

Government of West Bengal
Water Investigation & Development Department
M. I. Branch.

No..2353-MI/2R-3/2004.

Dated, Kolkata the 17th August '2004.

NOTIFICATION

In accordance with the terms and condition fixed by NABARD, the Minor irrigation schemes executed by the Water Investigation and Development Department as line Department under RIDF-II project approved by NABARD, were handed over on completion of the concerned Gram Panchayet / Panchayet Samity under certain terms and condition, who subsequently handed over to the respective Beneficiaries Committee, under the department's Notification No. 2039-MI/2R-7/99 dtd.- 01.06.1999 and subsequent Notification number 2096-MI/2R-7/99 dtd- 19.06.2000. Now, the Water Investigation and Development Department has taken up execution of 4002 nos of various Minor Irrigation schemes under RIDF-VIII Project approved by NABARD on the same terms and condition. The schemes under RIDF-VIII are also required to be handed over, on completion, to the Beneficiaries Committee in the same manner. The District wise sanctioned schemes under different structures are shown at Annexure-I.

2. The undersigned is therefore directed by order of the Goverver to say that Governor is pleased to accord sanction to hand over all the assets pertaining to M.I schemes sanctioned under *RIDF-VIII* project with all their assets inclusive of the pump sets installed / transformers / all other equipments and accessories, their respective distribution system / ERW pipes etc .used in drilling of tubewell schemes / electrical wiring and accessories etc. used in the schemes under the control of Water Investigation & Development Department constructed with loan assistance from NABARD to the beneficiary committees through the respective Gram Panchayets / *Panchayet Samiti* as *the case may be* in the jurisdiction of which the schemes are located.

3 As soon as the schemes in question are completed in all respect and are ready for supplying irrigation, the concerned Assistant Engineer of WRDD shall prepare a detailed inventory of assets and arrange to hand over these assets to the Pradhans of the concerned Gram Panchayets on certain conditions laid down in subsequent paragraphs of this order. *Howeve,r if the Minot Irrigation schemes alongwith other assets installed under RIDF-VIII project approved by NABARD, the command areas of which fall within the jurisdiction of more than one Gram Panchayet should be handed over direct to the Sabhapati of the respective Panchayet Samity.* The handing over / taking over of the assets will be executed through a document, the proforma for which has been prescribed at Annexure-II. There will be 4 copies of the document, *one* copy will be with the Gram Panchayet, one copy will be kept in the office of the concerned Assistant Engineer of the WRDD, one copy will be sent to the concerned Panchayet Samiti for record and the fourth will be similarly sent to the concerned Executive Engineer of WRDD for record and further intimation to S.E , Chief Engineer and Government . The respective Executive

Engineer will maintain a register of all such assets located within his official jurisdiction which have been handed over to different Gram Panchayats/ Panchayat Samities. The Government will maintain list of all such of installations, so handed over, Gram Panchayet / Block / district wise and publish such list annually for proper record and circulation to Panchayet Department and to Districts. *After handing over schemes with all assets the entire cost on account of operation and management which includes payment of electricity bills, will be borne by the beneficiaries concerned. It has also been decided by the Government that the consumers in respect of the schemes under RIDF-VIII project will be the respective Pradhans / Sabhapaties of the respective Gram Panchayets / Panchayet Samities as the case may be. An agreement will be executed in between Prodhan / Sabhapati of the respective Gram Panchayet / Panchayet Samiti and the concerned Divisional Engineer(O & M) West Bengal State Electricity Board. The security deposit, which is one time payment will however be paid by the Executive Engineer concerned of Water Resources Development Directorate, West Bengal. Bill will be raised by the West Bengal state Electricity Board in favour of the Prodhan / Sabhapati of the respective Gram Panchayet / Panchayet Samiti. The amount of the bill be deposited by the Beneficiaries Comitee in the account of Pradhan / Sabhapati of the respective Gram Panchayet / Panchayet Samity and thereafter the payment should be made by the concerned Gram Panchayet / Panchayet Samiti.*

3.1 Since the assets envisaged to be so handed over management purpose will continue to be owned by the State Govt. the concerned E.E. , the A.E. and the S.A.E. of WRDD will continue to have an over all responsibility for looking after the assets though they will be required to do so without in any way infringing upon the management initiative of the beneficiaries. The A.Es of WRDD will also be responsible for organizing training session and imparting technical know how including practical training to the beneficiaries on how the installations to be handed and maintained properly so as to yield optimal benefit to all concerned.

3.2 The following details / documents of the scheme will be made available to beneficiaries in respect of each schemes at the time of handing over the scheme as mentioned in Annexure-II.

- a) Location of Scheme-Mouza, J.L.No , .Plot No. , Block.
- b) Detailed of all materials e.g. pipes of different diameters and materials, M.S. accessories, type of P. sets etc. used in completing the particulars type of scheme which is going to be handed over. In case of tubewell schemes the Log charts.

3.3 It will also be the responsibility of the concerned Assistant Engineer to demarcate precisely the total command area of the scheme along with land schedule and with the prospective recipient of benefit ,as also to demarcate the command area of each spout in case of schemes with WTA arrangements, STW/LDTW in case of clusters of STW/LDTW. He shall pass on all the details in these respect to the Pradhan of the concerned Gram Panchayets / Savhapati of concerned Panchayet Samiti as the case may be.

4.0 The Pradhan / *Sabhapati of Panchayet Samiti* on receipt of the details as stated above shall arrange to have all the beneficiaries in the total command area identified and also divide the latter in the required number of groups on the basis of command area of each STW/LDTW/ spout. The Pradhan / *Sabhapati* shall thereafter convene a meeting of all the beneficiaries with a view to forming a Beneficiary Committee, an Executive Committee of the latter and the required number of Tube-well Sub-committees / Spout sub-committees where necessary.

4.1 The Beneficiary Committee shall consist of the beneficiaries only. However the elected member of Gram Panchayet concerned and of the Panchayet Samiti in whose respective constituencies the M.I. scheme is located & the Sub-Assistant Engineer of the concerned Block will remain associated with the Beneficiary Committee in their respective ex-officio capacity. But such Ex-Officio members will have no voting right nor can they be represented through any one else. Their role will be mainly advisory in nature.

4.2 As soon as the Committees / Sub-Committees mentioned a paragraph 3.0 above are formed, the Pradhan / *Sabhapati* shall make over all the assets pertaining to the scheme to the beneficiary Committee, i.e. the Executive Committee on behalf of the Beneficiary Committee. The making / taking over of the assets will be effected through a document, the proforma for which has been prescribed at Annexure-III. There will be 4(four) copies of the document; the first copy will be with the Executive Committee, the second copy will be kept in the Gram Panchayet, the third will be sent to the concerned Panchayet Samiti and the fourth one will similarly be sent to the concerned Assistant engineer of Water Resources Development Directorate for further intimation to Executive Engineer, S.E., C.E. and the GOVT.

4.3 The Beneficiary Committee will act as a general body for the entire organization while the Executive Committee will be in charge of implementing the policies to be laid down by the Beneficiary Committee. The tubwell sub-Committee / spout Committee will act as an executing agency of certain specific activities under the supervision of the Executive Committee.

4.4 As the General body the Beneficiary Committee will lay down policies in all matters of importance namely how to prevent theft or damage to the assets of the scheme, how to maintain them in good working condition, how to put these assets to optimal use, fix rates of water taxes to be paid by the beneficiaries (relating the rates to variable like season particular crop being grown, value of water being used etc.) create a fund out of the receipts of water tax for the purpose of meeting the cost of minor repairs and replacement of worn out parts, covering all operational cost and lay down policies regarding possible uses of the surplus if any. The General Body will also decide whether clerical and / or certain technical help should be hired by the beneficiary committee. If so, the no. of them and what remuneration should be paid to them how the account are to be kept, what register are to be maintained, how the audit of the accounts to be conducted

etc. The list is not exhaustive and may well include many other policy areas that the committee may like to identify.

4.4.1 The Executive committee is the immediate executing arm of the Beneficiary Committee and will be directly in charge implementing the policies laid down by the latter. The number of members in an Executive Committee may vary depending on the volume of work. It will be preferable to have the numbers determined by the Beneficiary Committee, as also have them directly elected by the members of the Beneficiary Committee in its very first plenary meeting convened by the Pradhan of the Gram Panchayats / *Sabhapati of Panchyate Samity* as the case may be. Once the members of the Executive Committee are elected, they will elect one of themselves to act as the Chairperson, one as the Secretary and one as the Treasurer. All the three posts will be purely honorary ones.

4.5 Once the Beneficiary Committee decides the Executive Committee will need any hired help and determines the types of the latter, the number of each type and the remuneration for the hired help should be given, the Executive Committee can proceed to hire the requisite help. It must however be kept in mind that such help hired by the Beneficiary Committee will under no circumstances have any claim whatsoever to any job either in any Panchayet Body including the Gram Panchayet concerned or the State Govt. and further that neither any Panchayet Body nor the State Govt. will give any financial assistance in any form whatsoever to either the Beneficiary Committee or Executive Committee on this account.

5 The Executive Committee will arrange to open a Saving Bank account with any branch of any Commercial or Co-Operative bank or Regional Rural Bank of his choice and operate the same by any two of the office bearers. Of other specific responsibilities one will be to ensure actual supply of irrigation to the land of the beneficiaries as per their demand / requirement, another will be to collect water tax at the requisite rate(s) from the beneficiaries, still another will be to keep detailed accounts of all earnings and all expenditures along with all supporting documents and finally still another will be to have the accounts audited as also to present audited accounts to the General body at regular intervals.

6 The Sub-Committee will act basically as agencies of the Executive Committee. The Sub-Committee may have their own chairperson but the Sub-Committee may not have any other office bearers or any secretariat of their own. The main work of the sub-committee will be to operate the tubwells and supply irrigation to the land of the beneficiaries located within their respective command areas and to collect the water taxes from the latter through regular and authorized receipts. They should keep their accounts of volume of water supplied to each beneficiary and must deposit these accounts as also the cash collected from the beneficiaries to the Secretary and the Treasurer of the Executive Committee at intervals as directed by the latter.

7 The Beneficiary Committee should hold at least two plenary meetings normally coinciding with the beginning of two major cropping seasons, take a stock of how the Executive Committee has implemented its policies, examine the audited accounts and lay down fresh policies and / or directives. The Beneficiary Committee may either elect a chairperson for each plenary meeting or elect a Chairperson for one full year.

8 The composition of the Executive Committee, its office bearers as also the composition of sub-committees may be directed upon by the Beneficiary Committee once a year normally.

9 The terms and conditions of the handing / taking over of the assets first by the State Govt. in the Water Investigation & Development Department to the Gram Panchayet / *Panchayet Samity* and then by the Gram Panchayets / *Panchayet Samity* to the Beneficiary Committees have been laid down in paras above and in Annexure-II and III. Failure to abide by those terms and conditions on the part of either Gram Panchayets / *Panchayet Samityies* or the Beneficiary Committees or both will make them liable to return the assets and also fund accumulated from surplus if any to the State Govt. forthwith without demure. The State Govt. shall have the absolute right to resume the assets and funds collected from the assets if gross violation of laws / conditions are detected and funds collected therefrom are not used for the purpose for which they were handed over.

10 Additionally the members of the Beneficiary Committee as also all other committees / Sub-Committees under or related to it will be duty bound to ensure that water is not wasted or misutilised. Nothing in this notification shall debar the Gram Panchayet from levying and realizing fees on the tubewell scheme in accordance with any law for the time being on force.

11 The Accountant General, West Bengal is informed accordingly.

By order of the Governor

(S.K Sen .)
Joint Secretary to Govt. of W.B.