

Section-68

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Annexure - B

Warabandi can be defined as the procedure of fixing of turns for drawing water from a water course as per procedure setup under section-68 of Northern India Canal & Drainage Act of 1873.


The following cases are decided under this section: -

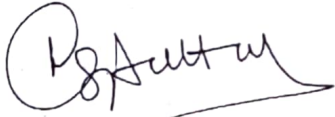
- Use or Distribution of canal water from water course.
- Settlement of disputes/differences arises between two or more persons in regard to their mutual rights or liabilities in respect of the use, construction and maintenance of water course.

Procedure:-

- Any share holder of an outlet has to apply to the Divisional Canal Officer/ Deputy Collector with an application on paper (with Rs 10/- Non-judicial Stamp) for taking water from an outlet/water course in proper turn.
- The Divisional Canal Officer refers the same application to Deputy collector for preparing the warabandi.
- The Deputy collector refers the same application to Zilledaar for inspecting the site & preparing the warabandi case.
- The Zilledaar on receiving the application, issues a notice (Parwana) for site inspection and recording of statements of shareholders of the outlet on a pre-defined date and place.
- The Zilledaar along with the Halqa Canal Patwari inspects the site and takes the statements of shareholders.
- Based on the demand of shareholders, Zilledaar prepares the warabandi case after taking record of Chakbandi from Assessment Branch of the division.
- Then Zilledaar instructs the Halqa Canal Patwari to prepare map (Shujara) of Chak of outlet.
- Halqa Canal Patwari then goes to the village and marks the area of ownership of shareholders on paper. He along with Zilledaar also marks the outlets (Nakka's) as per demand keeping in mind the priority of fields on white paper before marking the same on the Shujara.
- Then Halqa Canal Patwari then prepares the ownership statement on lined paper of all the shareholders of outlet & verifies the same from the Jamabandi or Revenue Patwari.
- Then Zilledaar along with Halqa Canal Patwari marks the Nakka's on the Shujara.
- After this, once again notice (Parwana) is issued to the shareholders by concerned Zilledaar for checking their Nakka's & land ownership.

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- After an consent of all shareholders & recording the statement given by them the time distribution procedure is prepared.
 - After the completion of above set procedure in all aspects, the complete warabandi case along with the report of Zilledaar is sent to the Deputy Collector for further approval under section 68 (3) of Northern India Canal & Drainage act of 1873.
 - The Deputy Collector after checking the whole case prepared by Zilledaar & Halqa Canal Patwari, (through Assessment Branch) will issue notice to share holders & fix a date for hearing.
 - Once the procedure of hearing has been completed, the Deputy Collector shall sanction the turn (Wari) under section 68 of Northern India Canal & Drainage act of 1873.
 - After Sanction, the announcement of Warabandi is done in the village through Lambardar along with canal Patwari and Chits mentioning time of wari are distributed to each and every shareholder. Hence , Application is Processed.
 - All cases under this section are decided by Deputy Collector and any person aggrieved by his decision can appeal to Divisional Canal Officer (D.C.O.) with in a period of 30 days from the date of passing such order. D.C.O. may approve or revise or reject the case after examining and hearing both the parties.
 - Any person aggrieved by D.C.O.'s decision can appeal to Superintending Canal Officer (S.C.O.) with in a period of 30 days from the date of passing such order. S.C.O. may approve or revise or reject the case after examining and hearing both the parties.


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