

The Goa Command Area Development Act, 1997

Section 14 - Formation of units and power of Command Area Development Board to specify Command Areas for comprehensive land

1) All lands comprising the Command Area under one or more pipe outlet shall form into a single unit for the purpose of: (i) Comprehensive land development; (ii) Maintenance and upkeep of irrigation system. (2) The Command Area Development Board may, by notification, specify the command areas under its jurisdiction in which all or any of the works under comprehensive land development shall be taken up in one or more instalments and also specify the officers for command area development work in such command area. (3) Whenever it appears to the Command Area Development Board that the systematic land development including construction of related structures is expedient for the supply of water to the lands immediately after or simultaneously with the availability of water in the main irrigation system, the Command Area Development Board may, by notification, declare the command area under an irrigation system, or project or source for the purpose of applying the provisions of this section. (4) On the issue of the notification, the Canal Officer or any official authorised by him, shall have power to (a) enter upon any land and make survey of such land to determine the most suitable alignment for the construction of necessary structures so as to convey water to every land under a pipe outlet and mark out the land which, in his opinion, is necessary for the construction of such structures; (b) enter upon any land in the command area of an irrigation system or lands adjacent thereto and undertake survey or take levels thereon for preparing a Scheme for comprehensive land development; (c) dig and bore into the top soil or sub-soil and collect soil samples for the purpose of technical investigation without causing any loss or damage to the structure, tree or crops standing thereon and any hole or pit caused thereon shall be made good by the Canal Officer or any Official authorised by him; (d) make and set up suitable land marks, and level marks for the said purpose; (e) do all other acts necessary for the proper conduct of any inquiry or investigation relating to any existing or proposed Scheme for comprehensive command area development; (f) enter upon any land or building and clear obstructions such as shrubs and bushes and other obstructions for the purpose of regulating the use of water supplied or inspection or measurement of the lands irrigated thereby and of doing all things necessary for the proper regulation and management of land and water: Provided that if the Canal Officer or any other person authorised in this behalf proposes to enter into any building or any enclosed courtyard attached to a dwelling house, he shall give the occupier of such building or courtyard at least a days notice in writing of his intention to do so, if the occupier denies entry on oral request. (5) The Canal Officer shall ensure that no loss or any damage is caused in the process of survey, inspection, investigation or any of his other acts in the lawful discharge of his duties. However, if any damage or loss is caused, then, on the written request of the affected person, a suitable compensation shall be determined by the Superintending Engineer, CAD, whose decision shall be final in this regard and binding on the parties concerned and the Canal Officer shall pay the compensation within a period of six months from the date of such decision accordingly.