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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 120]

भोपाल, शुक्रवार, दिनांक 26 फरवरी 2021—फाल्गुन 7, शक 1942

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 26 फरवरी 2021

क्र. 3091-113-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में मध्यप्रदेश सिंचाई प्रबंधन में कृषकों की भागीदारी (संशोधन) विधेयक, 2021 (क्रमांक 13 सन् 2021) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
आर. पी. गुप्ता, अवर सचिव.

MADHYA PRADESH BILL
NO. 13 OF 2021

**THE MADHYA PRADESH SINCHAI PRABANDHAN ME KRISHKON KI BHAGIDARI
(SANSHODHAN) VIDHEYAK, 2021**

A Bill further to amend the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999.

Be it enacted by the Madhya Pradesh Legislature in the seventy-second year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari (Sanshodhan) Adhiniyam, 2021.

(2) It shall come into force on the date of its publication in the Madhya Pradesh Gazette.

Substitution of Section 4.

2. For Section 4 of the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999 (No. 23 of 1999) (hereinafter referred to as the principal Act), the following Section shall be substituted, namely:—

Managing Committee of Water Users' Association.

"4.(1) There shall be a Managing Committee for each Water Users' Association comprising members of the territorial constituencies as specified in sub-section (2) of Section 3 elected directly by the water users' as specified in sub-clause (i) of clause (a) of sub-section (4) of Section 3 from their respective territorial constituencies.

(2) The Managing Committee for Water Users' Association shall be a continuous body, with one third of its elected members retiring every two years as specified in sub-section (3).

(3) The term of office of the members of the territorial constituencies shall, if not recalled or removed or disqualified under the provisions of the Act, be six years from the date of appointment of the Competent Authority under sub-section (1) of Section 21:

Provided that at the first election, all the territorial constituency members shall be elected at one time, out of which one third of the members thereof shall retire on the completion of two years, another one third members shall retire after completion of four years and the remaining one third shall retire after completion of six years in office and their terms of retirement shall be decided before the commencement of first election of the members of the territorial constituencies by drawal of lots.

(4) The District Collector shall cause arrangements for the election of a Managing Committee consisting of one member from each of the territorial constituency of a water users' area by the method of secret ballot in the prescribed manner.

(5) the District Collector shall also cause arrangements for election of a President of the Managing Committee from amongst the members of the Managing Committee of the water users' association, in the prescribed manner.

(6) If, at an election held under sub-section (4) and (5), the President or the members of the territorial constituencies of water users' association are not elected, fresh election shall be held in the prescribed manner.

- (7) The President of the Managing Committee of water users' association shall, if not recalled or removed or disqualified under the provisions of the Act, be in office for a period of two years from the date of election or his tenure as member of territorial constituency, whichever is earlier.
- (8) The term of office of the President and the members of Managing Committee of all the water users' associations formed subsequent to general election, shall also expire at the time at which it would have expired, if he had been elected at the general election.
- (9) The Managing Committee shall exercise the powers and perform the functions of the water users' association".

3. Sub-section (7) of Section 6 of the principal Act shall be deleted.

Amendment of Section 6.

4. Sub-section (6) of Section 8 of the principal Act shall be deleted.

Amendment of Section 8.

STATEMENT OF OBJECTS AND REASONS

In view of maintaining the continuity in functioning of water users' association, the tenure of water users' association is now proposed for six years and after every two years, one third members of territorial constituencies are proposed to be elected in rotation. In the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999 (No. 23 of 1999), it is provided in sub-section (6) of Section 4 that the President and the Members of the Managing Committee of Water Users' Association shall, if not recalled earlier, be in the office for a term of five years from the date of appointment of the Competent Authority. The office bearers' of water users' association are imparted with the trainings to build up their capacity. After the expiry of 5 years term, fresh elections are to be conducted to elect new Presidents/Members of Managing Committee. There is no continuity in the tenure of water users' association. To bridge the gap between irrigation potential created and actual irrigation, Command Area Development and Water Management Programme is being implemented by the Government of India, Ministry of Water Resources. As per the guidelines of the Government of India, water users' association are essentially the implementing agency in a spontaneous manner for Command Area Development and Water Management Programme being implemented by Government of India, Ministry of Water Resources. Therefore, it is needed that the continuity in the tenure of water users' association is felt necessary. Therefore, suitable amendments are proposed in Section 4, 6 and 8 of the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999.

2. Hence this Bill.

BHOPAL :

Dated, the 16th February, 2021.

TULSIRAM SILAWAT

Member-in-Charge.