.PWD 80 LBW 79, dated 16th October, 1979 in the Karnataka Gazette, dated 1st November, inviting objections and suggestions from all persons likely to be affected thereby, on or before 12th November, 1979.

And whereas, the said Gazette was made available to the public on 1st November, 1979.

And whereas, no objections and suggestions are received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment)Rules, 1979.**

1. Published in the Karnataka Gazette, dated 17-1-1980 vide Notification No.PWD 80 LBW 79,dated 1-1-1980

(2) Rule 2 shall be deemed to have come into force on the First day of March ,1967 and other rules shall come into force at once.

2. **Insertion of new Rule 3-C.-** After Rule 3-B of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 (hereinafter referred to as the said rules) the following rule shall be *inserted*, namely.-

"3-C.Levy and determination of water rate for use of water for, purposes other than agriculture.- (1) Where water is used from any Irrigation work for any purpose other than agriculture, after obtaining necessary permission, there shall be levied a water rate as follows, namely.-

- | | |
|--|---|
| "(a) if water is used for domestic purpose;
and | rupees one hundred and fifty
per million cubic feet of water; |
| | |
| (b) if water is used for any other purpose | |
| (i) drawn from natural waterways
river or streams | three hundred and fifty rupees per
million cubic feet of water |
| (ii) drawn from a canal, tank,
reservoir, anecut, bandhara,
pond, kunta, talaparigs and
madagus, belonging to the
Government | seven hundred rupees per million
cubic feet water: |

Provided that, where water drawn for such purposes is returned unpolluted to such canal, tank, reservoir, anecut, bandhara, pond, kunta, talaparigs or madagu, then the water rate for the quantity of water so returned shall be limited to three hundred and fifty rupees per million cubic feet of water:

Provided further that, no water rate shall be levied for water used by an industry for a period of five years from the date of starting such industry.

(2) Necessary approved measuring device shall be installed by the person drawing water to measure the water drawn and returned.

(3) The Executive Engineer in charge of the Irrigation work shall determine and recover the amount of water rate levied under sub-rule (1). The amount of water rate levied under sub-rule (1) shall be paid within fifteen days from the date of the demand notice, failing which supply of water may be stopped.

(4) Any person objecting to the levy of water rate as specified in the notice under sub-rule (3), may within thirty days from the date of service of such notice appeal to the Superintending Engineer who shall after giving the appellant an opportunity of being heard pass such orders as he thinks fit and the order of the Superintending Engineer on such appeal shall be final:

Provided that the Superintending Engineer may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period."

3. Amendment of Rule 4. - In Rule 4 of the said rules.-

1. for sub-rule (1) the following sub-rule shall be *substituted*, namely.-

“(1) In respect of each crop or revenue year, as the case may be, an officer of the Revenue Department nominated by the Tahsildar and an officer of the Irrigation Department nominated by the Assistant Executive Engineer shall jointly inspect and prepare a statement of each survey number to which water was supplied, made available or used for irrigation and the crops raised therein. As far as possible the joint inspection shall be held and the statement shall be prepared in the presence of the landholder concerned and signature of the concerned landholder shall be taken to the statement and the same shall be submitted to the concerned Assistant Executive Engineer who shall after satisfying himself of the correctness of the statement, prepare a statement of water rates payable by each landholder. The statement so prepared shall be notified in the village chavadi, Panchayat office and such other public offices and places as the Assistant Executive Engineer may deem fit inviting objections, if any, in writing, by the concerned landholders. If no objections are received, the Assistant Executive Engineer shall send the statement to the Tahsildar for collection of the water rates specified therein. If any objection is received by the Assistant Executive Engineer, he shall, along with the Tahsildar concerned, inspect the lands in respect of which objections have been received and after giving the landholder concerned an opportunity of being heard, revise the statement if he thinks fit to do so. The revised statement shall be forwarded to the Tahsildar for collection of water rates specified therein”.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1984**

GSR 84.- Whereas, a draft of the rules in Notification No.PWD 5 NPC 83, further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated nineteenth day of January, 1984, inviting objections and suggestions from the persons likely to be affected thereby on or before nineteenth day of February, 1984.

1. Published in the Karnataka Gazette, dated 5-4-1984, vide Notification No.PWD 5 NPC 83, dated 6-3-1984

And, whereas, the said Gazette was made available to the public on nineteenth day of January, 1984.

And whereas, no objections or suggestions were received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.- (1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1984.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 3.- For sub-rule (4) of Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, the following sub-rule shall be *substituted*, namely.-

"(4) Where water is supplied made available or used for irrigating any land which had not been irrigated by water before coming into force of these rules, no water rates shall be levied for the period of the first five years from the date water is supplied, made available or used for irrigating such land".

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)(AMENDMENT)
RULES, 1987**

GSR 293.- Whereas, a draft of the rules in Notification No.PWD 89 NPC 85(P), dated 5th August, 1987 further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in Karnataka Gazette, Part IV, dated 13th August,1987 inviting objections and suggestions from all persons likely to be affected thereby on or before 5th September, 1987.

And whereas, the said Gazette was made available to the public on 13th August, 1987.

And whereas, no objections and suggestions have been received on the said draft.

1. Published in the Karnataka Gazelle, dated 19-11-1987 vide Notification No.PWD 89 NPC 85 (P), dated 4-11-1987

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1987.**

(2) They shall come into force from 1st July, 1985.

2. Amendment of Rule 3.-In Rule 3 of the Karnataka Irrigation (Levy of Water Rates) Rules,1965.-

(1) In sub-rule(1).-

(i) for the words "irrigation work", the words "major or medium irrigation work" shall be *substituted*;

(ii) for the table, the following table and a note shall be *substituted*, namely.-

"TABLE

SI. No.	Crops	Water rate in rupees per acre
1.	Sugarcane to be harvested within 12 months.	One hundred and fifty.
2.	Sugarcane to be harvested after 12 months but within 18 months	Two hundred and twenty-five.
3.	Paddy	Thirty-five for the first crop, Forty for each of the second and subsequent crops.
4.	Wheat	Twenty-two
5.	Jower	Twenty
6.	Groundnut	Twenty-four
7.	Tobacco	Twenty-four
8.	Cotton	Forty
9.	Maize, Ragi, Navane, Sajje, Greengram, Sweet Potato, Gingelly, Onion, Coriander	Twenty
10.	Pulses	Fifteen
11.	Manurial Crops	Eight
12.	Garden Crops	Forty.

Note. - Where water is supplied, made available or used for irrigating any land from any medium irrigation work which has no assured supply of water in such cases the water rate shall be levied at one-half of the rates specified in the table, subject to a minimum of one and a half times and maximum of two times of the difference between the land revenue leviable, on a wet land and dry land in accordance with the land revenue settlement for the time being in force in the area".

(2) after sub-rule(1),the following sub-rule and the explanation shall be *inserted*, namely.-

"(1-A)Where the water is supplied, made available. or used from any minor irrigation work for irrigating any land, the water rate shall be levied.-

(a)	in the case of higher reaches of the atchkat comprising 2/3 of the total atchkat.	1/2 the water rates specified in the table above
(b)	in the case of lower reaches of the atchkat including tailend lands comprising 1/3 of the total atchkat.	1/4 of the water rates specified in the table above.

Provided that the water rate levied under this sub-rule shall not be less than one and half times or more than two times of the difference between the land revenue leviable on a wet land and dry land in accordance with the land revenue settlement for the time being in force in the area.

Explanation.- For the purpose of this sub-rule and sub-rule (1).-

- (i) **"major irrigation work"** means an irrigation work having an irrigable area of more than 10,000 hectares;
- (ii) **"medium irrigation work"** means an irrigation work having an irrigable area of more than 2,000 hectares and upto 10,000 hectares;
- (iii) **"minor irrigation work"** means an irrigation work having an irrigable area upto 2,000 hectares."

**'THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES) (AMENDMENT)
RULES, 1997**

GSR 80.- Whereas, the draft of the following rules was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contributions and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), in Notification No.ID 46 KBN 95, dated 9th April, 1997 in Part IV, Section 2-C(i) of the Karnataka Gazette, inviting objections and suggestions from all persons likely to be affected thereby, within fifteen days from the date of its publication in the Official Gazette.

And whereas, the said Gazette was made available to the public on 1st May, 1997.

And whereas, the suggestions received within the period specified has been considered.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title, commencement and application.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 1997.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Insertion of new Rules 4-A and 4-B.- In the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, after Rule 4, the following shall be *inserted*, namely.-

"4-A. Levy of Water Rates for the use of water from irrigation works from Nigam.- In respect of the water supplied, made available or used from any irrigation work by or on behalf of the Krishna Bhagya Jala Nigam Limited incorporated under the Companies Act, 1956 (Central Act 1 of 1956) (hereinafter referred to as the Nigam) for growing crops, water rates shall be as follows.-

1. Published in the Karnataka Gazette, dated 24-7-1997, vide Notification No.ID 46 KBN 95, dated 4-7-1997

SI. No.	Crops	Water rate in rupees per acre
(1)	(2)	(3)
1.	Sugarcane to be harvested within 12 months.	One hundred and fifty.
2.	Sugarcane to be harvested after 12 months but within 18 months	Two hundred and twenty-five.
3.	Paddy	Thirty-five for the 1 st crop, forty for each of the second and subsequent crops.
4.	Wheat	Twenty-two
5.	Jower	Twenty
6.	Groundnut	Twenty-four
7.	Tobacco	Twenty-four
8.	Cotton	Forty
9.	Maize, Ragi, Navane, Sajje, Greengram, Sweet Potato, Gingelly, Onion, Coriander	Twenty
10.	Pulses	Fifteen
11.	Manurial Crops	Eight
12.	Garden Crops	Forty.

4-B.Determination of Water Rates.- (1) In determining the water rates levied under Rule 4-A in respect of each crop of revenue year, an officer authorized by the Nigam in this behalf (hereinafter referred to as the empowered officer) shall notify in the village chavadi and inform through tom tom the date on which the statement regarding water used for irrigation and crops raised therein shall be prepared and inform the landholders or their agents to be present and prepare a statement of each survey number to which water was supplied or made available or used for irrigation and the crops raised therein. The statement shall be prepared in the presence of the landholder or his agent duly authorized by him and the signature of the landholder obtained. Based on the statement prepared, entries shall be made in the pass book issued to the

landholders, The Assistant Executive Engineer in charge of the area in which the land in respect of which water rate is leviable is situated (hereinafter referred to as the Sub-Divisional Officer) shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence. The time limit fixed for issuing a notice of demand is 30th September for Khariff crops and 31st January for Rabi crops.

(2) Any person objecting the levy of water rate as specified in the notice of demand served on him may within 30 days from the date of service of such notice appeal to the empowered officer, who shall after giving the Appellant an opportunity of being heard pass such order on the appeal as he thinks fit:

Provided that the empowered officer may admit an appeal preferred after a period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(3) The amount of water rate specified in the notice of demand served under sub-rule(1), shall be paid in the Office of the Sub-Divisional Officer or at a Bank as may be designated by the Nigam before 15th November in the case of Khariff crops and 15th March, in the case of Rabi crops and where an appeal has been preferred under sub-rule (2) against such notice of demand, the amount of water rate payable in accordance with the decision of such appeal shall be paid within 15 days from the date of the appellate order. When remittances are made in the Bank, the remitter shall get the entries made in the demand, collection and balance register at the office of Sub-Divisional Officer.

(4) For water supplied to Water Users Societies, the Sub-Divisional Officer shall determine and recover the water rate in accordance with the provisions of the agreement entered into by the Nigam with the Water Users' Society."

**¹THE
KARNATAKA IRRIGATION (LEVY OF WATER RATES)
(AMENDMENT) RULES, 2002**

Whereas, a draft of rules further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, was published as required by sub-section (1) of Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Karnataka Act 28 of 1957), in Notification No.ID 16 NPC 99(P), dated 4th June, 2002 in the Karnataka Gazette in Part IV, dated 25th June, 2002, inviting objections and suggestions from all persons likely to be affected thereby on or before 9th July, 2002.

And whereas, the said Gazette was made available to the public on the 25th June, 2002.

And whereas, no objections or suggestions have been received by the Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Karnataka Act 28 of 1957), the Government of Karnataka hereby makes the following rules, namely.-

1. Title and commencement.- (1) These rules may be called **the Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 2002.**

(2) These rules shall be deemed to have come into force with effect from the 13th day of July, 2000.

2. Amendment of Rule 2.- In Rule 2 of the Karnataka Irrigation (Levy of Water Rates) Rules, 1965 (hereinafter referred to as the said rules).-

(1) in clause(2-A), after the words " belonging to Government", the words "or Nigam" shall be inserted;

(2) after clause(2-A), the following clause shall be *inserted*, namely.-

"(2-B) "**Nigam**" means the Krishna Bhagya Jala Nigam Limited or the Karnataka Neeravari Nigam Limited incorporated under the Companies Act, 1966 (Central Act 1 of 1956)."

3. Amendment of Rule 3.- In Rule 3 of the said rules.-

(1) in sub-rule(1).-

(i) for the words "used from any major or medium irrigation work", the words " used from any irrigation work" shall be *substituted*;

(ii) after the words "Table below", the words " except in the case of water supplied or made available to Water Users Societies" shall be *inserted*;

(iii) for the Table, including the note and the explanation, the following shall be *substituted*, namely.-

**“TABLE
Flow Irrigation**

Sl. No.	Crops	Water rate in rupees per acre
1.	Sugarcane	400.00
2.	Paddy	100.00
3.	Wheat, Cotton, Groundnut and Sunflower	60.00
4.	Jower, Maize, Navane, Ragi and Semi dry Crops	35.00
5.	Pulses	35.00
6.	Tobacco	35.00
7.	Garden Crops	60.00
8.	Manurial Crops	15.00
9.	Other Crops	35.00

Provided that where the crops specified in the table are grown by conjunctive use of ground – water along with the water supplied, made available or used from the irrigation work the levy of water rate in respect of such crops shall be at such proportion of the rates so specified in the table as they correspond to the same proportion to the period of water used, supplied or made available from the irrigation work bears to the crop period.”

(2) sub-rules (1-A) and (2) shall be *omitted*;

(3) in sub-rule (3), for the words, figures and brackets “specified in sub-rules (1) and (2)”, the words, figure and brackets “specified in sub-rule (1)” shall be *substituted*;

(4) For sub-rules (4), the following shall be *substituted*, namely:-

“(4) Where water is supplied or made available or used for irrigation of land which had not been irrigated by water before coming into force of the Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 2002.-

(i) no water rate shall be levied during the first and second years after such commencement;

- (ii) Water rates shall be levied at half the rate specified in sub-rule (1) during the third year after such commencement; and
- (iii) Water rates shall be levied in full as specified in sub-rules (1) for the fourth and subsequent years after such commencement:

Provided that nothing under this sub-rule shall be applicable in the case of water supplied or made available or used from lift irrigation work.”

4. **Amendment of Rule 3-B.**--In Rule 3-B of the said Rules, in sub-rule (1), for the words “four rupees”, the words “ten rupees” shall be *substituted*.
5. **Amendment of Rule 3-C(1).**--In Rule 3-C(1) of the said Rules, after the words “maintained by the Government”, the words “or Nigam” shall be *inserted*.
6. **Amendment of Rule 3-C(2).**--In Rule 3-C(2) of the said Rules:-

- (1) For sub-rules (1), Including the provisos, the following shall be *substituted*, namely.-

“(1) Where water is used from any irrigation work for any purpose other than agriculture after obtaining necessary permission, water rate shall be levied at the following rates, namely.-

(a)	If water is used for domestic purpose	Rs. 375 per Meft
(b)	If water is drawn from natural water-ways, rivers of streams for industrial use	Rs. 1,800 per Meft
(c)	If water is drawn from Canal, Tank-Reservoir, Anicut and Bandhara, Pond, Kunta, Madagu Talaparige belonging to Government or Nigam for industrial use	Rs. 3,200 per Meft

Provided that where water used under clause (c) is returned unpolluted to such Canal, tank, reservoir, Anicut and Bandhara, Pond, Kunta, talaparige or madagus the water rate for the quantity of water returned, shall be limited to fifty per cent of the rate payable under that clause:

Provided further that no water rate shall be levied under clause (b) or (c) for a period of two years from the date of starting of such industry and water rate shall be levied at half the water rate specified in clause (b) or (c) during the third year and full water rate as specified shall be levied from fourth year onwards”.

- (2) after sub-rule (4), the following shall be *inserted*, namely.-

“(5) Where water is used from any irrigation work belonging to the Nigam reference to “Executive Engineer” and “Superintending Engineer” in sub-rules (3) and (4) shall be construed as reference to “Executive Engineer” and “Superintending Engineer” respectively of the Nigam.”

7. Amendment of Rule 4.- In Rule 4 of the said Rules:-

(1) in the title, after the words “water rates”, the words “by the Government” shall be *inserted*;

(2) For sub-rule (1), the following shall be *substituted*, namely,-

“(1) In determining water rate levied under sub-rule (1) of Rule 3, in respect of each crop an officer of the Water Resource Department nominated by the Assistant Executive Engineer, shall inspect and prepare a statement of each survey number to which was supplied, made available or used for irrigation of crop raised therein. The Assistant Executive Engineer shall after satisfying himself of the correctness of statement, prepare a statement of water rates payable by each landholder. The statement so prepared shall be notified in the village chavadi and the office of the Assistant Executive Engineer, inviting objections if any, in writing by the concerned landholders. If no objections are received the Assistant Executive Engineer shall send the statement to the Tahsildar for collection of water rates specified therein. If any objection is received by the Assistant Executive Engineer, in respect of any land, he shall, after giving the landholder concerned an opportunity of being heard, revise the statement if he thinks fit to do so. The revised statement shall be forwarded to the Tahsildar for collection of water rates specified therein.”

(3) in sub-rule (3), for the words “Assistant Commissioner” in the two places where they occur, the words “Executive Engineer” shall be *substituted*.

(4) sub-rule (4) shall be *omitted*.

8. **Omission of Rules 4-A.-** Rule 4-A of the said Rules shall be *omitted*.

9. **Amendment of Rule 4-B.-** In Rule 4-B of the said Rules.-

(1) in the title, after the words “Water Rates”, the words “by Nigam” shall be *inserted*;

(2) for sub-rules (1), the following shall be *substituted*, namely.-

“(1) In determining the water rates levied under sub-rule (1) of Rule 3, an officer authorised by the Nigam in this behalf (hereinafter referred to as the empowered officer) shall inspect and prepare a statement of such survey number to which water was supplied, made available or used for irrigation and crops raised therein. The Assistant Executive Engineer (hereinafter referred to as Sub-Divisional Officer) shall satisfying himself of the correctness of statement, prepare a statement of water rates payable by each land holder and shall issue a notice of demand to the person liable to pay water rate.”

(3) Sub-rules (3) and (4) shall be *omitted*.

10. Insertion of new Rules 4-C, 4-D and 4-E. - After Rule 4-B of the said Rules, the following shall be *inserted*, namely.-

“4-C. Levy and collection of water rate of water supplied to Water Users Societies on volumetric basis. - (1) In respect of water supplied or made available to Water Users Societies for the purpose of irrigation under sub section (1-A) of section 10 by the Government or Nigam, water rate shall be levied on volumetric basis at the rate of rupees twelve per 1000 cu.m.

(2) The Assistant Executive Engineer in-charge of the irrigation work shall calculate the amount of water rate levied under sub-rule(1) in accordance with an agreement entered into with the Water Users Society and shall issue a notice of demand to the Water Users Society. The amount of water rates so demanded shall be recovered in accordance with such agreement.

(3) The Water Users Society objecting to the levy of water rate as specified in the notice of demand issued under sub-rule(2) may within thirty days from the date of service of such notice appeal to the Executive Engineer in-charge of the irrigation work who shall after giving the appellant an opportunity of being heard pass such order as he thinks fit.

4-D.Collection of water charges by the Society.-(1)Water Users Society shall collect water charges from the members of the Society and also non-members holding lands within the jurisdiction of the Society, which shall include, apart from the water rates payable to the Government or Nigam by the Society. the operation and maintenance costs of sub-systems, parts of the systems for irrigation that are handed over by the Government or Nigam to the Society, the administrative and other related costs incurred by the Society as well as a reasonable surplus that shall be decided by the General Body of the Society from time to time.

(2) The Government or Nigam may give to the Water Users Society such amount in the form of subsidy or set-off against the water rate payable by it for such period as may be notified from time to time.

4-E.Time-limits for issue of demand of water rate and payment thereof.-(1) Except where water is used from any irrigation work for any purpose other than agriculture under Rule 3-C(2), the following time-limits are fixed for the issue of notice of demand of water rates by the Government or Nigam, namely.—

(i)	Khariff Crops	31st August of the concerned year
(ii)	Rabi Crops	31st December of the concerned year
(iii)	Summer Crops	31 st March of the concerned year

(2) The amount of water rate specified in the notice of demand referred to in sub-rule (1) shall be paid within two months from the date of service of notice of demand and where an appeal has been preferred under sub rule (3) of Rule 4 or sub-rule (2) of Rule 4-B or sub-rule (3) of Rule 4-C against such notice of demand the amount of water rate payable in accordance with the decision of such appeal shall be paid within fifteen days from the date of appellate order."

11.Validation.- Anything done or any action taken or purported to have been done or taken including, any notice or order issued and all proceedings held for levy, assessment and collection of water rates or amounts purported to have been collected by way of water rates in relation to such levy, assessment and collection under the provisions of the said rules as amended by the Karnataka irrigation (Levy of Water Rates) (Amendment) Rules, 2002 (hereinafter referred to as these rules) before the publication of these rules shall be as valid and effective as if the provisions of the said rules as amended by these rules were in force at all relevant time when such action or thing was taken or done; and

- (a) no suit or proceedings shall be maintained or continued in any Court, Tribunal or Authority for refund of such water rates or other amount; or
- (b) no Court, Tribunal or Authority shall enforce decree or order directing refund of such water rates or amount.

**¹THE
KARNATAKA
IRRIGATION (LEVY OF WATER RATES)
(AMINDMENT) RULES, 2011**

Whereas, the draft of the Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 2010 was published as required by sub-section(1) of Section 11 of the Karnataka irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Karnataka Act 28 of 1957), in Notification No.WRD 2 NMS 2008, dated 21st May, 2010, was published in part IV-A of the Karnataka Gazette, P.R No.470, dated 2nd June,2011, inviting objections or suggestions from all persons likely to affected thereby within fifteen days from the date of publication in the Official Gazette.

1. Published in the Karnataka Gazette dated 11-8-2011,,vide Notification No.WRD02 NMS 2008,dated 12-7-2011

And whereas, the said notification was made available to the public on the 2nd June 2011.

And whereas, no objections and suggestions have been received by the Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by section 11 of the Karnataka Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 (Karnataka Act 28 1957), the Government of Karnataka hereby makes the following rules, further to amend the Karnataka Irrigation (Levy of Water Rates) Rules, 1965, namely.-

1. Title and commencement.-(1) These rules may be called the **Karnataka Irrigation (Levy of Water Rates) (Amendment) Rules, 2011.**

(2) They shall come into force from the date of their publication in the Official Gazette

2. Amendment of Rule 2.- In Rule 2 of Karnataka Irrigation (Levy of Water rates) Rules, 1965, in clause (2-B), after the words “ or the Karnataka Neeravari Nigam”, the words “or the Cauvery Neeravari Nigam Limited or any other body or Corporation established by the State Government for this purpose” shall be *inserted*.
