

**KARNATAKA ORDINANCE 1 OF 2002  
THE KARNATAKA IRRIGATION AND CERTAIN OTHER  
LAW (AMENDMENT) ORDINANCE, 2002**

**Arrangement of Sections**

***Sections:***

1. Short title and commencement
2. Amendment of Karnataka Act 16 of 1965
3. Amendment of Karnataka Act 28 of 1957

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**THE KARNATAKA IRRIGATION AND CERTAIN OTHER**  
**LAW (AMENDMENT) ORDINANCE, 2002**

*(Promulgated by the Governor of Karnataka in the fifty-third  
year of the Republic of India and First published in the  
Karnataka Gazette Extra-ordinary on the twenty fifth day of  
February, 2002)*

An Ordinance further to amend the Karnataka Irrigation Act, 1965 and the Karnataka Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957.

Whereas the Karnataka Legislative Council is not in session and the Governor of Karnataka is satisfied that the circumstances exist which render it necessary for her to take immediate action further to amend the Karnataka Irrigation Act, 1965 (Karnataka Act 16 of 1965) and the Karnataka Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Karnataka Act 28 of 1957) for the purposes hereinafter appearing.

Now, therefore in exercise of the powers conferred by clause(1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely: -

**1. Short title and commencement.-** (1) This Ordinance may be called the Karnataka Irrigation and Certain Other Law (Amendment) Ordinance, 2002.

(2) It shall come into force at once.

**2. Amendment of Karnataka Act 16 of 1965.-** In the Karnataka Irrigation Act, 1965 (Karnataka Act 16 of 1965),-

(1) in section 2,-

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(Published in the Karnataka Gazette Part IV-A Extra Ordinary No. 192 dated 25-2-2002 in Notification No. ÉâªÀâXµÖÉ 3 µÖÉâ}â 2002)

(i) after clause (p), the following clause shall be inserted, namely:-

"(pp) "Water Users Association" means "a Water Users Association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960),-

- (a) members of which consist of not less than sixty percent of the Water Users for cultivation of land; or
- (b) majority of members of which consist of Water Users for cultivation of land and holding not less than fifty one percent of land;

Under an irrigation work being a tank irrigating less than two thousand hectares but excluding tanks within the command area of a major or medium irrigation project:

Provided that a Water Users Society registered under the Karnataka Co-operative Societies Act, 1959 in respect of such tank prior to the commencement of the Karnataka Irrigation and Certain Other Law (Amendment) Ordinance 2002, may continue till a Water Users Association is registered."

(ii) in clause (s),-

- (a) after the words "area of operation of the society", the words "but excluding a tank irrigating less than two thousand hectares, or falling within the command area of a major or medium irrigation project" shall be inserted.
- (b) in the Explanation, after the words "Irrigation Officer" the words "from time to time" shall be inserted;

(2) in section 4, in sub-section (1), in the proviso, after the words "Water Users Society" in the two places where they occur, the words "or Water Users Association as the case may be" shall be inserted;

(3) in section 10, after the words "Water Users Society" the words "or Water Users Association" shall be inserted;

(4) in section 14, after the words "Water Users Society" wherever they occur, the words "or Water Users Association" shall be inserted;

(5) in section 27, after the proviso, the following proviso shall be inserted, namely:-

"Provided further that when an irrigation work is entrusted to a Water Users Association the irrigation officer instead of consulting the committee so appointed by the State Government shall consult Water Users Association".

(6) in section 44, in sub-section (1), in the third proviso, after the words "Water Users Society" the words "or a Water Users Association" shall be inserted;

(7) in Chapter IX-A in the heading, for the words "Water Users Society etc., " the words "Water Users Society and Water Users Association etc.," shall be substituted;

(8) after section 62A, the following section shall be inserted, namely:-

**"62AA. Functions of Water Users Association.-**  
Water Users Association shall perform the following functions, namely:-

(1) to develop irrigation infrastructure by availing institutional finance;

(2) to procure water in bulk on volumetric basis from the Irrigation Department or Krishna Jala Bhagya Nigam or Karnataka Neeravari Nigam and distribute it to the land holders in accordance with the principles laid down at the General meeting for equitable distribution of water;

(3) to operate and maintain canals within its jurisdiction;

(4) to levy and collect water charges and service charges from the landholders;

(5) to educate and train landholders in the efficient and economical use of water and adoption of new technology as well as to implement necessary programmes;

(6) to prepare water budget and financial budget for each irrigation season;

(7) to resolve disputes that may arise among landholders;

(8) to mobilise financial resources for undertaking activities and efficient management of the Water Users Association;

(9) to implement or execute on farm development works;

(10) to assist the Irrigation Department in implementing irrigation and drainage works;

(11) to levy water charges and service charges on non-members at rates approved in the General meeting of the Water Users Association;

(12) to send annually to the prescribed authority on or before the prescribed date, an audit statement of all receipts and expenditure for the year ending;

(13) to send a statement of the assets and liabilities of the Water Users Association on or before such date and to such authority as may be prescribed;

(14) the General meeting of the Water Users Association shall approve guidelines and decide procedures for the day to day functioning of the Association in conformity with rules and regulations of the Water Users Association and conditions of the agreement to be entered into with the Executive Engineer concerned;

(15) the Water Users Association shall furnish such information as may be prescribed to the prescribed authority;

(16) to encourage avenue plantation in its area of operation;

(17) to do such other acts as may be prescribed".

**3. Amendment of Karnataka Act 28 of 1957.-** In the Karnataka Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Karnataka Act 28 of 1957), in section 10,-

(1) in sub-section (1A),-

(a) after the words, figures and brackets, "(Karnataka Act 11 of 1959)" the words, figures and brackets "or Water Users Association registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960)" shall be inserted;

(b) after the words "such society" occurring in two places the words "or such Association" shall be inserted.

(2) in sub-section (1B),-

(a) after the words, figures and brackets "(Karnataka Act 11 of 1959)", the words, figures and brackets" or the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960) " shall be inserted.

(b) after the words "water users societies" the words "or as the case may be associations" shall be inserted.