

THE REGISTRATION OF FARMERS' ORGANIZATION, WATER COURSE
ASSOCIATION AND DRAINAGE BENEFICIARY GROUPS REGULATIONS
2004,

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FARMER ORGANIZATION

REGISTRATION REGULATION – 2004

NOTIFICATION

Notification No. SIDA/SDC/FO RULES/ dated October 05, 2004: In exercise of the powers conferred by section 75 of the Sindh Water Management Ordinance, 2002, and the decision taken by the SIDA Board (in capacity of regulatory authority) in 23rd meeting held on March 31, 2004 the regulatory authority, is pleased to make the following regulations for the registration of farmers' organization, WCAs and DBGs:

PART: I - GENERAL

- 1. Short title and commencement:** - (1) these regulations may be called the registration of farmers' organization, water course association and drainage beneficiary groups regulations 2004,
 - (2) These regulations extend to the whole of the area falling under the regulatory authority;
 - (3) The regulation shall come into operation on such date, as the regulatory authority may, by notification, appoint in this behalf.

- 2. Definition:** In these regulations, unless there is any thing repugnant in the subject or context:
 - a) Area water board or AWB means an area water board established under the ordinance;
 - b) Board means the board of a WCA or DBG as the case may be;
 - c) Board of management means board of management of a FO;
 - d) Drainage beneficiary group or DBG means a drainage beneficiaries' group established under the ordinance;
 - e) Farmers' organization or FO means the farmers' organization established under the ordinance;
 - f) General body means the general body of a FO;
 - g) Member means member of board of management;
 - h) Ordinance means the Sindh Water Management Ordinance;
 - i) Regulatory authority or RA means the regulatory authority established under the ordinance;
 - j) SIDA means the Sindh Irrigation and Drainage Authority established under the ordinance;

- k) Water course association or WCA means a water course association established under the ordinance.

PART – II REGISTRATION

1. **Requirement for Registration:** (1) An FO may apply to the RA for its registration if 2/3 of the command area of the FO is covered by sanctioned WCAs:

(2) A WCA may apply to the FO or RA, if there is no FO, for registration if 2/3 of the land-owners and leaseholders on an WCA agree to form a WCA;

(3) A DBG may apply to the FO or RA, if there is no FO, for registration if 2/3 of the users of the drainage system, whether land owners or leaseholders, agree to form a DBG.

2. **Application Procedure (1).** The Chairman and / or Secretary of the Board of Management, or the Chairman and / or Secretary of the Board may make an application for registration, provided that the application has been approved by the General Body of the FO or majority of members of a WCA or DBG, as the case may be:

(2) The application for registration of a FO shall furnish the following information.

- i. A list of the WCAs and DBGs may be registered or unregistered, if any, within the command area of the FO;
- ii. Information regarding cultivable command area of WCAs and DBGs forming part of the FO including details regarding title and lease;
- iii. Names of the members of Board of the WCAs, and DBGs if any, failing within the jurisdiction of the FO;
- iv. Names of members of General Body;
- v. Names of the members of Board of Management;
- vi. Minutes, signed by all the representatives of the WCAs, and DBGs if any, in which they decide to establish the FO, and to apply for its registration;
- vii. Certified copy of the Register of Abiana payers of the area falling within the Jurisdiction of the FO including leaseholders falling within scope of the law relating to tenancy for the time being in force.

- viii. Certified copy of receipt from the FO bank showing its initial deposits made equally by each member WCA and DBG;
- ix. Undertaking by the Board of Management that FO shall abide by the Regulations set by the RA.
- x. Undertaking by Board of Management that FO shall comply with the directions issued, from time to time, by the RA;
- xi. List of capital assets of the FO certified by the Chairman of the Board of Management.
- xii. Any other relevant information as required by the RA.

(3) In case of an application to register a WCA or a DBG, the application for registration shall furnish the following information.

- i. A list of the land title or lease holders, within the command area of the WCA or DBG.
- ii. Information regarding cultivable command areas of the WCA or DBG
- iii. Names of the member of Boards;
- iv. Minutes, signed by at least 2/3 of the land title holders or lease holders, holding at least 2/3 of the command area of the WCA or the DBG.
- v. Certified copy of the Register of Abiana and Drainage Cess payers of the area failing within the jurisdiction of the WCA or the DBG including leaseholders falling within the scope of the law relating to tenancy for the time being in force.
- vi. Certified copy of receipt from the bank of the WCA or the DBG showing the initial deposits made the WCA or DBG.
- vii. Undertaking by the Board of the WCA or DBG that the WCA or the DBG shall abide by the Regulations set by the RA;
- viii. Undertaking by the Board of the WCA or the DBG that the WCA or the DBG shall comply with the directions issued, from time to time, by the RA;
- ix. List of capital assets of the WCA or DBG certified by the Chairman of the Board;
- x. Any other relevant information so required by the RA.

(4) The RA may prescribed the forms to be used during the registration procedure.

3. **Processing of the Application (1).** On the receipt of the application, the RA shall, within one week, serve a written notice upon the AWB within whose jurisdiction the FO, WCA or DBG, as the case may be, applying for registration falls and the RA shall serve a written notice upon the SIDA where there is no AWB;
 - (2) The AWB or SIDA, as the case may be, shall submit within four weeks its comments on the application in writing and if the said comments are not submitted within the four weeks, the RA shall be justified in presuming that the AWB or SIDA, as the case may be, does not have any objection on the registration of the FO, the WCA or the DBG, as the case may be.

4. **Renewal and Cancellation.** (1) The RA may register the FO, WCA or DBG, as the case may be initially for a specified period which should not be less than a year but the registration, may be further renewed on the satisfaction of the RA Renewal will be automatic, unless the RA has objections against renewal. In this case the RA shall issue a written show cause notice detailing reasons for the purpose and shall also provide to the FO, WCA or DBG an opportunity of hearing.
 - (2) The RA may suspend or cancel the registration of a FO, WCA or DBG, as the case may be, if it breaches any condition so prescribed by the Ordinance or the RA provided the RA shall issue a written show cause notice detailing reasons for the purpose and shall also provide to the FO, WCA or DBG, as the case may be, an opportunity of hearing.
 - (3) The FO, WCA or DBG, as the case may be, may apply for the re-registration if so desires and these Rules shall apply in case of re-registration.

5. **Status of the WCA or DBGs on Registration of FO:** When there is no FO in place and WCA or a DBG is registered by RA, the said WCA or DBG, as the case may

be, shall cases to exist when a FO consisting of the area of the said WCA or DBG, is registered.

6. **Repeal:** These regulations repeal all previous Regulations, Rules, Orders, and instructions dealing with the registration of FOs, WCAs and DBGs.

Ali Muhammad Baloch
Managing Director SIDA/
Secretary SIDA Board

Copy for information to:

1. Secretary Irrigation & Power Deptt. Govt. of Sindh / Member SIDA Board, Karachi.
2. Secretary Agriculture Deptt. Govt. of Sindh / Member SIDA Board, Karachi.
3. Secretary Finance Deptt, Govt. of Sind / Member SIDA Board, Karachi.
4. Syed Ali Gohar Shah, Member SIDA Board, Nara Canal AWB (Sukkur Barrage) Mirpurkhas.
5. Brig (R) Moula Bux, Member SIDA Board, Left Bank Canal AWB (Kotri Barrage) Badin
6. Professor, Abdul Rashid Memon, Member SIDA Board, MUET Jamshoro
7. Dr. Buxal Lashari, Member SIDA Board, MUET Jamshoro.
8. The Provincial Coordinator, NDP Sind / Member SIDA Board, Karachi
9. The Managing Director SIDA
10. The Chairman and Director Nara Canal Area Water Board, Mirpurkhas.
11. The Chairman and Director Left Bank Canal Area Water Board, Hyderabad
12. The Chairman and Director Ghotki Canal Area Water Board, Ghotki.
13. Mr. Usman Qamar, Co-Task Leader NDP, World Bank 28 A Ramna 5/1 Islamabad.
14. The Resident Representative Asian Development Bank, Islamabad.
15. Mr. IB Sheikh, Federal Coordination NDP o/o CEA/CEFC Islamabad.
16. The Director General Agriculture Engineering and Water Management, Agriculture Department, Govt. of Sindh, Karachi.
17. The Chief Engineer Irrigation (all)
18. The Team Leader, Institutional Reforms Consultants (IRC), Hyderabad.
19. The Team Leader, Pakistan Drainage Consultants (PDC), Sindh, Hyderabad.
20. The Superintendent, Sind Government Printing Press Karachi for publication in the next issue of Sind Government Gazette.

