

The Bihar Irrigation Act

Section 82 - Offences under Act

Whoever voluntarily and without proper authority, does any of the following acts:- (a) damages, alters, enlarges or obstructs; or encroaches upon any Irrigation work; (b) interferes with, increases; or diminishes the supply of water from, through, over or under, any Irrigation work, or by any means raises or lowers the level of the water in any such work; (c) interferes with or alter; the flow of water in any river, or stream, so as to endanger, damage or render less useful any irrigation work; (d) being responsible for the maintenance of a village channel, or using it, neglects to take proper cautions for the prevention of waste of the water thereof, or interferes with the authorised distribution of the water therefrom, or uses such water in an unauthorised manner, or refuses to allow the use of the channel to others; (e) corrupts or fouls the water of any canal so as to render it less fit for the purpose for which it is ordinarily used; (f) destroys, defaces or moves any level mark or water gauge fixed by the authority of a public servants; (g) destroys or removes any apparatus, or part of any apparatus for controlling or regulating the flow of water in any irrigation work; (h) causes vehicles of any type to pass in or across any of the work, banks or channel of a canal through other than the specified places, contrary to the rule, made under this Act; (i) without the permission of the Canal Officer knowingly or willingly roots up grass or other vegetation growing on any such embankment or removes, cuts or any way injures any trees, bushes, grass or hedges intended for the protection of such embankments; (j) causes any vessel to enter or navigate on any irrigation work contrary to the rules prescribed by the State Government; (k) while navigating on any irrigation work neglects to take proper precaution for the safety of the irrigation work and of vessel thereon; (l) neglects, without reasonable cause, to carry out duties in connection with the execution of any repair or work, when lawfully bound to do; (m) grows or allows to grow any crop in contravention of a notification under the provision of the Act; (n) uses water from an irrigation work without obtaining the permission; (o) wilfully obstructs any person duly authorised under this Act, in removing and levelling any embankment, houses, hut or other building, or in lawful exercises of any power in this Act; (p) violates any rule made under the Act, for breach whereof a penalty may be incurred; (q) erects or causes or wilful permits to be erected any new embankment, or adds to any existing embankment without previous permission of the Collector; (r) wilfully causes or aids in causing any obstruction to any line of navigation or damages the works of such line of navigation: shall on conviction, be liable to fine not exceeding five hundred rupees, or to imprisonment for a term not exceeding six months or to both: Provided that in conviction for neglect of duty under Section 91, shall be liable to fine not exceeding five hundred rupees or to imprisonment for a term not exceeding one month or to both.