

Irrigation Water User Association (IWUA) Manual

**Himachal Pradesh Subtropical Horticulture,
Irrigation and Value Addition
(HP-SHIVA)**



Submitted to :

**The Superintending Engineer-cum-Deputy Director,
Project HP-SHIVA, Jal Shakti Vibhag,
Hamirpur, Himachal Pradesh**

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PREFACE

Himachal Pradesh Irrigation Water User Association Act (HPIWUA-Act) of Himachal Pradesh is under preparation. On enactment, this Act will become effective in the entire state. The responsibility of implementing the act lies with the Jal Shakti Vibhag (JSV). In view of the above, this Irrigation Water User Association (IWUA) Manual has been prepared for the training of officials, officers of JSV, beneficiary GoHP, farmers, and trainers. This Manual will serve as a standardized procedural document for the formation of IWUA as well as their operation and functioning. It is expected that after the finalization of the Himachal Pradesh Irrigation Water User Association (HPIWUA) Act and the Irrigation Water User Association Rules, this Manual will undergo relevant changes in compliance with the Act and its rules.

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INTRODUCTION

Water is an essential input for horticultural and agricultural development. Recently, climate change has aggravated the problem of efficient water use for agriculture, bringing attention to effective water management. In this context, it is important to emphasize that horticultural production and socio-economic upliftment of rural areas are possible only through reliable supply, equitable distribution, and efficient utilization of irrigation water. Presently, irrigation water management is being carried out through a top to down approach, even though a bottom approach is more suitable.

In order to make IWUAs financially and technically self-sustainable, strong, rights, and role-based, Himachal Pradesh Irrigation Water User Association Act (HPIWUA) has been prepared. After the enactment of the HPIWUA Act, it will be applicable in the entire state of Himachal Pradesh. This manual has been prepared for the training of officials, officers of the Jal Shakti Vibhag (JSV) GoHP, and farmers for the formation and operation of IWUAs.

Formation of the Irrigation Water User Association (IWUA) is the first step towards the management of irrigation water and irrigation system at the local level for optimal use of available Irrigation water.

About the IWUA Manual

The Irrigation Water User Association (IWUA) Manual is a structured set of guidelines that describe the composition, functioning, and scope of Irrigation Water User Associations (IWUAs). It outlines the definitions, processes of formation, establishment, and working of the various committees and sub-committees of the IWUAs. It describes the membership requirements of IWUA, as well as the various roles, duties, and responsibilities of IWUA members and its office bearers. The manual has been designed in line with Participatory Irrigation Management (PIM) processes so as to ensure the sustainability of IWUA after formation.

Objectives of the Manual

The main objective of the IWUA Manual is to facilitate the formation and operation of IWUAs for the management of irrigation systems for a reliable supply of water, equitable distribution of water, efficient use of water, and optimal maintenance of the irrigation systems. The aim is the promotion of sustainable horticulture as well as agricultural growth and production.

The specific objectives of the Manual are as follows:

- a. To provide clarity on definitions and processes of IWUA formation and functioning
- b. To standardize the processes of IWUA formation, operation, and functioning of IWUA
- c. To ensure handholding support and transfer of irrigation & water management powers to IWUA in a smooth and seamless manner
- d. To designate duties to the various committees and sub-committees of the IWUA

Target Users of this Manual

The Target users of this Manual are:

- (a) The officials and officers of Jal Shakti Vibhag (JSV) GoHP involved in mobilizing the farmers to form and operate the Irrigation Water User Association (IWUA)
- (b) Trainers Involved with the training and mobilizing farmers to form and operate IWUAs
- (c) Beneficiary farmers and the members of IWUAs and the members of the managing committee of the IWUA

Powers to Amend the Manual

Depending on the exigencies of the situation and such circumstances as would warrant a change, the provisions of the manual may be amended by the PIM cell at the Engineer in Chief level with the approval of the Executive Committee through alternation, modification, revision, or delineation, as applicable.

I. PARTICIPATORY IRRIGATION MANAGEMENT

Participatory Irrigation Management (PIM) deals with every level of irrigation water management and maintenance of irrigation systems, irrigation water distribution, revenue collection, etc. Participatory Irrigation Management is implemented through the participation of all users of irrigation water.

1.1 Farmer's Participation

The participation of the farmers in the management of Irrigation Water will be achieved through the Irrigation Water User Association (IWUA), elected by the farmers of the command area of the irrigation system.

1.2 Irrigation Water User Association

IWUAs will be constituted as per the provisions of the Himachal Pradesh Irrigation Water User Association Act, (HPIWUA). The following four levels of IWUAs will be constituted:

1.	Apex Level Irrigation Water User Association Committee	At State Level
2.	Project Level Irrigation Water User Association	At Project Level
3.	Distributary Level Irrigation Water User Association	At Water Distribution Level
4.	Command Level Irrigation Water User Association	At Command Level

1.3 Command Level Irrigation Water User Association

All the eligible farmers of the Command will be members of the General Body of the Command. The General Body will constitute the Managing Committee through an election process that is as follows:

- (a) The Command area will be divided into 6 Sub Command areas, or as required on the basis of a distributary tank in such a way that the number of beneficiary farmers in each Sub Command is equal
- (b) The beneficiary farmer of each part will elect one representative through an election in a democratic manner (ballot paper) for a term of 4 years
- (c) The 6 aforementioned elected representatives shall together constitute the Managing Committee of the Command
- (d) The members of the Managing Committee shall elect a President, Secretary, and Treasurer from amongst themselves in their first meeting, which will be presided over by the concerned Junior Engineer of Jal Shakti Vibhag (JSV)

- (e) A water user area shall be divided into territorial constituencies which shall not be less than 4 Hectares and not more than 10 hectares

1.4 Distributary Irrigation Water User Association

Members from the Managing Committees of Command level IWUAs shall be the members of the General Body of the Distributary level IWUAs. The General Body of the Distributary IWUA shall consist of the Managing Committee of the Distributary Level IWUAs by election in the following manner:

Members of the General Body Distributary level IWUAs will elect a President, a Secretary, and a Treasurer in a democratic manner by a two-third majority in their first meeting. This meeting will be presided over by the concerned Assistant Engineer.

1.5 Project Irrigation Water User Association

All the Members of the Managing Committee of all the Distributaries in a Project area will be members of the General Body of Project Level IWUA.

The project-level General Body of the IWUA will elect a President, a Secretary, a Treasurer, and members as required in a democratic manner by a two-third majority in their first meeting. The Executive Engineer of the JSV GoHP will preside over the meeting.

1.6 Apex Committee

An Apex Committee will be constituted under the chairmanship of the Minister of Jal Shakti Vibhag and will consist of the following members:

PIM Cell at Apex Level		
S. No.	Members	Designation
1.	Irrigation Minister	President
2.	Principal Secretary Jal Shakti Vibhag	Member
3.	Principal Secretary Agriculture	Member
4.	Principal Secretary Horticulture	Member
5.	Principal Secretary Finance	Member
6.	Principal Secretary Law	Member
7.	Engineer In-Chief (Director PIM)	Member Secretary

8.	Superintending Engineer (Specialist PIM)	Member
9.	Executive Engineer (Training Specialist)	Member
PIM Cell at Apex Level		
S. No.	Members	Designation
10.	Executive Engineer (Monitoring and Evaluation Specialist)	Member
11.	5 Assistant Engineer	Member

(i) Functions of the Apex Committee are:

- Meeting after each harvest season
- Decisions on PIM -related policy decision making
- Monitoring and resolving problems and grievances
- Reviewing the status of the fund flow of IWUA
- Finalizing the budget proposal for the IWUA

1.7 Sub-Committees

For optimal use of irrigation water and better performance of IWUAs the constitution of IWUA Sub Committees is essential. The following 4 Sub-Committees will be constituted by the IWUAs:

S. No.	Name of the Subcommittee	Tasks
1	Construction Management Subcommittee	Execution and monitoring of all Civil Works
2	Irrigation Management Subcommittee	Water demand, water budgeting, irrigation scheduling, irrigation, and related works
3	Financial Management Subcommittee	Financial budgeting, revenue collection, monitoring of monthly expenditure and receiving funds, account keeping, and auditing
4	Grievance Redressal Subcommittee	Investigation and fact-checking of grievance, complaint management, dispute resolution, and grievance redressal mechanism

Each Sub-Committee will have 3 members. One member of the Managing Committee of the IWUA will be the President of the Sub-committee. Additionally, two skilled persons from the area of operation, whose skills will be judged by the Managing Committee, will be made members of the Sub-committee by the President of the IWUA. For the successful working of the IWUA, hand-holding

support of officials and officers of JSV, GoHP is essential.

1.8 Competent Officials of Jal Shakti Vibhag

Given below is the list of competent officials/officers of the Jal Shakti Vibhag GoHP for IWUAs at the Command Level, Distributary Level, and Project Level:

S.N.	Committee	Competent Officer
1.	Command IWUA	Junior Engineer
2.	Distributary IWUA	Assistant Engineer
3.	Project IWUA	Executive Engineer/ Superintending

1.9 Registrar Authority for the IWUA

The Registrar Authority for the various levels of IWUAs is given ahead. It is proposed that in the future the provision for the same will be made in the HP IWUA Act and HP IWUA-Rules. Until the time the act is enacted, the IWUA will be registered under the Himachal Pradesh Societies Registration Act 2006.

S.N.	IWUA	Registrar Authority
1.	Command Level	Assistant Engineer
2.	Distributary Level	Executive Engineer
3.	Project Level	Superintending Engineer

II. Functions, Rights, and Powers of IWUA Office Bearers

2.1 Functions of the IWUA

The IWUA will allocate water, regulate the distribution of irrigation water, prepare a maintenance plan, monitor water supply, decide membership fees, assist revenue collection, prepare the annual budget, keep a book of accounts, participate in planning design, and execution of upgradation and rehabilitation work and resolve disputes.

2.2 Task Division

The task of the IWUA will be carried out jointly by the General Body and the Managing Committee. The General Body is the decision-making body. It will make the water allocation plan, water budgeting, and all related works. The Managing Committee will carry out day-to-day tasks like proposing a budget, implementing a water allocation schedule, and carrying out monitoring and supervisory work.

2.3 Functions of Distributary Level IWUA

The following are the functions of the Distributary level IWUAs:

- a) Co-ordinate with competent authorities
- b) Prepare a water allocation plan
- c) Prepare a maintenance plan
- d) Resolve disputes
- e) Other related works

2.4 Functions of the Project Committee

The following are the functions of the Project level IWUAs:

- a) Co-ordinate with competent authorities
- b) Co-ordinate with IWUAs
- c) Resolve disputes
- d) Other related works

2.5 Rights of the IWUAs

The rights of the IWUA are mentioned below:

- a) Right to information about water availability
- b) Right to information about opening and closing of gates values
- c) Right to joint measure irrigation water discharge
- d) Right to receive water as agreed
- e) Right to recycle water
- f) Right to use groundwater without payment
- g) Right to decide crop rotation, crop diversification, and horticultural activities
- h) Right to participate in planning, designing, construction, and maintenance of irrigation systems

2.6 Powers of the IWUAs

The powers of the IWUA are as mentioned below:

- a) To collect and levy a membership fee
- b) To decide and collect an irrigation service fee
- c) To recall members of the command committee
- d) To enter land for repairs and inspection
- e) To exclude members for nonpayment of dues
- f) To impose administration
- g) To initiate inquiries and resolve disputes

2.7 Prohibition for IWUA

The following acts are prohibited for IWUAs:

- a) To encroach on the irrigation system
- b) To pollute water
- c) To harm, tamper with or remove the irrigation system
- d) To use water in a wasteful manner
- e) To use water that is unauthorized for use
- f) To sell water
- g) To obstruct the flow of water
- h) Violating any other provisions of this act

2.8 Responsibilities of the IWUA Office Bearers

2.8.1 Responsibilities of the IWUA President

The President of the IWUA has the following responsibilities:

- a. To perform the functions of the IWUA in a democratic, fair, and transparent manner
- b. To preside over the fortnightly or monthly meetings of the General Body and the Managing Committee fortnightly in a democratic, fair, and transparent manner
- c. To exercise his right to vote in the meetings of the Managing Committee or the General Body only in the case of an equality of votes on any agreed point
- d. To participate in the meetings of any other forum or authority as an authorized representative of the IWUA
- e. To constitute Sub-Committees of the IWUA
- f. To request money for the IWUA from the Divisional Officer or others, as the case may be for the proper functioning of the IWUA
- g. To monitor the equitable distribution of irrigation water
- h. To send the report/estimate to the competent officer of Jal Shakti Vibhag or higher level IWUA
- i. To give priority to landless farmers in his/her operation area and decide the honorarium on the basis the of work
- j. To conduct joint Walk-Through Surveys in the operation area
- k. To invite special invitees to a meeting
- l. To co-ordinate with the Registrar and competent officers of Jal Shakti Vibhag
- m. To pass the vouchers of executed works for payment

2.8.2 Responsibilities of the IWUA Secretary

The Secretary of the Irrigation Water User Association will have the following responsibilities:

- a. To assist the President of the IWUA in discharging the functions of the IWUA
- b. To organize fortnightly or monthly meetings of the General Body/Managing Committee of the IWUA
- c. To record and maintain the minutes of the meetings with the concurrence of the President
- d. To issue orders and resolutions of the Managing Committee
- e. To maintain all the records and reports of the IWUA
- f. To operate the account of the IWUA jointly with the Treasurer of the IWUA

- g. To get the annual accounts of the IWUA audited by an authorized auditor
- h. To correspond with the competent officer of Jal Shakti Vibhag/higher level Irrigation Water User Association on behalf of the President
- i. To attest all approvals, orders, decisions, and notices of the Managing Committee

2.8.3 Responsibilities IWUA Treasurer

The Treasurer of the IWUA will have the following responsibilities:

- a. To maintain all receipts related to expenditure and other similar records
- b. To maintain and update Cheque Book, Cash Book, Bill Book, and other similar Registers
- c. To get the annual audit of the IWUA by an authorized auditor
- d. To prepare the annual financial budget of the IWUA
- e. To issue payments on orders of the President of the IWUA
- f. To get funds from various sources

III. Penalty on Unauthorized Use of Water

3.1 Unauthorized Water Usage

Unauthorized use of water by the farmers of the Command or the Managing Committee of the Command can lead to the IWUA imposing a penalty.

If the person who uses unauthorized water is not recognized, then the penalty will be imposed on such person/s:

- a. Whose land has benefited from that water
- b. Whose land has not benefited from the water but the information about the flow of water has not been given by him/her to the IWUA
- c. If water that flows through a pipe has been stolen and the person responsible for it cannot be identified after an inquiry by the IWUA, then all those persons who are engaged in this activity will be held responsible

3.2 Major Irrigation System Offenses

The following are the major offenses to the irrigation system:

- a. To damage, alter, increase, or obstruct an irrigation system or drainage work
- b. To interfere with irrigation water flow or water supply
- c. To use water outside the scope of work without proper authorization
- d. To neglect proper precautions in preventing water wastage
- e. To destruct the water gauges, the irrigation system works
- f. To obstruct the implementation of the scheduled irrigation roster
- g. Contravention of the provisions of the HP-IWUA Act, etc.

3.3 Investigation of Irrigation System Offenses

The procedure to be followed in the case of irrigation offenses is mentioned below:

- a. Every IWUA shall act as an inquiry agency for irrigation system offenses committed under the jurisdiction of the IWUA at its lower level.
- b. The investigation agency will be informed as soon as the IWUA President takes cognizance of

the crime in his/her jurisdiction. The IWUA will offer assistance in the investigation process. In the event that the President fails to do so, he/she shall be considered a participant in the offense.

- c. All those officials of the State Government and police personnel who are cognizant of the occurrence of the irrigation system crime will be bound to give such information to the investigation agency as is necessary.
- d. The investigation agency will start the investigation as soon as the crime is brought to its attention. The investigation agency shall be authorized to exercise powers conferred on it for the investigation of cognizable offenses under the Code of Criminal Procedure, 1973.
- e. No irrigation system offense shall be taken into cognizance by any court except on the condition that the investigation agency files a written complaint.

3.4 Penalty on Irrigation System Offense

On conviction of an irrigation system offense, the IWUA may impose a penalty as decided.

3.5 Resolution of Disputes

A Dispute Resolution Mechanism (DRM) has been developed.

- a) Disputes within IWUAs will be resolved by the Managing Committee of the IWUA. In case of dissatisfaction with the decision, an appeal may be made to a higher level IWUA.
- b) Disputes between IWUAs will be resolved by the distributary level IWUA. In case of dissatisfaction with the decision, an appeal may be made to the Project level IWUA.
- c) Disputes between IWUAs at Project Level IWUA will be resolved by the Managing Committee of the Project Level IWUA, and the decision will be final.

All the disputes shall be resolved at the earliest.

3.6 Protocol for Appeal

- a. An appeal can be made against the decision given by the Working Committee of any IWUA. This appeal must be filed at the nearest higher-level IWUA within a period of 30 days of receiving a decision. The appeal so made shall be disposed of within a maximum period of 30 days.
- b. In case of the non-existence of IWUA, an appeal can be made to the Appellate Authority within 30 days against the decision given by the Competent Officer of Jal Shakti Vibhag. The decision of the Appellate Officer will be final and binding.

3.7 Competent and Appellate Officers (JSV)

The Appellate Authority for the IWUA is as follows:

S.N.	IWUA	Competent	Appellate Authority
1.	Command Level	Junior Engineer	Executive Engineer
2.	Distributary Level	Assistant Engineer	Executive Engineer
3.	Project Level	Executive Engineer	Superintending Engineer

3.8 Recovery of Arrears of Revenue and Rate of Water

- a. The rates of water shall be volume-based and shall be fixed by the State Government from time to time. In the absence of a volume-based water rate, an area-based water rate will prevail.
- b. Any amount certified by the Working Committee of the IWUA, which has remained unpaid by any land owner/water user, shall be recovered by the Concerned Assistant Engineer.

IV. Details of Financing IWUAs

4.1 Allocation of Finances

The tariff of the irrigation service shall be collected by the Water User Association. A part of the revenue collected by the WUA from their command will be retained for themselves. The remaining amount shall be transferred to a higher level WUA in the proportions given below:

S.N.	IWUA at	Funds Allocated to the Committee
1	Command Level	50 percent
2	Distributary Level	40 percent
3	Project Level	10 percent

4.2 Sources of Finances

The following are the major sources of IWUAs' finances:

- Membership fee of WUA
- Money received from MGNREGA
- Toll tax
- One-time working grant from Command Area Development Authority
- Contribution received from landholders
- Interest on deposits in the bank
- Borrowings or loans
- Donations
- Grants received from the Government as a share of the irrigation service fee
- Grants received from State and Central Governments or other donors
- Income from properties and assets of the irrigation system and area of operation

4.3 The Annual Budget

- a. The Annual Budget, detailing the estimated income and expenditure for the next financial year, will be prepared by the Working Committee of the Command, Distributary, and Project Level IWUA.
- b. The Annual Budget shall be presented in the General Body meeting of the WUA by 15th January every year

- c. The draft budget shall be placed in the office of the IWUA one week before the appointed date of the General Body Meeting containing:
 - (i) The latest observation report and its compliance
 - (ii) Proposals and their justification
- d. The draft budget shall be placed in the office of the IWUA one week before the date fixed for the meeting of the General Body
- e. The Draft Budget shall be approved by 2/3rd majority of members in the General Body Meeting
- f. The competent officer of Jal Shakti Vibhag will be a special invitee to this meeting.

Sl. No.	Income Source	Expenditure Head
(i)	Grants-in-aid received from Central Government	1 Payment of contingency and office expenses of Irrigation Water User Association etc.
(ii)	Grants-in-aid received from State Government	2 Expenses for maintenance work of irrigation system
(iii)	Grants received from other financial agencies and departments	3 Expenditure on clearance of Tanks, Chambers for Distributary/ command/water bodies/plain drains
(iv)	Income from property and assets	4 Removal of bushes, weeds, weeds, etc., from operation area kulh, dams, and kulh beds
(v)	The amount of collected water charges received from the state government	5 Shutter Tank and Chamber Painting and Smoothing
(vi)	Income received from MLA fund and income received from MP fund	6 Repairing of the valve, chamber, muzzle linings, replacing dyed plastering, etc.
(vii)	Income received from Panchayat	7 Salary/ Honorarium to Human Resources
(viii)	Contribution received from landholders	8 Allowance/incentive to human Resources
(ix)	Interest received on deposits	9 Expenditure on the audit of the WUA Account
(x)	Interest received on deposits	10 Expenditure on stationery items and consumables
(xi)	Borrowed money	11 Expenditure on Field Gull, Chambers, Valves
(xii)	Book transferred money	12 Other Miscellanies expenses
(xiii)	Income received from service charges imposed by the Water User Association	
(xiv)	Income from toll tax	
(xv)	Amount received from MNREGA	
(xvi)	Other receipts	

A copy of the approved budget will be submitted to the competent officer of Jal Shakti Vibhag.

4.4 Accounts to be Maintained

The Water User Association shall deposit its funds in a scheduled bank or post office. The IWUA shall maintain a reserve fund and utilize it as prescribed.

4.4.1 The Account

The account will be jointly operated by the IWUA Secretary and Treasurer and will be maintained through dual signatory authority.

4.4.2 Financial Management

All the funds received from different sources will be deposited in a suitable account.

The following registers will be maintained for Financial Management by the IWUA:

- Book of Accounts Register
- Cash Book Register
- Check Issue Register
- General Register
- Bill Register
- Passbook and Cheque Book

4.5 Financial Audit

A financial audit of IWUAs will be carried out every year. The Financial Audit shall be conducted by a panel of Auditors authorized by the Competent Officer. The audit report and the compliance report will be sent to the competent officer of Jal Shakti Vibhag and higher level IWUA.

V. Procedure for Completing Works

For completion of all work, a detailed standard operating procedure will be issued by the IWUA. The following general procedure will be followed:

5.1 Participatory Walk-Through

Before the start of each agricultural and horticultural season, a participatory walk-through will be conducted at the Command / Distributary by the President of the Command/Distributary and the Members of the Construction Sub-Committee of the Command Area / Distributary, along with the competent officer of the Jal Shakti Vibhag.

5.2 Preparation of Estimates

Estimates will be prepared by the Construction Sub-committee at the certified scheduled rate of the Jal Shakti Vibhag. The Construction Sub-committee can seek help from the competent officer of Jal Shakti Vibhag in preparing the estimates.

5.3 Technical Approval of Estimates

The Construction Sub-committee will present the draft estimates to the Working Committee of IWUA. After approving these estimates, the Working Committee will submit them to the competent officer of Jal Shakti Vibhag for approval.

5.4 Execution of Work

Execution of work will be carried out by the Construction Sub-committee of the IWUA.

5.5 Measurement of Work

- a) The work shall be measured by the Construction Sub-Committee
- b) The measurement of the work shall be approved by the Working Committee of the concerned IWUA, and shall be sent to the competent officer of Jal Shakti Vibhag for approval
- c) 10% approval of the measurement of work will be done by the competent officer of Jal Shakti Vibhag within 15 days

5.6 Payment of Work

The following procedure will be followed while making payment for the completed work:

- a) The payment related to the work shall be made by the IWUA after approval of the competent authority
- b) The approval of the work before the final payment by the IWUA may be obtained by the General Body IWUA of the water user association
- c) Any payment amount that exceeds Rs.1000 shall be made through a bank transfer

Under no circumstances shall a payment of more than Rs.1000 be made in cash.

5.7 Technical Approval of Work

- a. The Junior Engineer shall be the competent authority for technical approval of estimates up to Rs. 1 lakh for irrigation work and related structures
- b. The Assistant Engineer shall be the competent authority for the technical approval of estimates up to Rs. 5 lakhs
- c. The Executive Engineer shall be the competent authority for the technical approval of estimates that exceed Rs.5 lakhs

5.8 Monitoring of Work

Monitoring of work will be done by the Sub-committee of the IWUA and the competent officer from JSV.

VI. Formation of PIM Cell in Jal Shakti Vibhag

Participatory Irrigation Management (PIM) is the nucleus of IWUAs. The formation of a dedicated PIM cell is essential for the smooth functioning of an IWUA and for making it self-reliant. The PIM cell will be constituted in the JSV GoHP. The details are given below:

PIM Cell at Apex Level		
S. No.	Members	Designation
1.	Irrigation Minister	President
2.	Principal Secretary Jal Shakti Vibhag	Member
3.	Principal Secretary Agriculture	Member
4.	Principal Secretary Horticulture	Member
5.	Principal Secretary Finance	Member
6.	Principal Secretary Law	Member
7.	Engineer in Chief (Director. PIM)	Member Secretary
8.	Superintending Engineer (Specialist PIM)	Member
9.	Executive Engineer (Training Specialist)	Member
10.	Executive Engineer (Monitoring and evaluation specialist)	Member
11.	5 Assistant Engineer	Member

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PIM Cell at Chief Engineer Level		
S. No.	Members	Designation
1	Chief Engineer	President
2.	Superintending Engineer (Senior Most)	Member Secretary
3.	Two Executive Engineers (Senior Most)	Member
4.	Four Assistant Engineers (Senior Most)	Member
5.	Presidents of Project IWUA	Member

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PIM Cell at Circle Level		
S. No.	Members	Designation
1.	Superintending Engineer	President
2.	Executive Engineer	Member Secretary
3.	Four Assistant Engineers	Member
4.	Patwari	Member
5.	President of distributary IWUA	Member



PIM Cell at Division Level		
S. No.	Members	Designation
1.	Executive Engineer	President
2.	Assistant Engineer	Member Secretary
3.	Accountant	Member
4.	Patwari	Member
5.	Presidents of Command IWUA	Member

6.1 PIM Cell at Division Level

6.1.1 Constitution of the PIM Cell at Division Level

The PIM cell will be constituted by the Executive Engineer at the division level. This cell will have the following constitution:

S.N.	Member	Designation
a.	Executive Engineer	President
b.	Assistant Engineer	Member Secretary
c.	Accountant	Member
d.	Patwari	Member
e.	IWUA Members	Member

6.1.2 Functions of the PIM Cell at Different Levels

The PIM Cell at the Division Level will have the following functions:

- To facilitate elections of the IWUAs
- To conduct training for IWUAs
- To hold at least one meeting of the Division Level PIM Cell every month and submit the minutes of the meeting to the Executive Engineer for information and necessary action
- To facilitate and review the status report of the IWUA related to equitable distribution of water, recording of irrigation, collection of irrigation charges, on-farm development, financial management, and maintenance of irrigation system, etc. This will be done for each crop season and the report will be sent to the circle-level PIM cell
- To monitor and support activities of the IWUAs
- To provide technical assistance to IWUAs
- To enable IWUAs to carry out financial management and become self-reliant
- To prepare the demand for a fixed amount of water charges for the IWUAs

- i. To enable and assist the IWUAs to prepare irrigation records and collect water charges
- j. To assist and motivate IWUAs in the preparation and implementation of water budget irrigation scheduling
- k. To motivate IWUA for the construction and maintenance of irrigation system
- l. To facilitate and motivate the IWUA to carry out monitoring and evaluation of the work carried out, report the problems faced, and make suggestions for remedial measures
- m. To facilitate and assist IWUAs in forward and backward linkages with the stakeholder agricultural produce
- n. To facilitate, motivate, and assist in the linkage of IWUAs with schemes of other departments

6.1.2 Functions of PIM Cell at the Circle Level

The PIM cell at the circle level will perform the following functions:

- a. To facilitate elections of the IWUA
- b. To conduct training for IWUAs
- c. To hold monthly meetings with the Executive Engineers of the circle to review the status of the PIM in the circle

6.2 Responsibilities of the Officials and Officers of Jal Shakti Vibhag

The functions and responsibilities of the officers/officials of the Jal Shakti Vibhag are given ahead.

6.2.1 Responsibilities of the Executive Engineer

- a. To ensure that the PIM Cell is functional at the Division Level
- b. To conduct elections of IWUA as returning officer
- c. To supervise the functioning of the Assistant Engineer, Junior Engineer Patwari, and related officials in making the IWUA functional and effective
- d. To give technical approval to the estimates prepared by the IWUA
- e. To hold at least one meeting every two months with the President of the Distributary Level IWUA to resolve any problems if any
- f. To monitor the work of at least two Distributary Level IWUAs every two months through field visits
- g. To ensure the supply of irrigation water as per the roster in the Command
- h. To provide assistance to the Assistant Engineer for the empowerment of the Distributary

level IWUA

- i. To provide necessary records to the IWUAs
- j. To facilitate and make the IWUA aware of other departmental and Government schemes and provide assistance in linking them with these schemes.

6.2.3 Responsibilities of the Assistant Engineer

- a. To conduct the elections of IWUAs as an Assistant Returning Officer
- b. To monitor the work of at least two IWUAs during field visits
- c. To grant technical approval to the estimates prepared by the IWUAs
- d. To ensure the supply of irrigation water as per the roster of the Command
- e. To prepare the status report of the IWUA and submit it to the Executive Engineer every six months
- f. To provide assistance to the Executive Engineer in empowering and making the IWUA sustainable

6.2.4 Responsibilities of the Junior Engineer

- a. To facilitate and help IWUAs to implement the decisions of the Divisional Level PIM Cell
- b. To facilitate and help IWUAs to prepare the estimates for technical approval
- c. To enable the IWUA to execute and measure civil work
- d. To coordinate between the IWUA and the Divisional PIM Cell
- e. To monitor the work of IWUAs and 5 Distributary IWUAs every three months through field visits
- f. To monitor the water supply of the Command Area
- g. To prepare the status of Command-level IWUAs after each crop season and submit it to the Assistant Engineer
- h. To provide regular assistance to IWUAs
- i. To convene a meeting at least once every three months with the Working Committee of the Command IWUA to resolve problems and issues
- j. To provide necessary records to the IWUAs

6.2.5 Responsibilities of the Patwari

- a. To conduct irrigation marking

- b. To give effect to the orders of the Divisional Cell
- c. To participate in the meetings of the Command IWUA and the Distributary IWUA
- d. To assist the Command IWUA in the preparation of irrigation scheduling
- e. To inform the Deputy Revenue Officer and the Executive Engineer about the correctness of the information related to the Command
- f. To record the gauge report and inform the Sub Revenue Officer, Sub-division Officers, Block Level Officers, and Ziladar about it

6.2.6 Responsibilities of the Irrigation Supervisor

- a. To prepare deposit scheduling
- b. To assist the IWUAs
- c. To monitor the work of the Patwari

VII. Election of Irrigation Water User Association

For the successful achievement of the objectives of the PIM, the IWUA has to be constituted in a democratic manner. And for this, a fair election is required. Given ahead are details regarding the process of elections for IWUAs.

7.1 Members to Conduct IWUA Elections

The Working Committee of the IWUA will be elected through a democratic process. The election of the IWUA will be conducted under the supervision and guidance of the following officers of the Jal Shakti Vibhag, GoHP:

Officers to Preside Over/ be Involved in WUA Elections	
Designation in JSV	Assigned Functions
Engineer in Chief	Chief Election officer
Chief Engineer	Election Officer
Superintending Engineer	By-election officer
Assistant Engineer	Assistant Returning Officer

1. The Managing Committee of the command will be elected by the General Body of the command-level IWUA
2. The Managing committee of the Distributary Level IWUA will be elected by the General Body of the Distributary Level IWUA
3. The Managing Committee of the Project Level IWUA will be elected by the General Body of the Project Level IWUA

7.2 Election of Command IWUA

All the landowners of the Command Area will constitute the General Assembly of the Command IWUA. A Command Working Committee will be formed to administer the rights and duties of the Command IWUA. The Working Committee will be constituted as follows:

- a. Command shall be divided into 6 equal sub-commands (Parts) in such a way that the number of land owners in each sub-command is approximately equal
- b. One representative from each Sub-Command shall be elected by the voters of the Sub-Command through ballot paper

7.2.1 Voters of Sub-Command

The following criteria will be used in the finalization of the voter list:

- a. Every eligible landowner of the Sub-Command who has attained the age of 18 years and is a

part of the Voter List shall be a voter of the Command.

- b. The land owner whose plot is in more than one sub-command and has filled the roster form shall be a voter in all those subcommands and shall be entitled to vote in them.

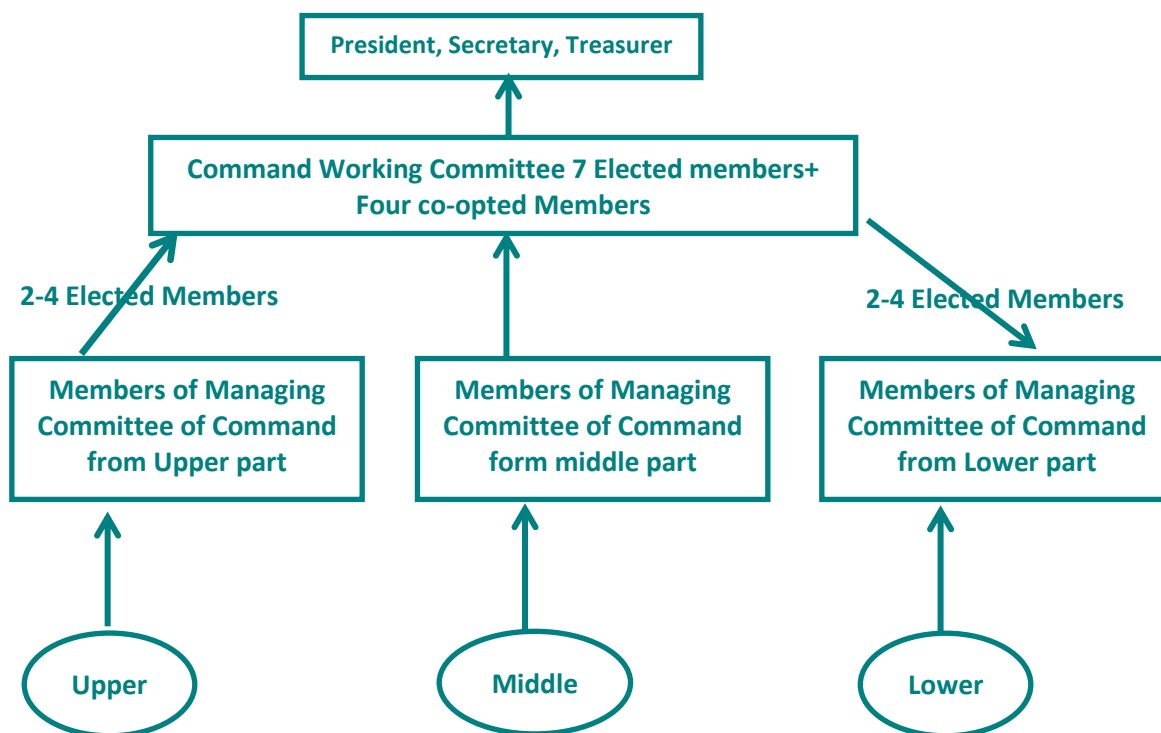
7.2.2 Candidate for Command or Sub-Command

The following criteria shall be followed for the finalization of the candidature of a member of an IWUA:

- a. The land owner whose name is included in the electoral roll of the Command/Sub-Command shall have the right to contest election from that Command Sub/Command
- b. In case a land owner is a voter in more than one Sub-Command, that land owner shall have the right to contest election from any one Sub-Command
- c. Any voter who is ineligible for the candidature of the Panchayat Election shall also be disqualified for the candidature of the Command.

7.3 Election of Command Working Committee

The Command Managing Committee will be constituted of members elected from each sub-command and co-opted from a reserved category.



7.3.1 Officer Bearers of Command level IWUA Managing Committee

After the election of members of the Command IWUA, a meeting will be convened by the Assistant Engineer of Jal Shakti Vibhag for the selection of office bearers, in which all the elected members of the Command will be involved. The meeting will be presided over by the Assistant Engineer. In the meeting, a Chairman and Secretary will be selected by the elected members, who will be called office bearers of the

committee. If there is no consensus in the selection of the President and the Secretary, the selection of the President and the Secretary will be done through voting by the Junior Engineer.

7.3.2 Tenure of the Managing Committee

The tenure of the Managing Committee will be 4 years.

- a. After the election of the members of the managing committee, the members of the Scheduled Castes, Scheduled Tribes, and women from the Command will be co-opted if the representation of Scheduled Castes, Scheduled Tribes, and women is not sufficient.
- b. It is mandatory for the co-opted member to be the land owner of the concerned Command. Even if the name of any land owner is not on the voter list, his/her association is still necessary.

7.4 Election of Distributary IWUA

The members of the Managing Committees of all the Command IWUAs affiliated to the Distributary Level (elected co-opted) will constitute the General Body of the Distributary IWUA. The members of the General Body will be elected to the Distributary Managing Committee. The Distributary Working Committee will be responsible for discharging the rights and duties of the Distributary IWUAs.

7.4.1 Voters for Distributary IWUA

All members (elected co-opted) of the Working Committee of the Command IWUA will be the voters.

7.4.2 Candidate for Distributary IWUA

The members of the Managing Committees of the Command IWUAs may be candidates for election.

7.4.3 Number of Votes Per Voter

All voters of a Command shall have the right to vote in favor of a candidate. One person will have the right to vote but he can vote for different representatives if his land is under different commands.

7.4.4 Election of Working Committee of Distributary Level IWUA

The stipulated number of elected members and necessary co-opted members from weaker sections of the community will constitute the Distributary Level Managing Committee.

7.4.5 Office Bearers of Distributary IWUAs

In its first meeting by the elected members of the Managing Committee, a President, a Secretary, and a Treasurer shall be selected from amongst themselves, who shall be the office bearers of the Distributary IWUA. The meeting will be presided over by the Executive Engineer. If there is no consensus in the selection of the office-bearers, the office-bearers will be selected through voting in the presence of the Assistant Engineer.

7.4.6 Tenure of the Managing Committee

- a. The term of the Distributary IWUAs shall be 4 years.
- b. The tenure of the members of the Managing Committee shall be 4 years.

7.4.7 Tenure of Office Bearers

The office bearers' term will be 2.5 years. After every two and a half years, a meeting of the members of the Managing Committee will be called by the Executive Engineer of the Jal Shakti Vibhag, in which action will be taken for the continuation or replacement of the previous office bearers. The members of the Managing Committee may choose to continue with the same office bearers or may elect members of the Managing Committee as office bearers.

After the selection of office bearers, if there is no representative of the Gram Panchayat, Scheduled Tribe, women, etc., one member of that category, as the case may be, will be co-opted by the committee.

7.5 Election of Project IWUA

The members of the Managing Committees of all Distributary IWUAs affiliated to the Project (elected co-opted) will constitute the General Body of the Project IWUAs. The members of the General Body will constitute the Project Managing Committee through the election process. The Project Managing Committee will be responsible for the discharge of the rights and duties of the Project IWUAs. Members of the Project Managing Committee will be Superintendent Engineer, the Executive Engineer, and two Assistant Engineers.

7.5.1 Voter of Project Level IWUA

All members (elected/ co-opted) of the Managing Committee of Distributary IWUAs affiliated with the top, middle, and tail end of the project will be the voters of the Project Level IWUA.

7.5.2 Candidate for Project Level IWUA

Members of the Managing Committees of Distributary level IWUAs shall be candidates for the election.

7.5.3 Election of the Managing Committee of Project IWUAs

The stipulated number of elected members and necessary co-opted members from the weaker sections of the community will constitute the Project Level Managing Committee.

7.5.4 Office Bearers of Project IWUAs

The elected members of the Managing Committee shall, in their first meeting, elect a President, a Secretary, and a Treasurer from amongst themselves, who shall be the office bearers of the Project level IWUA. The meeting will be presided over by the Competent Officer of Jal Shakti Vibhag. If there is no consensus in the selection of office-bearers, the office-bearers will be selected through voting by the Executive Engineer.

7.5.5 Tenure of Managing Committee

- a) The term of the Project IWUAs shall be 4 years.
- b) The term of the members of the Managing Committee shall be 4 years.

VIII. Dissolution of Water User Association

The Managing Committee of the IWUA at any level may be dissolved by the competent Authority of Jal Shakti Vibhag in case of any embezzlement, fraud, abuse of power, or any other act in contradiction to the HP-IWUA Act. JSV shall provide transitional arrangements to carry out the functions of the IWUA. Further, in case of dissolution, the Managing Committee shall be constituted within a period of three months from the date of dissolution.

8.1 Basis of Dissolution

The Managing Committee of the IWUA may be dissolved by the JSV on the following grounds:

(i) On the basis of job evaluation:

- a. A competent officer of Jal Shakti Vibhag, after the transfer of irrigation management, will cooperate with the IWUA in removing any deficiencies
- b. After evaluation, if the competent officer of Jal Shakti Vibhag is not satisfied with the desired improvement, the higher-level IWUA will carry out the evaluation. If the resolution of dissolution is passed by the General Body of the higher level WUA with a majority, the IWUA will be dissolved.

(ii) On the basis of irregularity of work:

- a. In the event that any IWUA is dissolved or not constituted, the work of that committee will be executed by its immediate higher-level IWUA
- b. In the absence of a higher-level IWUA, the work of the dissolved IWUA will be executed by the competent officer of Jal Shakti Vibhag.

8.2 Transfer of Irrigation System Management

Irrigation system management will be transferred to the IWUA through an agreement.

- a. Irrigation Water Management shall be transferred through an agreement between the competent authority of the Jal Shakti Vibhag and the concerned IWUA;
- b. In the absence of the Distributary IWUA, the Jal Shakti Vibhag shall transfer the command to the Command level IWUA by an agreement.

8.3 Devolution of Powers and Functions of IWUAs

- a. Where the Command Level IWUAs do not exist, the powers and functions shall be vested in the Distributary Level IWUA and where the Distributary Level IWUA also does not exist, the powers and functions of the Distributary Level IWUA shall be vested in the Junior Engineer;
- b. Where the Project IWUA does not exist, its powers and functions shall be vested with the concerned Executive Engineer;
- c. Where the Command Level, Distributary Level, and Project Level Irrigation Water User Association Managing Committees do not exist, the powers and functions shall be vested in the competent officer of Jal Shakti Vibhag.

8.4 Resignation of Members of the Working Committee of the IWUAs

- a. A member of a Managing committee of the IWUA at tertiary or distributary level may resign from his office through a letter, sent to the President of a higher-level managing committee.
- b. The President of the Managing Committee at the Project Level may regain his office by a letter sent to the competent authority of JSV.
- c. The resignation letter of a member of the Working Committee of the IWUA s may be accepted by the Working Committee of the concerned IWUA.
- d. The resignation of the President of the IWUA may be accepted by his adjacent higher level IWUA or the competent officer of Jal Shakti Vibhag, as the case may be.

8.5 Effect of Act

In case of any discrepancy with any previously existing Act, HP-IWUA shall be effective in the entire state in matters of PIM.

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