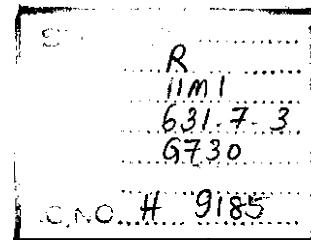


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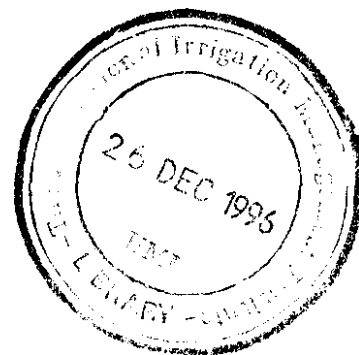
**WATER USERS ORGANIZATION PROGRAM  
IN  
IIMI'S PILOT PROJECTS IN THE PUNJAB AND SINDH  
PROVINCES, PAKISTAN**



**CONSULTANCY REPORT**

by

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**October, 1996  
PAKISTAN NATIONAL PROGRAM  
INTERNATIONAL IRRIGATION MANAGEMENT INSTITUTE  
LAHORE**

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## **CHAPTER 1**

### **INTRODUCTION**

#### **BACKGROUND**

The Consultant participated in an earlier consultancy assignment for IIMI Pakistan with Dr. Prachanda Pradhan from Nepal in January 1995. After this consultancy, a joint report " Consultancy Inputs for the Project Inception Report on Social Organization in Irrigation Management" was submitted to IIMI Pakistan. This consultancy report indicated that IIMI Pakistan had done much to prepare the ground for testing participatory management and social organization in the Punjab pilot project. The report appears to have facilitated the Inception Report and Implementation Plan for the Social Organization Component of the Punjab pilot project, and also the Inception Report of the pilot project, Farmer Managed Irrigated Agriculture under the Left Bank Outfall Drain Stage 1 Project in the Sindh Province (IIMI Pakistan 1995).

The present consultancy was undertaken in the first three weeks of October 1996 and the assignment was "to visit IIMI's Social Organization pilot Projects in Punjab and Sindh and assist with project activities in organizing water users at the distributary level, including the projects strategies for introducing the necessary legal provisions and by-laws that would enable the WUOs to function".

#### **FIELD VISITS**

To accomplish these tasks, IIMI Pakistan had arranged for the Consultant to have meetings with the Director, Project Leader and colleagues associated in the Social Organization Program in the IIMI Pakistan Office, Lahore, meetings with several senior officials of the OFWM Directorate in Lahore, and very interesting and profitable field visits to the pilot project sites at Haroonabad in Punjab, as well as Sanghar and Mirpurkhas in Sindh. The field program in the Sindh Province was arranged by the IIMI Hyderabad office.

A summary of the consultancy work program is given below:

- 5 October 1996 - IIMI Pakistan Office in Lahore
- 6 - 7 October 1996 - Meetings with staff of OFWM and IIMI Pakistan - discussions with the Director and senior colleagues.
- 9 - 11 October 1996 - Field Visit to Haroonabad
- 13 - 17 October 1996 - Field visit to Hyderabad and Sanghar and Mirpurkhas pilot projects.
- 20 -24 October 1996 - IIMI, Pakistan Headquarters in Lahore and preparation of report.

A noteworthy experience for the Consultant was the opportunity provided to him for giving a seminar on 22 October 1996 at the IIMI Pakistan, Lahore office, on issues of the Social Organization Program. The discussion was interesting and was very useful in the preparation of this report.

The field visits to Haroonabad and Hyderabad were very rewarding. The Consultant had some first hand experience in the social organization process at work, and observed the emergence of a unique and innovative grass roots movement. The process was guided and facilitated by a young, enthusiastic and committed band of members of the Social Organization Field Teams under the able guidance of the Project Leader. They are in the process of laying the foundation for a WUO program with a distinct Pakistani flavor. There are strong indications that this activity would evolve as a dynamic program leading to greater farmer involvement and participation in participatory management of the irrigation systems.

The path to social organization for participatory management of irrigation is beset with many delicate and complex issues which are inherent in a strong and deeply entrenched irrigation bureaucracy with very powerful landlords and other vested interests. In spite of these problems, the Social Organization Field Teams in the two pilot projects in the Punjab and Sindh Provinces are making good progress. A major constraint was the complexity of making legal provisions for by-laws that would enable the WUOs to function.

## **OBJECTIVES AND ACTIVITIES OF WUOS AT DIFFERENT LEVELS**

The Consultant prepared a list of objectives and activities in respect of WUOs at different levels. A noteworthy feature of this exercise was the active participation of the Supervisory Social Organizers and field staff of pilot projects in the Punjab and Sindh Provinces. In these Mini Workshops several hours were spent in discussing and reaching consensus on the objectives and activities envisaged in the social organizations at the different levels (see Chapter 2).

The Project's strategy for introducing the necessary legal provisions is a difficult one. The Consultant concentrated on the preparation of draft - model by-laws based largely on the Sri Lanka experience. There was an urgent need for model by-laws as the Social Organizers were anxious to go ahead. They needed a guideline to prepare the by-laws for organizations at the level of the watercourse, the *subsystem*/ minor canal, and the distributary. The Consultant was able to prepare the following model by-laws:

- (a) Model By-laws for Water User Associations at the Watercourse Level (Annex 1)
- (b) Model By-laws for Organizations at the Subsystem Level (Annex 2)
- (c) Model By-laws for Organizations at the Distributary Level (Annex 3)

It should be emphasized that the by-laws need to be discussed with farmers for effecting the necessary changes and amendments so as to make the farmers realize that they have made a valuable contribution to evolve by-laws which are in harmony with the culture and traditions of the country. The efforts now being made to evolve a unique Pakistani strategy of social organization needs to be further reinforced by helping to evolve a legal framework in which the rural people would feel comfortable.

## **ACKNOWLEDGEMENTS**

The Consultant acknowledges the assistance and support given by the Director IIMI Pakistan, the Project Leader and his colleagues. The backbone of the program are the young members of the social organization field teams, away from home, facing many privations, who are the pioneers working for the farming community. The Consultant takes this opportunity to say thank you and good luck to all of them.

## CHAPTER 2

### PATTERNS OF ORGANIZATION OF THE WUO PROGRAM

The International Irrigation Management Institute (IIMI) in Pakistan has launched a unique action research program in pilot projects in the Punjab and the Sindh Provinces. The Consultant believes that IIMI's Pakistan experiment is in the process of developing into a water users organization program which is Pakistani in character and therefore potentially sustainable.

The concepts that have been used in the pilot projects are applicable anywhere, while the strategies are emerging that are national in character and blend well with the social and cultural milieu of Pakistan. Certain strategies and activities of the WUO program in some instances even take a provincial flavor. IIMI Pakistan has realized that organizing farmers is a local responsibility. As an international agency, IIMI's role is to demonstrate that a national WUO program is possible as a practical venture. The pilot projects in Punjab and Sindh Provinces are in the process of demonstrating that the program is practical and replicable.

The responsibility for launching a national WUO program should be taken by the Government of Pakistan with IIMI playing the role of super catalyst. The ultimate success of the Pilot Projects will largely depend on the government accepting the WUO program as government policy and establishing a legal and administrative base for the WUO program.

#### PILOT PROJECT IN PUNJAB PROVINCE

The pilot project area in the Punjab is located in the eastern part of the Province. It covers part of the tehsils of Haroonabad and Bahawalnagar. The selected pilot is the area fed by the Hakra 4-R Distributary - a large distributary canal system consisting of 120 watercourses. For purposes of the WUO program, the area is divided into 5 subsystems as follows:

- Subsystem 1 : Head of the Hakra 4-R Distributary (RD 00 to RD 46)
- Subsystem 2: Middle of the Hakra 4-R Distributary (RD 46 + 001 to RD 72)
- Subsystem 3: Tail of the Hakra 4-R Distributary (RD 72 +001 to RD 112 + 050)
- Subsystem 4: Minor Canal (1RA/4R)
- Subsystem 5: Minor Canal 1 R/4R

The details of outlets, acreage etc. are given in Table 2.1

Table 2.1: Details of Subsystems in Hakra 4-R Distributary

S/System	RD	Water Courses	GCA Acres	CCA Acres	Discharge cusecs	Authorized Share Holders
1	00 to <46 Main 4-R	23	9806	8888	32.91	695
2	46 to <72 Main 4-R	23	7638	7581	31.19	1053
3	72 to <112 Main 4-R	27	12220	10636	41.95	1029
4	IRA Minor	15	6933	6088	21.85	565
5	IR Minor	32	11648	10217	40.24	1340
Total:		120	48245	43410		4690

Source: IIMI-Pakistan

Of the five subsystems, three subsystems are the Head, Middle and Tail of the Hakra 4-R Distributary and two are its minors. There are altogether 120 watercourses with 4,690 share holders. The proposed organization pattern is as follows:

1. Watercourse Organizations (WUAs): 120
2. Subsystem Organizations (SSOs): 5
3. Distributary Canal Organization (DCO): 1

### Comment

At the watercourse level, the proposal is for two representatives to be selected from each watercourse. In each subsystem there would be about 50 water users representatives. The Consultant feels that 50 WUO representatives are a good number for a viable subsystem organization. The Consultant recommends that the Board of Directors/Executive Committee consisting of 11 to 15 office bearers - the entire committee should form the membership of the Distributary Canal Organization (DCO). In other words, there would be 55 (11 x 5) to 75 members (15 x 5). This is a good size as there would be 4 - 5 Standing Committees (see Annex 3) which could function as semi-autonomous bodies under the DCO.



## PILOT PROJECT AREAS IN SINDH PROVINCE

The Pilot Project in the Sindh Province has 3 pilot sites:

- Bareji Distributary in Mirpurkhas District
- Doro Naro Minor in Nawabshah District
- Heran Distributary in Sanghar District, along with its Khadwari Minor.

The data on the Sindh Pilot Project are given in Table 2.2 below.

Table 2.2: Details of Water User Organizations

Field Station	Name of DC	W/Cs	Farmers	DCOs
Mirpurkhas	Bareji Distributary	24	197	1
Nawabshah	Doro Naro Minor	25	421	1
Sanghar	Heran Distributary	24	435	1
	Kadwari Minor	7	104	1
Total	-	80	1,157	4

Source: IIMI-Hyderabad, Office.

In the Sindh Pilot Projects the organizational pattern is somewhat different. There would be 80 **WUAs** covering the 80 watercourses.

In the Mirpurkhas Field Station area there would be 24 WUAs federating to the Distributary Canal Organization (DCO). If each WUA sent two representatives, then the membership of the Bareji Distributary Canal Organization would be 48 members - a good number for a viable organization. In the Nawabshah Field Station area there are 25 WUAs federating to the Doro Naro Minor/Distributary Organization, then the membership is 50 members. This again is a good number for a viable organization. In the Sanghar Field Station area the situation is different. There are 24 watercourses in the Heran distributary and 7 watercourses in the Kadwari Minor.

Some members of the Social Organization Field Team indicated to the Consultant that they recommend a separate organization for the Kadwari Minor as farmers are reluctant to join the Heran Distributary Canal Organization.

### Comment

The Consultant feels that it is desirable to follow the I-laroonabad pattern and have three Subsystems covering the Head, Middle and the Kadwari Minor. The demarcation of the Head and Middle of the Distributary may be at the bifurcation to the Kadwari Minor. There would be 3 Subsystem Organizations with an Executive Committee of 11 to 15 members. The entire Executive Committees would form the membership of the Distributary Canal Organization.

## **OBJECTIVES AND ACTIVITIES OF THE WUO PROGRAM**

During the field visits, the Consultant discussed the Objectives and Activities of the WUO program with Supervisory Social Organizers and Social Organizers at mini workshops at Haroonabad in the Punjab and Mirpurkhas and Sanghar field stations in the Sindh Province. These mini workshops reinforced the Consultant's thinking on the Objectives and Activities of the Water User Organizations at the Watercourse level; the Subsystem Organizations at the head, middle and tail of a large distributary (such as the Hakra 4-R Distributary in Haroonabad) and federation at the Distributary Canal Organization.

### Objectives of IIMI Pakistan

The Consultant is of the opinion that the following objectives need to be adopted by IIMI Pakistan to further strengthen and consolidate the WUO Program in Pakistan.

- (a) Promote Participatory Management of watercourses, minors and distributary canals through the WUO Program, with the active support and collaboration of the Irrigation Department through the establishment of a multi disciplinary Institutional Development Unit.
- (b) Negotiate with the Provincial Departments of Irrigation and Agriculture in the Punjab and Sindh Provinces to make legal provisions and registration of Water User Associations, Subsystem Organizations and Distributary Canal Organizations.
- (c) Arrange for the adoption and sustainable development of the WUO program by the Irrigation and Agriculture departments after the end of the IIMI Pakistan pilot projects in the Sindh and Punjab Provinces.

### Objectives of the WUO Program at Different Levels

The Objectives and Activities of the WUO Program at different levels are given in Schedule 1.

### Schedule 1. Objectives at Different Levels of the WUO Program

Levels	Objectives
Water Users Association at Watercourse Level	<p>Ensure equitable distribution of water            Maintain and improve the watercourse            Resolve conflicts among operators            Revise warabandi where necessary.            Prevent unfair and dishonest means of collecting Abiyana.            Increase water use efficiency.            Improve agricultural productivity in W/C command area.            Foster unity and cooperation among farmers,</p>
Subsystem Organization at the Level of Minor Part of Distributary	<p>Resolve problems/conflicts referred by WUOs.            Ensure equitable distribution of water among the watercourses of the Subsystem.            Maintain and improve the Subsystem Canal/Minor canal.            Strength and support weak and inefficient WUOs.            Effect coordination with government agencies and NGOs.            Increase agricultural production in Sub-system area.            Ensure honest and efficient collection and use of Abiyana.            Foster unity and cooperation among farmers.</p>
Distributary Canal Organization (DCO)	<p>Resolve problems and conflicts referred by Sub-system Organizations.            Ensure efficient operation of the distributary canal system.            Ensure efficient maintenance of the Distributary Canal.            Coordinate Irrigation and Agriculture activities with relevant government agencies.            Promote agricultural productivity and higher incomes to farmers.            Promote marketing and credit facilities to farmers.            Revise water delivery (rotation) schedule if necessary in consultation with Irrigation Department to ensure equitable and fair distribution among WCs and Sub-systems.            Promote honest and efficient collection of Abiyanna and negotiate with the government to obtain a fair share for maintenance of the D. Canal.            Promote unity and cooperation among farmers.</p>

## Activities at Different Levels of the Water Users Organizations Levels.

Levels	Activities
Water User organization (WUO)	<ul style="list-style-type: none"> <li>Undertake regular cleaning and maintenance of the watercourse.</li> <li>Revise warabandi for equitable distribution of water to all operators.</li> <li>Discuss and resolve problems/conflicts.</li> <li>Refer unresolved problems to the Sub-system Organization</li> <li>Organize agricultural extension programs for greater productivity and for higher incomes.</li> <li>Arrange for lining of watercourses where necessary.</li> <li>Enforce sanctions for water thefts.</li> <li>Organize tubewells to supplement the water supply to Watercourses.</li> </ul>
Sub-system Organization (SSO)	<ul style="list-style-type: none"> <li>- Organize a Jury of Elders to resolve conflicts.</li> <li>- Organize warabandi among watercourses.</li> <li>- Organize regular clean up and maintenance of the Sub-system canal.</li> <li>- Strengthen weak and inefficient WUOs.</li> <li>- Organize Sub-system Coordinating Committee of different government agencies to effect liaison and coordination.</li> <li>- Organize procurement and distribution of agricultural inputs.</li> <li>- Organize agricultural extension programs.</li> <li>- Organize and maintain a Sub-system Office.</li> <li>- Organize the training of farmers and farmer leaders on the Water Users organization Program.</li> </ul>
Distributary Organization (DCO)	<ul style="list-style-type: none"> <li>- Resolve water problems and conflicts through a Water Court of Elders.</li> <li>- Organize water delivery schedules among Sub-systems and watercourses.</li> <li>- Undertake desilting, cleaning and maintenance of the distributary canal.</li> <li>- Organize a Distributary Canal level Coordinating Committee of Government agencies.</li> <li>- Organize procurement and distribution of agricultural inputs, marketing and credit.</li> <li>- Organize tree planting campaigns on canal bunds.</li> <li>- Organize and maintain a DCO office.</li> <li>- Organize training of farmers and farmer leaders.</li> <li>- Arrange for wallows for buffalos in the canal.</li> <li>- Enforce sanctions for water thefts.</li> <li>- Improve bridges and culverts.</li> <li>- Promote unity and cooperation among farmers.</li> <li>- Organize social and cultural activities.</li> </ul>

## CHAPTER 3

### REVIEW OF PRESENT STRATEGIES

#### REVIEW OF MAIN ELEMENTS

The main elements of the strategies of the WUO Program in the two pilot projects in the Punjab and Sindh Provinces are reviewed in this Chapter.

##### (a) Participatory Action Research

The strategy used in both pilot projects is a learning process approach. As indicated in the Inception Report, the project staff has to interact with the water users and their groups, and meet the field situations as they arise and evolve a detailed work plan as the Project matures (IIMI Inception Report and Implementation Plan, October 1995).

The Consultant visited both field sites and observed the learning process approach in action. The members of the Social Organizer Team of both pilot projects are keen and enthusiastic and interact well with the farmers. It is a two-way process with Social Organizers learning from farmers and farmers learning from the Organizers. One interesting feature observed by the Consultant is that the Social Organizers are working as a team with the Social Organizer Supervisor providing the leadership. The Consultant observed that the team concept is further strengthened as they live together in the field site. All of these factors contribute to the learning process approach.

##### (b) Social Organization Field Team

There are five members of the Social Organization Field Team in the Punjab pilot project, and a combination of two social organizers and two technical field research assistants for each site in the Sindh pilot project. They are well educated (all are university graduates, young and enthusiastic). The Consultant during field visits to Punjab and Sindh Provinces observed that these Social Organizers often work late into the night, as it is convenient for farmers to have meetings in the night. They are well motivated and are doing a commendable job.

##### Recommendation:

The Consultant's main concern is the replicability of this program after the IIMI pilot projects are over. It may not be possible for the Government, even if they agree to replicate the project, to maintain the same quantum of motivation and support. The Consultant recommends, that, as a matter of priority, a catalyst be appointed from among government field officers, to be assisted by selectees from farmers, fairly well educated persons, able to communicate well with farmers, who will eventually replace IIMI's Social Organization Field Team.

The catalyst appointed by the Government may be "seconded " for this position from the respective departments. In the case of farmers, the service should be free, but a government agency should pay travel and other personal expenses.

The catalysts may be from the following departments:

- (a) Agricultural Field Assistants / Agriculture Extension Officers from Agriculture Department;
- (b) Field Officers from Irrigation Department (Patwari)
- (c) Field Officer from the OFWM Directorate of the Department;
- (d) School Teacher (may serve as part time with extra payment); and
- (e) Community leaders fairly well educated and serving in an honorary capacity.

The selected persons should be given a comprehensive training on the technical aspects of irrigation, agriculture, organization and administrative structure, basic rural sociology, communication, group dynamics, and roles and functions of the catalyst.

(c) Social Organizer Volunteers / Contact Farmers

An interesting feature in both pilot projects is the deployment of a 'link person' - the contact person with the community. In Punjab, the link person is referred to as "Social Organization Volunteer", while in the Sindh pilot project, he is referred to as the "Contact Farmer". The criteria for selection has been that these persons are well informed, non controversial, good communicators and motivated to help other people. The members of the Social Organizer Team have done a good job in the selection of the "link person", so much so that the Consultant learns that a large proportion of them have been voted in either as Watercourse Representative (Punjab) or has been elected as President or Committee members in WUOs (Sindh).

Recommendation:

The Consultant feels that the Social Organizer Volunteer/ Contact Farmer strategy is a good one and should be further nurtured and strengthened in the Pilot Projects. One way of doing this is to continue to recruit and train a person who should continue to assist the Social Organizer During the formation of the WUA at the watercourse level, special provision may be made to give him status by offering him a position of status. Perhaps he should be a member of the Jury of Elders indicated in the next chapter.

(d) Multiple Purpose Versus Single Purpose Approach

The objectives of the pilot projects appear to be mainly focused on operation and maintenance management of the watercourses, minor **canals/subsystems** and the distributary canals. In the Sindh pilot projects, the focus is on the **multi-purpose** approach. The way the multi-purpose approach was explained to the Consultant was that while giving the highest priority to irrigation and water management, also focus in promoting cooperative and collaborative actions, such as the procurement and sale of agricultural inputs to farmers by giving good quality material at reasonable prices.

The Consultant understands from his field interviews that, both in the Punjab and Sindh Provinces, extra water in the channels can be obtained for irrigation purposes at a price. Farmers of the watercourses which receive this extra water have to pay a sum of Rs. 20,000 to **Rs. 25,000** as a "special payment" every season. This is an "open secret", as announcements are made publicly from the Mosque public address systems.

The rationale is that to cater to the increased cropping intensity the channels are conveying two or three times the designed discharge. If cultivation is done as per design discharge, then farmers can cultivate only 33 % land in the Rabi Season, and 28 % in the Kharif Season, instead of the present annual cropping intensity of over 100%. The "special payment is justified on this basis, but, of course, the "special payment" does not go to the government coffers.

The rationale for a multi-purpose approach is that as water is available even at a price, then why not pay attention to other areas to improve agricultural productivity, such as: (a) procurement and sale of agricultural inputs; (b) improved credit; and (c) crop diversification and marketing.

Recommendation:

The Consultant ~~reiterates~~ that WUOs should give the highest priority to Irrigation and water management in at least the first year of operation of the program. Next priority may be given to the procurement and sale of agricultural inputs, better marketing and credit facilities, well planned agricultural extension programs and the training of farmers.

(e) Field Implementation Coordinating Committees

The IIMI rationale for organizing Field Implementation Coordination Committees (FICC) is "while IIMI field Teams play a catalyst role, the responsibility for organizing water users lies with the operating agencies and the water users themselves. To give effect to this concept, the suggested mechanism is to have a number of field level agency staff to form a Field Implementation Coordination Committee (FICC). This will help both IIMI staff, as well as field staff of operating agencies to collaborate closely, and on a regular basis." (IIMI's Inception Report and Implementation Plan, October 1995).

Recommendations:

The Consultant understands that the FICC does not operate in the way envisaged by IIMI. The Consultant was informed that the FICC is not operating efficiently as most field officers do not attend these meetings as they are not convinced that it serves any purpose in their view. The Consultant recommends that the FICC meet at the Sub-division level under the chairmanship of the Sub-division Officer of the Irrigation Department, or better still, convince the Collector to chair the meeting. Senior representatives from the other government agencies such as OFWM, Agriculture Extension, IIMI, and other participating agencies should attend.

In addition it is recommended that the Presidents of Subsystem Level Organizations/ Distributary Canal Organization be also invited.

The meetings should be well planned and may be held once in two months or once a quarter. The objective is to appraise the officers about the WUO program and to resolve conflicts, problems and constraints. It is suggested that the Directors of the respective departments be invited by IIMI to send a letter to the field staff making it obligatory for them to attend this meeting.

(9) The Federation of Water User Organizations

In both pilot projects, the members of the Social Organization Field Team guided by their Social Organizer Supervisors are very busy in the final stages of organizing of Water Users Associations, Subsystem Organizations and Distributary Canal Organizations. There is a difference in the strategies and activities in the two pilot projects:

	<u>Pilot Projects in Punjab</u>	<u>Pilot Projects in Sindh</u>
Priority 1	Organization of Subsystem Organization	Organization of WUO at Watercourse level
Priority 2	Organization of Distributary Canal Organization	Organization of S/S Organization
Priority 3	WUO at W/C level	Organization of Distributary Canal Org

The strategy operating in the Ilakra 4-R Pilot Project site is to select by consensus two representatives - one from the head and one from the tail reach of each watercourse command area. There would then be about 50 representatives forming the membership of the Subsystem level, with 25 representatives forming the Distributary Canal Organization (Mirza and Hassan. IIMI, 1996).



In the Sindh Pilot Projects, also, there will be two representatives selected from **each** watercourse to be nominated for the Water Users Association and the organizational structure would be President, Vice President, General Secretary, Finance Secretary and two or three advisors (Monthly Progress Report LBOD, Sindh, Aug.1996).

(g) Costs of the Water Users Organization Federation

In the operation of the Water User Federations. it should be kept in mind that there will be expenditures incurred in maintaining an office, stationery, maintenance of records. postage, refreshments, travel etc. Initially, the funds have to come from the members **of** the WUA at the watercourse level. Thus, the federation will have to be nourished from this membership.

Recommendations:

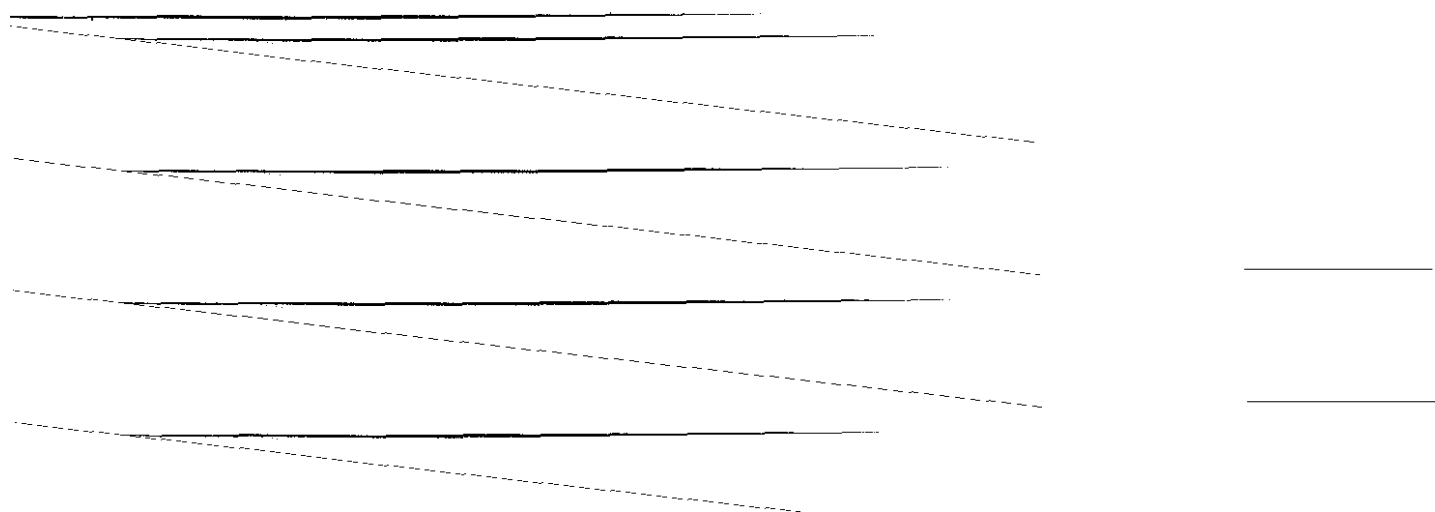
- (i) Provision should' be made in the By-laws for each level of the WUO program to send at least 50 % of the membership and other fees to sustain the federation at the Subsystem and the Distributary Canal Organization - 25 % to the Subsystem Organization and 25 % to the Distributary Canal Organization at least in the initial stages of the federation. This provision is made in the Model By-laws (Chapter 4 and Annexes 1, 2 and 3).
- (ii) The Distributary Canal Organization - the apex of the federation should negotiate with the authorities to retain at least one-third of the Abiyana to finance the different levels **of** the federation. The other alternative is for the Government to provide money to the WUO for maintenance of the distributary (Monthly Progress Report, LBOD, Sindh, August 1996).

(h) Jury of Elders to settle Water Disputes

In the discussions the consultant had with **farmers** and Social Organizers in Sanghar, Sindh Province, it was suggested that honest and respected village elders be co-opted by the WUA, Subsystem Organization and the DCO to settle dispules and conflicts among farmers arising from water thefts, inequity in water distribution, wilful damage to structures, and other irrigation and water management problems. The punishment would be social pressure and isolating the offender from the religious and cultural life **of** the rural community.

Recommendation:

Provision should be made in the By-laws of the **WUAs**, Subsystem Organizations and Distributary Canal Organizations to form a Jury of Elders from amongst respected village patriarchs to **settle** irrigation and water management conflicts, such as water thefts, damage to structures, taking more water, wastage **of** water, and non- participation in maintenance. The punishments may be sanctions and fines to be paid to the **WUOs**.



## **CHAPTER 4**

### **LEGAL PROVISIONS FOR WATER USERS ORGANIZATIONS**

#### **INTRODUCTION**

An important component of the Terms of Reference for the Consultant is to "assist in developing strategies for introducing legal provisions and WUO By-laws that would enable the WUOs to function". In order to prepare for this task, the Consultant had in-depth discussions with farmers, Social Organizers and other staff members associated with IIMI Pilot Projects. and several agency staff members in the Punjab and Sindh Provinces.

In " Consultancy Inputs for the Preparation of Project Inception Report in Social Organizations in Irrigation Management, IIMI, Pakistan (1995), we outlined briefly the legal provisions for Water Users Associations at the watercourse level, provided for in the Cooperative and Water User Associations and the Ordinance for the Provinces, Islamabad, 1987 (Ganewatte and Pradhan, 1995)

IIMI Pakistan has been consistent in focusing Government attention on the urgent need for an administrative and legal base for the WUO program. IIMI has rightly emphasized that the Water Users Organization Program would develop sustainable institutions on a persistent basis only when the Water Users Organizations are accepted as useful institutions. In the Pilot Projects in the Punjab and Sindh Provinces, it appears that the rural farming community has largely accepted the value of the WUO as a useful institution. What remains to be achieved is some action by the Government to lay down a clear policy and establish an administrative and legal base for the WUO program. IIMI Pakistan has emphasized that WUOs' gaining recognition as a formal group by other institutions and the people of the country would be greatly facilitated by their acceptance by the Government on the basis of a legal framework including a mechanism for their registration. A clear basis for the formation and functioning of water users organizations, including their participation in the irrigation and drainage systems will be a prerequisite for proceeding beyond the pilot project level (IIMI 1995).

An attempt will be made in this Report to review legislation on irrigation and water users organizations and to indicate the major areas of modifications needed in the existing legal framework.

#### **CANAL AND DRAINAGE ACT OF 1873**

Pakistan is almost wholly dependent on irrigated agriculture; thus legal provisions for the control and regulation of the canal system becomes vitally important. The Canal and Drainage Act of 1873, which has undergone many revisions, remains the most important legal framework for the irrigation and drainage sector.

Some of the subsidiary legislation emanating from the Canal and Drainage Act are listed below:

- Sindh Irrigation Act of 1879;
- The NWFP Amendment Act of 1948;
- Baluchistan Canal and Drainage Act of 1980;
- The Punjab Minor Canal Act of 1905;
- Punjab Soil Reclamation Act XXI of 1952;
- Punjab Water Users Association Ordinance, 1981;
- NWFP Water Users Association, 1981;
- Baluchistan Water Users Association Ordinance, 1981;
- Sindh Water Users Associations Ordinance, 1982.

## **WATER USER ORDINANCES, 1981**

### Background

The Foreword to the Cooperatives and Water Users Associations Ordinances for the Provinces states that, in 1980, a series of seminars on Water Users Associations for Irrigated Agriculture was organized at Islamabad, Peshawar, Faisalabad, Hyderabad, and Quetta to elicit the opinions of government agencies, private institutions and farmers regarding the formalization of traditional institutions.

A draft was then circulated to the Provinces for adoption in accordance with their needs. As a result, each Province promulgated an Ordinance to this effect (Federal Water Management Cell, Islamabad, 1987). The Introduction to the Ordinance points out that countries with more successful irrigated agriculture have adopted some form of Water User's Associations. They have usually been formed by the spontaneous, independent action of water users and have developed over time until they have become recognized as part of the customary law".

A major reason for the promulgation of the Water Users Association Ordinances was the deplorable condition of some 80,000 watercourses in the Indus Basin. Social groupings of farmers were unable to operate the system efficiently through voluntary cooperation. Vested interests undermined the spirit of cooperation and the Government had to intervene. The Government found that existing legislation needed to be updated to cope efficiently with water management, water rates and incentives and punishments.

Based on research findings, USAID Islamabad and the Government of Pakistan undertook a five-year On-Farm Water Management Pilot Project (1976-81). This Project was implemented by the Federal Water Management Cell (FWMC). An important strategy of the OFWM Pilot Project was that farmers had to provide unskilled

labor for the civil works while the Government would supply materials and technical assistance. During this period (1976-81), the construction activities was entrusted to the newly established provincial On-Farm Water Management Directorates.

Irrigation construction work, even at the tertiary level, was considered by many senior officials as a legitimate responsibility of the Irrigation Department. The authorities at the time were reluctant to assume this responsibility, so it devolved onto the OFWM Directorates. The Consultants pointed out in their first report that, had the Irrigation Department decided to take over the task of construction work in the watercourses, such as channel lining, the transition to a more meaningful participatory approach would have been easier (Ganewatte and Pradhan 1995).

During this period, many countries such as Sri Lanka, Nepal, Philippines and Pakistan were experimenting with farmer organizations, particularly at the field canal/watercourse and distributary canal level. The Governments in these countries provided legal recognition and empowerment to the farmer organizations. Pakistan was one of the first countries to promulgate an Ordinance for the Water Users Associations (1981). Sri Lanka provided body corporate status to the Farmer Organizations only in 1991 through the Agrarian Services (Amendment) Act, No 4 of 1991.

### Critical Review

The Water Users associations Ordinances were promulgated in the Provinces at different times. The purposes' too were not identical in the four Provinces:

	Name of Ordinance	Purpose
a.	North West Frontier Province Water Users Association Ordinance 1981 - Ordinance No. 11 of 1981	To provide for the formation, operation and promotion of Water Users Association in the NWFP
b.	Punjab Ordinance No. V of 1981	To provide for water management, conservation and optimum utilization of irrigation water sources and the formation of water users associations in the Province.
c.	The Balochistan Water Users Associations Ordinance 1981	To provide for the formation and promotion of Water Users Associations in the Province of Balochistan.
d.	Sindh Irrigation Water Users Associations Ordinance No. X of 1982	To provide for the formation and operation of Water Users Associations.

## Comparative Review

A careful study of the Provincial Ordinances indicate that the North - West Frontier Province Water Users Associations Ordinance No. 11 of 1981, is the most progressive and would serve as a model to the other Provinces. This is illustrated in the following schedule:

S.#	Articles of the Ordinance	Sindh	NWFP	Punjab	Balochistan
1.	Purpose clear	Y	N	Y	Y
2.	Association to be Body Corporate	Y	Y	Y	Y
3.	Application for registration easy	Y	N	NC	Y
4.	The Powers of the Association are broad and well defined	Y	N	Y	Y
5.	Duties of General Body clear and well defined	Y	Y	Y	Y
3.	Duties of Office Bearers, clear and well detailed	Y	N	Y	Y
7.	Federation of Association				
	a. W/C Irrigators Association federate at Distributory Canal	Y	N	Y	Y
	b. Distributory Canal Organization federate at Canal Level	Y	N	Y	Y
3.	The Distributory Association registered by Director, OFWM Project	Y	N	Y	Y
3.	The Canal Association registered by the Director, OFWM project	Y			Y
10.	Miscellaneous Provisions				
	a. Credit extended to Associations	Y			NC
	b. Insistence on auditing of accounts				
	c. Fines and fees for violations	Y	N		NC
	d. Acquisition of land by Associations	Y	N	Y	Y
	e. Possible to contract with ID	Y	N	Y	N
	f. Departments give preferential treatment to farmer associations	Y	N	Y	N
	g. Directorate OFWM facilities formation of Irri. Associations	Y	N	Y	NC

Key: Y = Yes, N = No, NC = Not Clear,

Source: Cooperatives and Water Users associations and the Ordinances for the Provinces (1987).

From the above schedule, it can be seen that the Formation of Water User Associations and the federation at Distributary Canal, and federation of Distributary Canal Organizations at Canal level is possible in all Provinces except the Punjab Province.

### Are the Water Users Association Ordinances Operative ?

There is some controversy as to whether the Provincial Water User Association Ordinances are valid and operative. It appears that these Ordinances were promulgated by the Governors of the Provinces on a proclamation by the President during the days of Martial Law in Pakistan. Some contend that the Ordinances were not passed in the Provincial Assemblies and that the life span of the ordinances are limited. The time at the disposal of the Consultant was limited and it was not possible for this issue to be followed through. (Please see recommendations).

### **NEED FOR LEGAL RECOGNITION**

As indicated earlier the success of the Water Users Organization Program at the Watercourse, Subsystem and Distributary Canal level Organizations in the IIMI Pilot Projects in the Punjab and Sindh Provinces, depends on legal recognition of the organization, particularly in the registration of the organization. This legal recognition not only gives status and power in the community and with other organizations, but will also give strength and stature as an organization able to take action against violations and infringement of rules.

The registration of the water users organizations at the watercourse, the federation at the subsystem level, and then at the distributary level legitimizes participation in the management of irrigation and drainage systems. IIMI, through its pilot projects in the Punjab and Sindh Provinces, can demonstrate to the government that farmers can take responsibility for operation and maintenance of the watercourses and the minor and distributary canal systems, resulting in greater efficiency. Participation of farmers in irrigation management will also minimize expenditures on operation and maintenance of the watercourses, subsystem or minor canals, as well as distributary canals.

### **STRATEGIES FOR INTRODUCING LEGAL PROVISIONS**

#### Strategy for Pilot Projects in the Punjab Province

The in-depth discussions with farmers, Social Organization Field Teams, Senior Officers of OFWM and Irrigation officials indicate that the situation with regard to legal provisions for Water Users Organizations are very complex and complicated. The possible strategies for introducing legal provisions are outlined below.

### Strategy 1

IIMI Pakistan should pursue the initiative already taken in this regard, by identifying the amendments to the Punjab Ordinance No V of 1981, usually referred to as the On-Farm Water Management and Water User Associations Ordinance, 1981, using appropriate legal advisors or consultants.

The Consultant recommends that the North West Frontier Province Water Users Associations Ordinance No.11 of 1981 be taken as the model to develop suggested amendments to the Punjab Ordinance.

The Consultant recommends, as one alternative, that the Departments of Agriculture and Irrigation submit a Joint Memorandum that includes their agreed upon amendments, appealing to the relevant authority to effect the necessary amendments (apparently, the procedure for seeking Amendments to Ordinances is well known). The Memorandum should suggest the changes, giving reasons and justifying the changes. It should be noted that this will be in layman's language, and the task of an appropriate Law Department or Unit will be to couch it in legal terminology.

### Strategy 2

The existing Punjab Ordinance makes provision for Water Users Associations at the watercourse level specifically for the task of lining the watercourses. Until such time as appropriate water laws are established, as an interim measure, it is suggested that IIMI Pakistan pursue action on its initiative already taken to explore the possibility of obtaining some administrative rules to proceed with the pilot project. Using the good relationships IIMI Pakistan has established with the Departments of Agriculture and Irrigation, it should be possible to obtain approval for an enlarged and broad based Water Users Association at the watercourse level and the federation of WUAs at the Subsystem and Distributary Canal Level.

### Strategy 3

The broad strategy adopted in the Punjab Pilot Project is to select a Farmer Representative in each of the Watercourses and then federate them at Subsystem and Distributary Canal levels. The Social Organizers and the Supervisory Social Organizer actively participated with the Consultant in developing the Objectives and Activities of the three levels of organization (see Chapter 2). These Guidelines and the draft By-laws of the Organizations (Annex 1, 2 and 3) could be used to develop the By-laws for each level of the Organization. The process could now be accelerated.

## Strateav For Pilot Projects in the Sindh Province

The Water Users Ordinance in the Sindh Province is clearer and much broader in scope and dimension. The objectives and functions of the Water Users Associations, the composition and powers of the Board of Directors, the powers of the Watercourse Associations, federation at the different levels have been clearly laid down.

The Strategies suggested are:

### Strateav 1

The Social Organization Field Teams of the IIMI Pilot Projects in the Sindh have already formed several Water Users Organizations at the watercourse level. A good foundation for strong water user organizations is now possible utilizing:

- (a) the guidelines on Objectives and Activities of the Water Users Organizations at the different levels. The Social Organizers of Sanghar and Mirpurkhas, as well as the Supervisory Social Organizers of the three pilot sites in the Sindh Province participated with the Consultant in developing the Objectives and Activities of the **WUA**. Subsystem Organization and the Distributary Canal Organization (see Chapter 2); and
- (b) The By-laws of the Water Users Organizations at the watercourse, subsystem and distributary canal level have now been drafted by the Consultant with substantial inputs from the Social Organizers. (Please see model By-laws for WUA in Annex 1, Subsystem Organization By-laws in Annex 2, and DCO By-laws in Annex 3.)

### Strateav 2

The IIMI Pakistan Hyderabad Office should pursue its efforts to have a dialogue with the OFWM Directorate and Irrigation Departments of the Sindh Province so as to get their approval for widening the scope of the organization and federating the organization at the different levels, including an organization program to federate at the Subsystem and Distributary Canal.

## **CONCLUDING REMARKS**

The By-laws of an organization are dynamic instruments used for enforcing, regulating and promoting disciplined action in an organization. They are referred to as a dynamic instrument because the by-laws are not static or permanent, and can be changed when necessary. The general body of the organization is the supreme authority that can change the by-laws, usually with a two-thirds majority.



## CHAPTER 5

### WORK PLAN FOR 1996 AND 1997

#### INTRODUCTION

An important objective of IIMI's Action Plans in the Pilot Projects is the progressive development of an improved joint-management system based on the maximum possible participation by the water users, with some continuing functions of the Irrigation Department, as well as OFWM and Agricultural Extension Directorates of the Agriculture Department. This Plan is now in Stage One (page 17 of the Inception Report and Implementation Plan, October 1995). The functions to be continued in the second stage have been identified as follows:

##### Irrigation Department

- Share responsibility for O & M of pilot distributaries with WUOs;
- Provide on- the training to WUO members on O&M management; and
- Continue to perform remaining duties.

##### OFWM

- Share responsibility with the WUOs on planning and implementing watercourse improvement; and  
Train WUOs for making improvements to watercourses and improved management of irrigation water.

##### Agricultural Extension

- Continue to perform existing duties: and
- Train WUOs to adopt improved agricultural inputs, cropping patterns and calendar.

An inherent condition of the progressive development of an enhanced joint-management system is the existence of viable WUAs, Subsystem Organizations and Distributary Canal Organizations in the Pilot Project sites in the Punjab and Sindh.

As already indicated, the focus of the pilot project in the Punjab is the selection of the WUA Representative and the formation of Subsystem Organizations and the Distributary Canal Organizations. The WUAs will be established much later on in 1997. The Social Organization Field Teams are busy with the selection of representatives for the 120 watercourses and the next target is to complete the formation of the Subsystem Organization and the Distributary Canal Organization.

In the Sindh Pilot projects, on the other hand, the focus is on the building of viable Water Users Associations and the federation of **WUAs** to the Subsystem and Distributary Canal Organization. The field teams are concentrating on these activities.

Based on the discussions with the members of the Social Organization Field Teams in the Punjab and the Sindh Provinces, who outlined a series of activities that needed to be accomplished in 1996 and 1997, it appeared that plans particularly for 1996 were not realistic.

## WORK PLANS

A review of the Action Plan for 1996 and 1997 is given in the schedule below

### Action Plan 1996 and 1997 Both Project Sites.

S.#	Activities	1996		1997	
		P	S	P	S
a.	Community awareness program	X	X	X	
b.	Complete selection of W/C representatives	X	X		
c.	SO field teams study and review model by-laws	X	X		
d.	Translate by-laws to local language				
e.	Discuss all draft by-laws with Reps.	X	X		
f.	Finalize by-laws for WUAs		X	X	
g.	Form WUAs		X	X	
h.	WUAs formally adopt by-laws		X	X	
i.	Discuss draft by-laws with S/S reps.	X			X
j.	Form Sub-system Organization	X			X
k.	SSOs adopt by-laws	X			X
l.	Consultations on DCO by-laws	X			X
m.	Formation of DCO	X			X
n.	DCO adopts by-laws	X			X
o.	Training of DCO leaders		X	X	
p.	Training of Field Officers			X	X
q.	Introduction of DCO to line agencies			X	X
r.	Visit to Farmer Managed Irrigation Systems			X	X
s.	Joint Management Agreement with Depts.			X	X
t.	Registration process			X	X

Key: P = Punjab S = Sindh.

Many of these activities have already been completed. The Activities that need to be completed in both Pilot Projects are:

- Community Awareness Program
- SOs study and review the model by-laws of WUAs, SSOs and DCOs
- Translate the by-laws into local language
- Discuss by-laws with WUA Representatives
- Form WUAs, SSOs and DCOs
- WUAs, SSOs and DCOs adopt by-laws
- Registration process

The Consultant observed that the Social Organization Field Team members in both pilot project site are a dedicated and hard working group, yet it is not reasonable to expect them to achieve the activities planned for 1996. There are only two months left in 1996. There is a need to review and revise the Implementation Plan and to set practical targets.

The Consultant would like to make the following recommendations:

- (1) IIMI Pakistan review the planning schedule with the field groups and agree on reasonable targets that can be accomplished in the remaining months of 1996 plus 1997.
- (2) IIMI Pakistan should, as a matter of high priority, recruit a lawyer to undertake the responsibility for finalizing the by-laws and getting the registration process underway.
- (3) As it is necessary to evolve a good quality, sustainable and practical WUO program, it is necessary to negotiate with the donor agency to extend the Water Users Organization Program by at least one more year.

## CHAPTER 6

### SUMMARY OF RECOMMENDATIONS

#### 1. Collaborative Support from Agencies

As the institutional support so far received for the implementation of pilot projects has not been very satisfactory, IIMI Pakistan should make further attempts to:

- (a) Promote the idea of forming a multi-disciplinary Institutional Development Unit with the participation of all the concerned agencies, particularly to obtain the active support and collaboration of the Irrigation Department.
- (b) Negotiate with the Provincial Departments of Agriculture and Irrigation in the Punjab and Sindh Provinces to make appropriate arrangements for legal provisions and registration of Water Users Associations, Subsystem Organizations and Distributary Canal Organizations.
- (c) Arrange for the adoption and sustainable development of the WUO program by the relevant agencies after the end of the IIMI Pakistan pilot projects in the Sindh and Punjab Provinces.

#### 2. Social Organizer Program

To continue IIMI's efforts in the field for establishing effective WUOs, there should be an arrangement to have a group of catalysts appointed from among government field officers and educated farmers. The selected persons should be given a training on the technical aspects of irrigation, agriculture, social organization and administrative structure, basic rural sociology, communication, group dynamics, and roles and functions of the catalyst.

#### 3. Social Organization Volunteer / Contact Farmer

The Social Organization Volunteer strategy, which has become a very effective methodology, should be further nurtured and strengthened in the Pilot Projects. One way of doing this is to recruit and train a few more persons who would continue to assist IIMI's Social Organizers.

#### 4. Single Purpose Versus Multiple Purposes of WUOs

The Consultant reiterates that WUOs should give the highest priority to irrigation and water management in at least the first year of operation of the program. Next priority may be given to the procurement and sale of agricultural inputs, better marketing and credit facilities, well planned agricultural extension programs and the training of farmers.

#### 5. Field Implementation Coordination Committees (FICC)

The Consultant feels that FICCs should meet under the chairmanship of the Sub-divisional Officer of the Irrigation Department or the Collector. In addition to the representatives from government agencies such as OFWM, Agriculture, and other participating agencies, the Presidents of Subsystem Level Organizations and Distributary Canal Organization should also be members of the FICCs. Meetings should be well planned and held once in two months or once a quarter. The objective is to appraise the officers about the WUO program and to resolve conflicts, problems and constraints. It is suggested that the heads of respective Departments be requested again by IIMI to instruct their respective field staff making it obligatory for them to attend these meetings.

#### 6. Funds for WUO Federations

- (a) Provision should be made in the By-laws of each level of the WUO program to send at least 50 % of the membership and other fees to sustain the federation at the Subsystem and the Distributary Canal Organization (25 % to Subsystem Organization and 25 % to the Distributary Canal Organization).
- (b) The Distributary Canal Organization - the apex of the federation should negotiate with the authorities to retain a reasonable proportion of the Abiyana collected to finance the activities of different levels of the federation. The other alternative is for the Government to provide money to WUOs for maintenance of the distributary.

#### 7. Jury of Elders to Settle Conflicts

Provision be made in the By-laws of the WUAs, Subsystem Organizations and Distributary Canal Organizations to form a Jury of Elders from amongst respected village patriarchs to settle irrigation and water management conflicts such as water thefts, damage to structures, taking more water, wastage of water. and non participation in maintenance.

## 8. Amendments to WUA Ordinances

- (a) The North West Frontier Province Water Users Associations Ordinance No.11 of 1981 is a good model to follow in bringing about amendments to the Punjab Ordinance,
- (b) As an interim measure, IIMI Pakistan should obtain the approval of the Secretary of the Department of Irrigation and, or, the Department of Agriculture to undertake the federation of the Water User Organizations at the Subsystem and Distributary Canal Level in the IIMI Pilot Projects in the Punjab.
- (c) IIMI Pakistan should continue to interact with Irrigation and Agriculture Departments of the Sindh Province so as to get their approval for widening the scope of the WUAs and federating them at different levels.

## 9. By-laws of the WUOs

The Pilot Projects should now proceed to develop and establish the by-laws for the WUOs, with assistance from appropriate legal authorities of the Provinces. Objectives and Activities of the three levels of organization (see Chapter 2) and the draft by-laws of the WUOs (Annex 1, 2 and 3) could be used as guidelines.

## 10. Action Plans for 1996 and 1997

- (a) Current work plans for the Pilot Projects should be reviewed on the basis of reasonable targets that can be accomplished in the remaining months of 1996 and 1997.
- (c) In order to evolve a good quality, sustainable and practical WUO program, it is necessary to negotiate with the donor agencies to extend the Water Users Organization Program in the Sindh at least by one more year.

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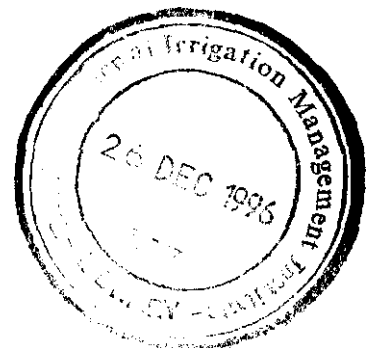
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**MODEL BY-LAWS FOR WATER USERS ASSOCIATIONS  
(WATERCOURSE LEVEL ORGANIZATION)**

That we, the undersigned, all of legal age, Pakistan citizens and water users of Watercourse **No:** .....and residents of Chak No/ Mauza.....together constituting the majority or the entire membership of Water Users Association do hereby promulgate the herein Rules.

**ARTICLE 1. NAME OF THE ASSOCIATION**

The name of the association shall be .....(give name of association)

**ARTICLE II. REGISTERED OFFICE**

The Registered office of the association shall be situated at .....P.O  
Tehsil..... District.....

**ARTICLE III. OBJECTIVES**

The Objectives of the Association shall be:

- (1) Ensure equitable distribution of water to all irrigators of the watercourse.
- (2) Maintain and improve the watercourse,
- (3) Resolve conflicts among water users.
- (4) Ensure honest and efficient operation of the Warobandi.
- (5) Increase water use efficiency.
- (6) Improve agricultural productivity of the command area of the water course.
- (7) Foster unity and cooperation among farmers of the watercourse.

**ARTICLE IV. POWERS AND FUNCTIONS**

For the achievement of its objects, the Association may perform the following functions:

- (1) Improve the efficiency of the watercourse by regular cleaning, repair and maintenance.



- (2) Promote efficient on-farm water management practices to prevent wastage of water.
- (3) Discuss and resolve conflicts through a "Jury of Elders" appointed by the Association.
- (4) Discuss and, where necessary, refer the unresolved problems to the Subsystem Organization and/or the Distributary Organization.
- (5) Organize agricultural extension programs to increase crop yields and income.
- (6) Organize lining of watercourse where necessary to prevent water losses.
- (7) Enforce sanctions for water thefts through a "Jury of Elders".

#### ARTICLE V. MEMBERSHIP

Section 1. Qualifications for Membership: Membership shall be open to any person of legal age, irrigation water users and actual tillers of agricultural land situated within the irrigable area of Watercourse \_\_\_\_\_

Section 2. Application for Membership: The irrigators who participated at the inaugural meeting are founder members of the organization. Others who join later have to request the Hony. Secretary for membership in writing.

Section 3. Members in Good Standing: A Member of good standing is one who faithfully complies with the Objectives set forth in Article III, of these By-laws.

#### ARTICLE VI. RIGHTS AND DUTIES OF THE MEMBERS

##### Section 1. Rights of Members

- a. To be served with the correct volume of water on time;
- b. To exercise the right to vote on all matters affecting the Association;
- c. To be eligible for any elective positions of the Association;
- d. To attend meetings and participate in all deliberations and to express their opinions or ideas on any matter under discussion;
- e. To have access and make use of all kinds of technical and material services;
- f. To have access to liberal forms of credit, cheap and quality farm inputs, and a good market for farm produce: and
- g. To examine the financial statements/book of accounts and other formal records of the Association.

## Section 2. Duties of Members

- a. Obey and comply with the rules and such other rules and regulations as may be promulgated by the Board of Directors/Executive Committee;
- b. Attend all meetings, conferences, seminars that may be called by the Board of Directors and/or any Government Agency engaged in Agriculture and irrigation and Development;
- c. Promptly pay their membership fee, Abiyana and other dues;
- d. Contribute personal services in watercourse cleaning and minor repairs and the operation and maintenance of on-farm irrigation facilities and structures when necessary;
- e. Actively participate in the procurement of farm credit, farm inputs, technical assistance and marketing of farm produce;
- f. Participate in the preparation and implementation of plans and programs of improved water management, cropping calendar and crop diversification; and
- g. Submit reports/information that the Association may require of its members.

## ARTICLE VII. TERMINATION AND SUSPENSION OF MEMBERSHIP

### Section 1. Termination

- a. Membership shall be terminated: (i) On death of member; and (ii) On their becoming ineligible for membership.
- b. Wilful failure to pay membership, Abiyana. and fines imposed by the "Jury of Elders" without reasonable cause.
- c. Any member who has resigned.

### Section 2. Cessation to Hold Office

- a. An office bearer of the Executive Committee shall cease to hold office on termination of their membership, or by their not attending three consecutive meetings without reasonable cause, or by resigning From office.
- b. Failure to comply with any of the duties for membership.
- c. Failure to comply with the terms and conditions of the membership agreement.
- d. Act or omission injurious or prejudicial to the affairs of the Organization e.g. destruction and obstruction of the watercourse, field ditches, structures and drainage preventing the smooth conveyance of water to and from the field.
- e. Violation of any of the provisions of the by-laws and other rules and regulations promulgated by the Board or Directors.

## ARTICLE VIII. FEES, DUES, CONTRIBUTIONS, DONATIONS, ETC.

### Section 1. Money

All moneys received for and on behalf of the Association shall be deposited in a bank approved by the Board. The Bank account shall be operated by the President and Treasurer.

### Section 2. Membership Fee

- a. Every Member shall pay a membership fee of Rs:.....

### Section 3. Crop Dues

- a. At the end of every crop season, every member shall pay Rs. \_\_\_\_\_ to the Association for its capital buildup program.

### Section 4. Contributions

- a. The Association may raise funds for the Development Fund through contributions from Members, in the form of cash, labor or in kind, for the maintenance and repair of the watercourse.
- b. The accounts of the Association shall be audited once a year by an auditor appointed by the Director of **OFWM**.

## ARTICLE IX. MEETINGS

### Section 1. Fiscal Year

The fiscal year of the Association shall commence on the first day of January and ends on the last day of December of the same year. The annual meeting and election of office bearers shall be held on every 20th day of January of each year.

### Section 2. Regular Meeting

The members shall meet once a month at the office of the Association

### Section 3. special meeting

A Special Meeting of the members may be called any time on written request of one-third of the members.

#### Section 4. Notice of Meeting

Notice of a regular or special meeting shall be sent to all members within 10 days and a copy posted on ~~the~~ office, or in a conspicuous or frequented places. Such notice shall include the purpose, date, time and meeting place,

#### Section 5. Quorum and Voting

- The quorum for a general or special general meeting shall be one-third of the membership.

#### Section 6. Order of Business

The Order of Business in every meeting will, as much as possible, be as follows,

- i) Prayers.
- ii) Purpose of meeting.
- iii) Election of office bearers (at Inaugural meeting ~~and/or~~ annual meeting) and representatives to the Distributory Organization.
- iv) Reading of the minutes of the previous meeting and approval of these minutes.
- v) Discussion ~~on~~ matters arising out of the minutes ~~of~~ the last meeting.
- vi) Discussion and resolution of problems and conflicts.
- vii) Refer conflicts to "Jury of Elders".
- viii) Discussion of development proposals.
- ix) Monthly statement of accounts.
- x) Any other business.
- xi) Fix date for next meeting.

### **ARTICLE X. EXECUTIVE COMMITTEE/ BOARD OF DIRECTORS**

#### Section 1. Number of Directors and Qualifications

The affairs and business of the Association shall be administrated by a Board of Directors/ Executive Committee. The Members of the Board must possess the following qualifications:

- a. must be a Pakistan Citizen.
- b. must be a member of good standing.
- c. must know how to read and write.
- d. must be of good moral character and reputation in the community.
- e. must be engaged in actual farming within the area of operation of the Association.
- f. must not be holding any elected position in the Government, nor actively participating in partisan politics.

## Section 2. Election and Term of Office

Office bearers shall be elected at the Annual General Meeting by secret ballot. Elected office bearers shall hold office for a term of one year until the election of their successors.

## Section 3. Election of Office Bearers

The Members of the Board of Directors shall comprise 11 members. Immediately **after** election the members shall meet and elect from among themselves by secret ballot, the President, Vice President, Secretary, Assistant Secretary, Treasurer, Honorary Auditor and Executive Committee Members. Each of them shall hold office until the election of their **successors**, **unless** sooner removed.

## Section 4. Vacancies

Whenever there is a vacancy of an office bearer, the Executive Committee shall elect a successor, which has to be ratified at the next general meeting.

## Section 5. Removal of Directors

A member of the Executive Committee who violates the By-laws of the Association, or who brings disrepute to the Association, shall be expelled from office with a two-thirds majority.

## Section 6. Committees and Officers

Three (3) standing committees are hereby created:

- a. **Irrigation & Water Management Committee** shall consist of four members, with the President automatically serving as Chairman.
- b. **Agricultural Development Committee** shall consist of four members, with the Vice President serving as Chairman.
- c. **Jury of Elders for Resolving Conflicts** shall consist of three members with two persons selected from among the members or from the community serving as Honorary Members. They should be reputed for their honesty and fair play. One of the members, including Honorary members, shall be selected as Chairman. The Honorary Members **become** ex-officio members of the Executive Committee and are eligible for all rights and privileges of the membership.

## Section 7. Quorum

One-third of the membership, including the **President/Vice** President and Treasurer shall constitute a quorum.

## Section 8. Powers and Duty of the Board

The Board of Directors shall have the following powers and duties:

- a. To formulate and implement the By-laws of the Association.
- b. To keep proper records and all transactions of the Association.
- c. To elect Officers of the Association.
- d. To appoint employees who may not be members of the Association and fix their compensation.
- e. To facilitate credit facilities for members.
- f. To help members to secure technical assistance, farm inputs and market their produce profitably.
- g. To submit to the membership the monthly and annual financial statements.
- h. To create other committees as it deems necessary.
- i. To decide on the disposition of any surplus funds in case of dissolution and/or liquidation of the Association, with the concurrence of a majority of the general membership.

## **ARTICLE XI. OFFICERS**

### Section 1. Duties and Powers of the President

The President, who must be a member of the Board of Directors, shall have the following powers and duties:

- a. To exercise general supervision and direction of the Association, and to oversee the proper implementation of the resolutions and instructions of the Board of Directors.
- b. To represent the Association in all economic and social activities to which it is a party or participate.
- c. To preside over all meetings of (i) the Board of Directors, (ii) Annual General Meeting, and (iii) Special Meetings.
- d. To prepare, in consultation with appropriate officers and Committees, a yearly program of activities for the Association.
- e. To sign the certificate of membership.
- f. To exercise such other powers and perform such other duties, as the Board may from time-to-time fix or delegate.

## Section 2. Duties of the Vice Presidents:

The Vice Presidents, if qualified, shall exercise all the powers and perform all the duties of the President during the absence or incapacity of the latter and shall concurrently serve as Chairman of the Conflict Resolution Committee and the Agricultural Development Committee.

## Section 3. Duties of the Secretary

- a. To keep full minute of all the meetings of the Members, committees and the Board of Directors.
- b. To serve as custodian for all records of the Association.
- c. To keep an up to date list of members.
- d. To receive and present application memberships to the Board of Directors and to inform the applicant of whatever action is taken by the Board of Directors.
- e. To fill and countersign all certificates of membership issued.

## Section 4. Duties of the Treasurer

- a. To collect **membership,other** fees all moneys on behalf of the Association.
- b. To maintain all financial records, including cash books, inventory and bank account and other records necessary for efficient financial management.
- c. Make payments against vouchers on behalf of the Association.
- d. Along with the President, sign all bank checks and maintain an account in a Bank to be decided by the Board of Directors.
- e. Submit a monthly statement of accounts.
- f. Present to the Annual General Meeting an audited statement of Accounts.

## Section 5. Duties of the **Irrigation** and Water Management Committee

- a. Take charge of the day-to-day management and operation of the irrigation system within the jurisdiction of the Association.
- b. Prepare Annual Program in irrigation systems operation and maintenance.
- c. Supervise cleaning and repair of distributary canal, field channels, structures and other irrigation facilities.
- d. Prepare seasonal and annual calendars of farming activities in accordance with the decision of the Association.

## Section 6. Duties of the Agricultural Development Committee

- a. Arrange for procurement and distribution of agricultural inputs, thus effecting economies of scale.
- b. Arrange credit facilities for members at reasonable terms
- e. Negotiate for the delivery of other agricultural services, such as agricultural extension, to the members of the association.

## Section 7. Duties of the Chairman and Jury of Elders

- a. To keep full records of the complaints and grievances filed by the members, result of investigation, and all actions taken thereafter.
- b. Resolve, amicably, conflicts among members and among members and officials.
- c. Enforce fines and/or other sanctions on members for irrigation and water management offenses, or offenses committed against other members.
- b. Perform such other duties as the Board of Directors may from time-to-time prescribe or delegate.

## ARTICLE XII, GENERAL MEMBERSHIP

The supreme authority of the Association shall vest in the General Body which shall meet at least once every agricultural season or twice a year. At least 15 days notice shall be given by the President. The powers and responsibilities of the General Body shall be:

- (a) To approve the By-laws of the Association and any amendments thereto.
- (b) To ratify all elections and appointments.
- (c) To lay down policy and general direction of the Association.
- (d) Provide covering approval for all sanctions, fines imposed by the Jury of Elders.
- (e) Approval of actions taken by the Standing Committees
- (f) Approve the Annual Statement of Accounts



## ARTICLE XIV. THE DISSOLUTION AND LIQUIDATION

### Section 1. Causes for Dissolution

The Association may be dissolved by a majority vote of the members of the Board, by resolution adopted by affirmative vote of at least two-third (2/3) of all member at a regular or special meeting called for this purpose, or any cause provided by existing laws.

## ARTICLE XV. OTHER RULES AND REGULATIONS

The Board of Directors may deem necessary to promulgate such other Rules and Regulations governing the relationships of the members and the development and well-being of members.

## ARTICLE XVI. DEVELOPMENT FUND OF THE ASSOCIATION

Funds from the Association in the form of required fees, dues, contributions, fines, donations, etc. considered legal for the purpose, shall be part of the Development Fund which may be spent for the following:

- a. To provide soft loans to members for development purposes on a guarantee by two members of standing.
- d. Procurement of farm inputs for members and retaining 5 % as commission.
- e. Investment in agribusiness
- f. Payment of such other expenses that may arise in the conduct and operation of Association activities.

The abovementioned accumulated funds shall be deposited with the nearest Batik in the name of the Association. Withdrawals of said funds shall only be made on the signature of any officer or officers of the Association as may be assigned by the Board of Directors.

## ARTICLE XVIII. AMENDMENTS

These rules may be amended, altered or replaced, whole or in part, or new rules may be adopted at any, or special, meeting called for the purpose, by a vote of the majority of all the members and by a majority vote of the members of the Board of Directors. The minutes of such meetings shall be attested by the President of the Association and copies forwarded to the relevant authority.

BY-LAWS FOR **SUBSYSTEM** ORGANIZATIONS

That we, the undersigned, Members of the Irrigation Subsystem Organization..... /Minor..... operating under the..... Distributary, of Mauza....., District..... do hereby promulgate the herein Rules.

**ARTICLE I. NAME OF THE ORGANIZATION**

The name of the organization shall be .....(give name of Irrigation Subsystem Organization)

**ARTICLE II. REGISTERED OFFICE**

The Registered office of the Subsystem Organization shall be situated at .....P.O ..... Tehsil..... District.....

**ARTICLE III. OBJECTIVES**

The Objectives of the Subsystem Organization shall be:

- (1) Resolve problems and constraints referred by Water Users Associations at the watercourse level.
- (2) Ensure efficient operation of the Subsystem canal system.
- (3) Regularly monitor the water distribution to the watercourses
- (4) Ensure timely and efficient repair and maintenance of the Subsystem Canal.
- (5) Coordinate irrigation, agricultural development, on farm activities, and conflict resolution with relevant government agencies.
- (6) Promote agricultural productivity and higher incomes to the farming community through procurement and distribution of agricultural inputs, credit facilities and efficient and profitable marketing of agricultural produce.
- (7) Strengthen water user organizations at the Watercourse and the Subsystem levels.
- (8) Revise water allocation in collaboration with the Irrigation Department to ensure regular and adequate water to all irrigators operating under the Subsystem.
- (9) Promote honest and efficient collection of Abiyana so that adequate funds would be available for the maintenance of the system.

- (10) Resolve conflicts of watercourses in the Subsystems and enforce sanctions and punishments on violators of the By-laws of the Water Users Organizations and Subsystem Organizations through a Water Court consisting of 5 honorable and distinguished farmer leaders of the Subsystem.
- (11) The entire Board of Directors shall be members of the Distributary Organization.

#### **ARTICLE IV. ACTIVITIES**

For the achievement of its objectives, the Subsystem Organization may perform the following activities:

- (1) Develop the By-laws of the Subsystem Organization.
- (2) Determine the membership fee/share of Abiyana to be paid by the WUOs to the Subsystem.
- (3) Elect office bearers and members of Standing Committees
- (4) The Executive Committee of the Subsystem Organization can select from amongst its members honest and distinguished persons to serve as the "Water Court" to resolve irrigation and water management conflicts of the Sub system and Watercourses and enforce sanctions for water thefts from Watercourses and the Subsystem.
- (5) In collaboration with the Irrigation Department. revise and enforce the Warabandi of the Watercourses.
- (6) Negotiate with the authorities for the payment of at least one-third of the Abiyana collected from WUOs to the Distributary Organization for the operation and maintenance of the Subsystem.
- (7) Undertake the desilting, cleaning, maintenance and repair of structures of the Subsystem to ensure efficient operation of the Subsystem.
- (8) Organize an inter-agency Project Coordinating Committee consisting of the Irrigation Department, On Farm Water Management, Agricultural Department. Collector, Revenue Department and special representatives of the Board of Directors of the Subsystem Organization.
- (9) Organize the procurement and distribution of agricultural inputs, and the promotion of marketing and credit facilities to the farming community.
- (10) Organize agricultural extension programs in collaboration with the Agriculture Department to promote higher productivity.
- (11) Organize tree planting campaigns on the bunds of the Subsystem so as to reinforce the bunds.
- (12) Organize and maintain an office of the Subsystem.
- (13) Organize training of farmers and farmer leaders on roles and functions of the Water Users Organization Program.
- (14) Arrange for special buffalo wallows so as to safeguard the bunds of the Subsystem.

## ARTICLE V. SECTION 1, QUALIFICATION FOR MEMBERSHIP

All duly elected Presidents of Water User Organizations of the Watercourses operating under the Subsystem shall form the membership of the Subsystem Organization.

## ARTICLE VI. RIGHTS AND DUTIES OF THE MEMBERS

### Section 1. Rights of Members

- a. To represent their WUO on all matters.
- b. To exercise, on behalf of the **WUO**, the right to vote on all matters affecting the Organization.
- c. To be eligible to any elective positions of the organization.
- d. To attend meetings and participate in all deliberations and to express opinions or ideas on any matter under discussion.
- e. To have access and make use of all kinds of technical and material services for farmers.
- f. To support liberal forms of credit, low-cost quality farm inputs and good market for farm produce to **WUOs**; and
- g. To examine the financial statements/book of accounts; and formal records of the Organization.

### Section 2. Duties of Members

- a. Obey and comply with the rules and regulations as may be promulgated by the Board of ~~Directors/Executive~~ Committee.
- b. Attend all meetings, conferences, seminars that may be called by the Board of Directors and/or any Government Agency engaged in Agriculture and Irrigation and Development.
- c. Arrange for the payment of a membership fee, contribution from Abiyana and other dues from the WUA to the Subsystem Organization.
- d. Arrange for the contribution of services of **WUOs** in the repair and maintenance of the Subsystem.
- e. Actively participate in the procurement of farm credit, farm inputs, technical assistance and marketing of farm produce of all farmers of the Subsystem.
- f. Participate in the preparation and implementation of plans and programs of improved water management, cropping calendar and crop diversification.
- g. Arrange for reports/information from the **WUO** that may be required by the Subsystem Organization.

## **ARTICLE VII. TERMINATION AND SUSPENSION OF MEMBERSHIP**

### **Section 1. Termination**

- (a) **Loss** of position as President of the WUO.
- (b) Petition signed by two-thirds of the members of the WUO indicating lack of confidence or the ability of the member to represent the WUO.
- (c) Resignation from membership of the Organization if so instructed by the w u o .

## **ARTICLE VIII. FEES, DUES, CONTRIBUTIONS, DONATIONS, ETC.**

### **Section 1. Membership Fee**

- a. Every WUO Member shall pay the Subsystem Organization at least 25 % of the membership fee collected by the WUO.
- b. The WUO at the end of every season, pay 25 % of any dues collected to the Subsystem Organization.

### **Section 2. Contributions**

The Subsystem Organization may request for special contributions as and when necessary in the form of cash. labor or in kind, which may be considered a membership contribution to the Organization.

## **ARTICLES VIII. GENERAL FUNDS**

All fees, dues, fines, contributions and/ or donations shall be a part of the Development Fund of the Organization.

## **ARTICLE IX. MEETINGS**

### **Section 1. Fiscal year**

The fiscal year of the Organization shall be the Calendar year. The annual meeting and election of officers shall be held before the end of January of each year.

### **Section 2. Regular Meeting**

The members shall meet at least once a month at the office of the Subsystem Organization.

### Section 3. Special Meeting

A Special Meeting of the members may be called any time on written request of 10% of the member WUOs.

### Section 4. Notice of Meeting

Notice of a regular or special meeting shall be sent to all members within 10 days and a copy posted on the office, or at any conspicuous or frequented places. Such notice shall include the purpose, date, time and meeting place.

### Section 5. Quorum and Voting

Two-thirds of the members shall constitute a quorum for the transaction of business of the organization.

### Section 6. Order of Business

The order of the business in every meeting shall, as much as possible, be as follows:

- i) Prayers.
- ii) Roll **call**.
- iii) Confirmation of a Agenda prepared on items forwarded by WUOs.
- iv) Election of office bearers (at Inaugural meeting and or annual meeting).
- v) Reading of the minutes of the previous meeting and approval of minutes.
- vi) Discussion on matters arising out of the minutes of the last meeting.
- vii) Review of Progress, problems and constraints faced by the Standing Committees.
- viii) Discussion and resolution of problems and conflicts.
- ix) Refer conflicts to "Jury of Elders".
- x) Discussion of development proposals.
- xi) Monthly statement of accounts.
- xii) Any other business.
- xiii) Fix date for next meeting.

## ARTICLE X. BOARD OF DIRECTORS & COMMITTEES

### Section ■ Number of Directors and Qualifications

The affairs and business of the Organization shall be administrated by a Board of Directors/ Executive Committee.

## Section 2. Qualifications

The Members of the Board of Directors shall be the President of a WUA.

## Section 2. Election and Term of Office

Members of the Board of Directors/~~Executive~~ Committee shall be elected at the annual meeting before the end of January of the fiscal year by consensus ~~or~~ by secret ballot. Elected ~~directors~~ shall hold office for a term of one year.

## Section 3. Election of Officers

The Members of the Board of Directors/ Executive Committee shall comprise 21 members. Immediately after election, the members shall meet and elect from among themselves by secret ballot, the President, 3 Vice Presidents, Secretary General, Assistant Secretary Generals, Treasurer, Honorary Auditor and Committee Members. Each of them shall hold office until the election of their successors, unless sooner removed.

## Section 4. Standing Committees

All members of the Board of Directors of the organization at the first/inaugural meeting shall be appointed to each of the following Standing Committees of the Organization:

- (a) Operation and Maintenance Committee for the distributary canal, including all aspects of water deliveries to the watercourses, repair of bunds, ~~desilting~~ and repair of irrigation structures of the ~~Subsystem/Minor~~.
- (b) Agricultural Development including procurement and distribution of agricultural inputs, marketing and credit to member ~~WUOs~~.
- (c) Finance Committee. including all matters of finance, Development Fund, auditing of accounts, annual statement of accounts, bank account and purchase of assets, as well as ~~payments~~ to employees of the Organization.
- (d) Water Court Committee or Jury of Elders to settle all disputes, conflicts, take legal action on infringement of rules and regulations, wilful damage to irrigation system, dishonest activities, water thefts and other unlawful acts committed in the area of jurisdiction of the Subsystem.

## Section 5. Selection of Members into Standing Committees

- (a) Membership and Office Bearers of Standing Committees: At the second meeting of the Organization after the Inaugural meeting the Board of Directors/Executive Committee, the Board/Committee shall select members to the four Standing Committees, based on their capacity, experience and leadership.
- (b) Office bearers of the Standing Committees
  - (i) The President of the Subsystem Organization shall have overall responsibility for liaison and coordination and the efficient functioning of the Standing Committees.
  - (ii) The three Vice Presidents elected at the inaugural meeting shall be the chairman of each of the Standing Committees except for the Finance Committee. where the Treasurer shall be the Chairman.
  - (iii) Each Standing Committee may elect from among themselves a Secretary to be responsible for maintenance of minutes and all records of the Standing Committee. The Secretary shall serve under the direction and guidance of the Secretary General.

## Section 6. Vacancies

Whenever a vacancy occurs in the position of a Director through death, resignation, except by removal or expiration of terms, the general membership of the Organization shall elect successors who shall serve only the unexpired term.

## Section 7. Quorum

Two-thirds of the members, including President and Secretary General/Assistant Secretary General and Treasurer, shall constitute a quorum at any meeting thereof.

## Section 8. Powers and Duties of the Board

- (a) The members of the Board of Directors through the Standing Committees shall have entire responsibility for management of the affairs of the Organization.
- (b) Represent its members in **issues** and problems related to the Subsystem.
- (c) To seek registration of the organization, which shall provide powers vested in body corporate status as indicated in the Water Users Association Ordinance.



- b. To represent the Organization in all activities.
- c. In collaboration with the Chairman, Finance Standing Committee and/or the Treasurer operate the Development Fund.
- d. To sign as joint signatory with the Treasurer, checks and all financial documents.
- e. **To** preside over all meetings of the Board of Directors, Annual General Meeting and Special Meetings.
- f. To prepare, in consultation with appropriate officers and committees, a yearly program of activities for the Organization.
- g. To exercise such other powers and perform such other duties as the Board may from time to time fix or delegate.

**Section 2. Duties of the Vice Presidents**

Each of the three Vice Presidents shall serve as Chairman of the Standing Committees and shall also exercise the powers and perform all the duties of the President in rotation during his absence or incapacity.

**Section 3. Duties of the Secretary General**

- a. To keep full minutes of all of the meetings of the Members, committees and the Board of Directors.
- b. To serve as custodian of all records for the Organization.
- c. To keep an up to date list of members.
- d. To receive and present application membership to the Board of directors and to inform the applicant of whatever action is taken by the Board.
- e. To fill and countersign all certificates of membership issued.
- f. To provide guidance and support to the Assistant Secretary General and Secretaries of Standing Committees.

**Section 4. Duties of the Assistant Director General**

- a. **Assist** the Secretary General in all matters.
- b. Act for the Secretary General during any absences.

**Section 5. Duties of the Treasurer**

- a. Serve as the Chairman of the Finance Committee.

- b. To collect 25 % membership fees, and contributions from member Water Users Organizations.
- c. In collaboration with the President, operate the Development Fund,
- d. Be the joint signatory with the President for checks and all financial transactions.
- e. Responsible for all financial transactions with WUOs.
- f. To maintain all financial records, cash books, inventory and bank account and other records necessary for efficient financial management.
- g. Make payments against vouchers **on behalf** of the Organization.
- h. Along with the President, sign all bank checks and maintain an account in a Bank to be decided by the Board of Directors.
- i. Submit a monthly statement of accounts.
- j. Present to the Annual General Meeting an audited statement of Accounts.

#### Section 6. Duties of the Chairmen of Standing Committees

- a. Prepare the draft by-laws for the efficient organization, management and functioning of the Standing Committee.
- b. Preside at all meetings of the Standing Committee.
- c. Coordinate activities with other Standing Committees.
- d. Take charge of the day-to-day management and operation of **the** activities **coming** under the purview of the Standing Committee.

#### Section 7. Duties of the Chairman of the Jury of **Elders**

- a.** To keep full records of the complaints and grievances filed by the members, results of investigations, and all actions taken thereafter.
- b. Resolve, amicably, conflicts among members and among members and officials.
- c. Enforce fines **and/or** other sanctions on members for irrigation and water management offenses committed by members or offenses committed against other members.
- b.** Perform such other **duties** as the Board of Directors, **may** from time-to-time prescribe or delegele.

## **ARTICLE XII, GENERAL MEMBERSHIP**

The supreme authority of the Organization shall vest in the General Body, consisting of all Presidents of the **WUOs**. Meetings **of** the General Body shall be held at least twice every agricultural season or **4** times a year. At least **15** days notice shall be provided in a general proclamation by the President. The powers and responsibilities of the General Body shall be:

- (a) **To** approve the By-laws **of** the Organization and any amendments thereto.
- (b) To ratify all elections and appointments.
- (c) **To** lay down policy and general direction of the Organization.
- (d) Provide covering approval for all sanctions, fines imposed by the Jury of Elders.
- (e) Approval of actions taken by the Standing Committees.
- (f) Approve the Annual Statement **of** Accounts.

## **ARTICLE XIII. SPECIAL GENERAL MEETING**

One-third of the members of the Organization may at any time make a request in writing to the President to call a special meeting of the General Membership within seven days *of* the receipt of the letter of request.

## **ARTICLE XV. OTHER RULES AND REGULATIONS**

The Board of Directors may deem necessary to promulgate such other Rules and Regulations governing the relationships of the members and the development and well being of members.

## **ARTICLE XVI. DEVELOPMENT FUND OF THE ORGANIZATION**

Funds from the Organization in the form of required fees, dues, contributions, fines, donations, etc. considered legal for the purpose, shall be part of the Development Fund which may be spent for the following:

- a. To provide **soft** loans to members for development purposes on a guarantee by two members of standing.
- b. Procurement **of** farm inputs for members and retaining 5 % as commission.
- c. Investment in agribusiness.
- d. Payment of such other expenses that may arise in the conduct and operation of its activities.

The above mentioned accumulated funds shall **be deposited** with the nearest Bank in the name **of** the Organization. Withdrawals **of** said funds shall only be made on **the** signature of any officer or officers **of** the Organization as may be assigned by the Board of Directors.

#### **ARTICLE XVIII. AMENDMENTS**

These rules may **be** amended, altered or replaced, whole or in part, or new rules may be adopted at any, or a special, meeting called for the purpose, by a vote of the majority of all the members and by a majority vote of the members of the Board of Directors. The minutes of such meetings shall be attested by the President of the Organization and copies forwarded to the relevant authority.

## BY-LAWS OF DISTRIBUTARY CANAL ORGANIZATIONS

That we, the undersigned, Presidents of Water User Organizations of all watercourses/ entire Board of Directors of Subsystem Organization functioning in the area of the ..... Distributary of Mauza.....

District together constituting the entire membership of the Distributary organization do hereby promulgate the herein Rules.

### ARTICLE 1. NAME OF THE ORGANIZATION

The name of the organization shall be .....(give name of Distributary Organization).

### ARTICLE II. REGISTERED OFFICE

The Registered office of the organization shall be situated at .....P.O ..... Tehsil..... District.....

### ARTICLE III. OBJECTIVES

The Objectives of the Organization shall be:

- (1) Resolve problems and constraints referred by Water Users Organizations at the Watercourse level.
- (2) Ensure efficient operation of the distributary canal system.
- (3) Regularly monitor the water distribution of minor systems and watercourses.
- (4) Ensure timely and efficient repair and maintenance of the distributary.
- (5) Coordinate irrigation, agricultural development, on farm activities, and conflict resolution with relevant government agencies.
- (6) Promote agricultural productivity and higher incomes to the farming community through procurement and distribution of agricultural inputs, credit facilities, and efficient and profitable marketing of agricultural produce.
- (7) Strengthen water user organizations at the Watercourse and the federation at the Subsystem levels.
- (8) Revise the Warabandi in collaboration with the Irrigation Department to ensure regular and adequate water to all irrigators operating under the distributary.
- (9) Promote honest and efficient collection of Abiyana so that adequate funds would be available for the maintenance of the system.

- (10) Resolve inter and intra conflicts of Watercourses and Subsystems and enforce sanctions and punishments on violators of the By-laws of the Water User Organizations and Subsystem Organizations through a Water Court consisting of 5/7 honorable and distinguished farmer leaders of the distributary.

#### **ARTICLE IV. POWERS AND FUNCTIONS**

For the achievement of its objectives, the Distributary Organization may perform the following functions:

- (1) Develop the By-laws of the Organization.
- (2) Determine the membership fee/share of Abiyana to be paid by the WUOs to the Distributary Organization.
- (3) Elect office bearers and members of Standing Committees
- (4) The Executive Committee of the Distributary Organization, from amongst its members, to select honest and distinguished persons to serve as the " Jury of Elders" to resolve inter, intra irrigation and water management conflicts of Subsystems and Watercourses and enforce sanctions for water thefts from watercourses and the distributary.
- (5) In collaboration with the Irrigation Department. revise and enforce efficiently the Warabandi of the Watercourses, and as well as water deliveries to the Subsystems.
- (6) Negotiate with the authorities for the payment of at least one-third of the Abiyana collected from WUOs to the Distributary Organization for the operation and maintenance of the distributary canal system.
- (7) Undertake the desilting, cleaning, maintenance and repair of structures of the distributary to ensure efficient operation of the distributary.
- (8) Organize an inter-agency Project Coordinating Committee consisting of the Irrigation Department, On Farm Water Management, Agricultural Department, Collector, Revenue Department and special representatives of the Board of Directors of the Distributary Canal Organization.
- (9) Organize the procurement and distribution of agricultural inputs. as well as the promotio'n of marketing and credit facilities to the farming community.
- (10) Organize agricultural extension programs in collaboration with the Agriculture Department to promote higher productivity.
- (11) Organize tree planting campaigns on the bunds of the distributary so as to reinforce the bunds.
- (12) Organize and maintain an office of the Distributary Canal organization.
- (13) Organize the training of farmers and farmer leaders on roles and functions of the Water Users Organization Program.
- (14) Arrange for special buffalo wallows so as to safeguard the bunds of the distributary.

## **ARTICLE V. QUALIFICATION FOR MEMBERSHIP**

All duly elected Presidents of Water Users Organizations of the Watercourses operating under the distributary shall form the membership of the Distributary Canal Organization.

## **ARTICLE VI. RIGHTS AND DUTIES OF THE MEMBERS**

### **Section 1. Rights of Members**

- a. To represent his WUO on all matters.
- b. To exercise, on behalf of the WUO, the right to vote on all matters affecting the Organization.
- c. To be eligible for any elective positions of the organization.
- d. To attend meetings and participate in all deliberations and to express opinions or ideas on any matter under discussion.
- e. To have access and make use of all kinds of technical and material services for farmers.
- f. To support liberal forms of credit, low-cost and quality farm inputs, and a good market for farm produce to WUOs; and
- g. To examine the financial statements, book of accounts and formal records of the Organization.

### **Section 2. Duties of Members**

- a. Obey and comply with rules and regulations as may be promulgated by the Board of Directors/Executive Committee.
- b. Attend all meetings, conferences, seminars that may be called by the Board of Directors and/or any Government Agency engaged in Agriculture and Irrigation and Development.
- c. Arrange for the payment of a Membership Fee, Abiyana and other dues from the WUO to the Distributary Canal Organization.
- d. Arrange for the contribution of services of WUOs in the repair and maintenance of the distributary canal.
- e. Actively participate in the procurement of farm credit, farm inputs, technical assistance and marketing of farm produce of all WUOs.
- f. Participate in the preparation and implementation of plans and programs of improved water management, cropping calendar and crop diversification.
- g. Arrange for reports/information from the WUO that may be required by the Distributary Canal Organization.

## ARTICLE VII. TERMINATION AND SUSPENSION OF MEMBERSHIP

### Section 1. Termination

- (a) Loss of position as President of the WUO or as a Member of the Board of Directors of the Subsystem Organization.
- (b) Resignation from membership of the Organization if so instructed by the w u o .

## ARTICLE VIII. FEES, DUES, CONTRIBUTIONS, DONATIONS ETC.

### Section 1. Membership Fee

- a. Every Member WUO shall pay the Distributory Canal Organization at least 25 % of the membership fee collected by the WUO.
- b. The WUO at the end of every season will pay 25 % of any dues collected to the Distributory Canal Organization.

### Section 2. Contributions

- a. The Distributory Canal Organization may request for special contributions as and when necessary in the form of cash, labor or in kind, which may be considered a membership contribution to the Organization.

## ARTICLES VIII. DEVELOPMENT FUND OF THE ORGANIZATION

Funds from the Organization in the form of required fees, dues, contributions, fines, donations, etc. considered legal for the purpose, shall be part of the Development Fund which may be spent for the following:

- a. To provide soft loans to members for development purposes on a guarantee by two members of standing.
- b. Procurement of farm inputs for members and retaining 5 % as commission.
- c. Investment in agribusiness,
- d. Payment of such other expenses that may arise in the conduct and operation of its activities.



The above mentioned accumulated funds shall be deposited with the nearest Bank in the name of the Organization. Withdrawals of said funds shall only be made on the signature of any officer or officers of the Organization as may be assigned by the Board of Directors.

## **ARTICLE IX. FISCAL YEAR**

The fiscal year of the Organization shall be the calendar year.

## **ARTICLE X. MEETINGS**

### **Section 1. General Meetings**

The members shall meet at least once a month at the office of the Organization.

### **Section 2. Spacial Mooting**

A Special Meeting of the members may be called any time on written request of 10% of the member WUOs.

### **Section 3. Notice of Meeting**

A notice of a regular or special meeting shall be sent to all members within 10 days and a copy posted on the office, or at any conspicuous or frequented places. Such notice shall include the purpose, date, time and meeting place.

### **Section 4. Quorum and Voting**

Two-thirds of the members shall constitute a quorum for the transaction of business for the organization.

### **Section 5. Order of Business**

The order of business in every meeting shall, as much as possible, be as follows:

- i) Prayers.
- ii) Roll call.
- iii) Confirmation of prepared Agenda on items forwarded by WUOs.
- iv) Election of office bearers (at Inaugural meeting and annual meeting).
- v) Reading of the minutes of the previous meeting and approval of minutes.
- vi) Discussion on matters arising out of the minutes of the last meeting.
- vii) Review of Progress, problems and constraints faced by the Standing Committees.

- viii) Discussion and resolution of problems and conflicts.
- ix) Refer conflicts to a "Jury of Elders".
- x) Discussion of development proposals.
- xi) Monthly statement of accounts.
- xii) Any other business.
- xiii) Fix the date for the next meeting.

## ARTICLE X. BOARD OF DIRECTORS AND COMMITTEES

### Section 1. Number of Directors and Qualifications

The affairs and business of the Organization shall be administrated by a Board of Directors /Executive Committee.

The Members of the Board must be the President or accredited representative of the WUA.

### Section 2. Election and Term of Office

- (a) Members of the Board of Directors/Executive Committee shall be elected at the inaugural meeting/ annual general meeting.
- (b) Election is by consensus or by secret ballot.

### Section 3. Election of Office Bearers

The Members of the Board of Directors/ Executive Committee shall comprise 11/15 members. Immediately after election. the members shall meet and elect from among themselves, by secret ballot, the President, 4 Vice Presidents, Secretary General, 2 Assistant Secretary Generals, Treasurer, Honorary Auditor. Each of them shall hold office until the election of their successors, unless removed sooner.

### Section 4. Standing Committees

All members, other than the Board of Directors of the organization, at the first/inaugural meeting shall be appointed to each of the following Standing Committees of the Organization:

- (a) Operations Committee (Operation of the distributary canal), including all aspects of Warabandi.
- (b) Maintenance Committee including repair of bunds, desilting and irrigatioii structures of the distributary.

- (c) Agricultural Development Committee including procurement and distribution of agricultural inputs, including marketing and credit to member WUOs.
- (d) Finance Committee. including all matters of finance, Development Fund, auditing of accounts, annual statement of accounts, bank account, purchase of assets, and payments to employees of the Organization.
- (e) "Water Court/Jury of Elders" Committee to settle all disputes, conflicts, take legal action on infringement of rules and regulations, wilful damage to irrigation system, dishonest activities, water thefts and other unlawful acts committed in the **area** of jurisdiction of the distributary canal.

**Section 5. Selection of Members into Standing Committees**

(a) Membership and Office Bearers of Standing Committees

At the second meeting of the Organization after the Inaugural meeting, the Board of Directors/Executive Committee (the Board/Committee) shall select members to the 5 Standing Committees, based on their capacity, experience and leadership.

(b) Office bearers of the Standing Committees

- (i) The President of the Distributary Canal Organization shall have overall responsibility for liaison and coordination and the efficient functioning of the Standing Committees.
- (ii) The four Vice Presidents elected at the inaugural meeting shall be the chairman of each of the Standing Committees except for the Finance Committee, where the Treasurer shall be the Chairman.
- (iii) Each Standing Committee may elect from among themselves a Secretary to be responsible for the maintenance of minutes and all records of the Standing Committee. The Secretary shall serve under the direction and guidance of the Secretary General.

**Section 6. Vacancies**

Whenever a vacancy occurs in the position of a Director through death, resignation, except by removal or expiration of terms, the general membership of the Organization shall elect successors who shall serve only the unexpired term.

**Section 7. Removal of Directors**

Any member of the Organization may make a charge against a Director by filing the same in writing with the Secretary of the Organization together with a petition

signed by at least five (5) Members in good standing of the Association. The Board of Directors must call a special meeting of the Organization to reconsider the removal. The affirmative of two-thirds (2/3) of the entire membership of the Organization entitled to vote shall be necessary to remove the Director in question.

#### Section 8. Quorum

One-third of the members, including the ident and Secretary General/Assistant Secretary General and Treasurer, shall constitute a quorum at any meeting thereof.

#### Section 9. Powers and Duty of the Board

The members of the Board of Directors through the Standing Committees shall have the entire responsibility for the affairs and properties of the Organization and general management and of its activities and operations. The Board of Directors shall have the following powers and duties:

- (a) Represent its members on issues and problems related to the Distributory Canal Organization.
- (b) To seek registration of the organization which shall provide powers vested in Body Corporate status as indicated in the Water Users Ordinance,
- (c) improve, rehabilitate, operate and maintain the distributory canal system and the watercourses.
- (d) In consultation with the Irrigation Department, promote efficient operation of the Warabandi.
- (e) Promote honest and efficient collection of Abiyana.
- (f) Negotiate with the authorities concerned to obtain at least one-third of the Abiyana collection to the Organization for the maintenance of the distributory canal and watercourses.
- (g) To undertake the procurement and distribution of agricultural inputs, organize marketing of farm produce, and to arrange credit facilities so as to increase productivity.
- (i) Resolve all irrigation and water management conflicts, water thefts and other violations and wilful destruction of irrigation bunds and irrigation structures and other violations through a Jury of Elders.
- (j) To effect strict financial management and controls by proper maintenance of records, provision of monthly statements of accounts, and an annual audited statement of accounts.
- (k) To organize and operate a Development Fund so as to provide rotating loan fund to member WUOs, and to undertake other development activities to increase productivity.

- (l) Promote the training of farmers, office bearers of WUOs and the Distributary Canal Organization, field officers of relevant government departments on irrigation and water management, roles and functions of farmer organizations, and ways of increasing agricultural productivity.

## ARTICLE XI. OFFICERS

### Section 1. Duties and Powers of the President

The President, who must be a member of the Board of Directors, shall have the following powers and duties:

- a. To exercise general supervision and direction of the Organization's affair; and to oversee the proper implementation of the resolutions and instructions of the Board of Directors.
- b. To represent the Organization in all economic and social activities to which it is a party or participates.
- c. In collaboration with the Chairman, Finance Standing Committee and/or the Treasurer, operate the Development Fund.
- d. To sign as joint signatory with the Treasurer, checks and all financial transactions.
- e. To preside over all meetings of the Board of Directors, Annual General Meeting and Special Meetings.
- f. To prepare, in consultation with appropriate officers and committees, a yearly program for activities of the Organization.
- g. To exercise such other powers and perform such other duties, as the Board may from time-to-time fix or delegate

### Section 2. Duties of the Vice Presidents

Each of the four Vice Presidents shall serve as Chairman of the Standing Committees and shall also exercise the powers and perform all of the duties of the President in rotation during the absence or incapacity of the latter.

### Section 3. Duties of the Secretary General

- a. To keep complete minutes of all the meetings of the members, committees and the Board of Directors.

- b. To serve as custodian for all records of the Organization.
- c. To keep an up to date list of members.
- d. To receive and present applications for membership to the Board of Directors and to inform the applicant of whatever action is taken by the Board.
- e. To fill and countersign all certificates of membership issued.
- f. To provide guidance and support to the Assistant Secretary General and Secretaries of Standing Committees.

Section 4. Duties of **the** Assistant **Secretary** General

- (a) Assist the Secretary General in all matters.
- (b) Act for the Secretary General during any absence

Section 5. Duties of the Treasurer

- a. Serve as the Chairman of the Finance Committee.
- b. To collect 25% of the membership fees, and contributions from member Water User Organizations.
- c. **In** collaboration with the President, operate the Development Fund.
- d. Be the joint signatory with the President for checks and all financial transactions.
- d. Responsible for all financial transactions with WUOs.
- c. To maintain all financial records, cash books, inventory, bank account and other records necessary for efficient financial management.
- d. Make payments against vouchers on behalf of the Organization.
- e. Along with the President, sign all bank checks and maintain an account in a Bank to be decided by the Board of Directors.
- f. Submit a monthly statement of accounts.
- g. Present to the Annual General Meeting an audited Statement of Accounts.

Section 6. Duties of the Chairmen of Standing Committees

- a. Prepare the draft by-laws for the efficient organization. management and functioning of the Standing Committee.
- b. Preside at all meetings of the Standing Committee.
- c. Coordinate activities with Other Standing Committees.
- d. Take charge of the day-to-day management and operation of the activities coming under the purview of the Standing Committee.

Section 7. Duties of the Chairman, Water **Court/Jury** of Elders

- a. To keep full records of the complaints and grievances filed by the members, results of investigations and all actions taken thereafter.
- b. Resolve, amicably, conflicts among members and among members and officials.

- c Enforce fines and or other sanctions on members for irrigation and water management offenses committed by members or offenses committed against other members.
- d. Perform such other duties as the Board of Directors may, from time-to-time prescribe or delegate.

## ARTICLE XII, GENERAL MEMBERSHIP

The supreme authority of the Organization shall vest in the General Body, consisting of all Presidents of the WUOs and the entire Board of Directors. Meetings of the General Body shall be held at least twice every agricultural season or 4 times a year. At least 15 days notice shall be given in a general proclamation by the President. The powers and responsibilities of the General Body shall be:

- (a) To approve the By-laws of the Organization and any amendments thereto.
- (b) To ratify all elections and appointments.
- (c) To lay down policy and general direction of the Organization.
- (d) Provide covering approval for all sanctions, fines imposed by the Jury of Elders.
- (e) Approval of actions taken by the Standing Committees.
- (f) Approve the Annual Statement of Accounts.

## ARTICLE XIII. SPECIAL GENERAL MEETING

One third of the members of the Organization may at any time make a request in writing to the President to call a special meeting of the General Membership within seven days of the receipt of the letter of request.

## ARTICLE XIV. THE DISSOLUTION AND LIQUIDATION

### Section 1. Causes for Dissolution

The Organization may be dissolved by a majority vote of the members of the Board, by resolution adopted by affirmative vote of at least two-thirds (2/3) of all members at a regular or special meeting called for the purpose, or any cause provided by existing laws.

### Section 2. Order of Payment of Liquidation

After dissolution, the assets of the Organization shall be used to pay liquidation expenses and all debts of the Organization. Any surplus assets may be donated to any community project whether economic, educational or social, or may be prorated among officers and members of the Association depending upon the final decision of the entire membership.

## **ARTICLE XV. OTHER RULES AND REGULATIONS**

The Board of Directors may deem necessary to promulgate such other Rules and Regulations governing the relationships of the members and the development and well being of members.

## **ARTICLE XVIII. AMENDMENTS**

These rules may be amended, altered or replaced, whole or in part, or new rules may be adopted at any, or a special, meeting called for the purpose, by a vote of the majority of all the members and by a majority vote of the members **of** the Board of Directors. The minutes of such meetings shall be attested by the President of the Organization and copies forwarded to the relevant authority.



# IIMI-PAKISTAN PUBLICATIONS

## CONSULTANCY REPORTS

S.No.	Title	Author	Year
C-1	Consultancy inputs for the preparation of project inception report on social organization in irrigation management	P. Ganewatte P. Pradhan	Jan 1995
c-2	Regional Salinity - Sodicity Issues in Punjab, Pakistan Consultancy Report	Dr. James W. Biggar	April 1996
c-3	Study of Water and Salt Balances for Eight Sample Watercourse Commands in Chishtian Sub-division, Punjab, Pakistan - Consultancy Report	E.G. van Wayjen	June 1996
C-4	Unsteady Flow Simulation of Pehur High-Level Canal including Automatic Downstream Water Level Control Gates Consultancy Report	Dr. Kobkiat Pongput	June 1996
c-5	Distributary Level Water Users Associations in Pilot Projects for Farmer-Managed Irrigated Agriculture, Punjab and Sindh Provinces. Pakistan	Dr. Prachanda Pradhan	Sept 1996
C-6	Water Users Organization Program in IIMI's Pilot Projects in the Punjab and Sindh Provinces, Pakistan	Piyasena Ganewatte	Oct 1996