

Criminal provisions in various acts of Irrigation & CAD Department

S.No .	State Department	Applicable Act/Rule/Order	Provision of Law- Relevant Section/Rule/Clause/Form	Short Description	Fine/Imprisonment	Amt(in Rs.)/Years
1	Irrigation & CAD Dept.	Andhra Pradesh (Andhra Area) Rivers Conservancy Act,1884	Section 13/6	Construction,Plantation, etc.,within river bed without permission prohibited Penalty : Whoever does any act in contravention of this section shall be liable on conviction before a Magistrate to a fine not exceeding rupees one thousand or, in default of payment, to simple imprisonment for a period not exceeding six months for every such offence.	Both	Fine- upto 1000,Imprisonment -upto 6 Months
2	Irrigation & CAD Dept.	Andhra Pradesh (Andhra Area) Rivers Conservancy Act,1884	Section 14	Power to direct removal of constructions, plantations,etc.Penalty: The Conservator of Rivers may, with the previous sanction of the Collector of the district, by an order in writing, require the owner or occupier of any land within any such river bed to remove any groynes buildings, constructions, plantations, grasses, trees or other thing upon such land which the said Conservator may deem to be an obstruction to the course of the stream of such river; and it shall be the duty of such owner or occupier to act in compliance with such order within a time to be mentioned in such order; Provided that, in the case of the removal of any building being so ordered, it shall be open to the owner or other person in charge thereof to appeal, through the Collector of the district, against such order to the Board of Revenue within sixty days from the date of the receipt of such order; and in such case the order shall remain in abeyance until such appeal shall have been decided by the Board of Revenue. Notice of every appeal under this section, together with a copy of the petition of appeal, shall be sent by the appellant to the Conservator of Rivers at the time the appeal is sent to the Collector. Whoever fails to comply with any order issued by the Conservator of Rivers under this section shall be liable, on conviction before alrrigation & CAD Dept.Magistrate, to a fine not exceeding rupees one		Fine- 1000,Imprisonment -upto 6 Months

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				thousand, or, in default of payment, to simple imprisonment for a period not exceeding six months for every such offence.		
3	Irrigation & CAD Dept.	Andhra Pradesh (Andhra Area) Rivers Conservancy Act, 1884	Section 19	Penalty for obstructing Conservators: Any person who obstructs the Conservator of Rivers in doing any act authorized by this Act shall be deemed to have committed the offence described in Section 186 of the Indian Penal Code.		
4	Irrigation & CAD Dept.	Andhra Pradesh (Andhra Area) Rivers Conservancy Act, 1884	Section 21	Power to Conservator to cause removal of obstruction, etc. in case of default Compensation for damage sustained by such acts: Whenever the Conservator of Rivers, in accordance with the provisions of the Act, requires the owner or occupier of any land to do any act or to remove any obstruction, and such owner or occupier fails to do what he is required to do within a reasonable specified time, such Conservator may cause such act to be done or obstruction to be removed and charge the expense of such act or removal to such owner or occupier. The expense so incurred by the Conservator of Rivers shall be certified by him to the Collector of the District, who shall recover the same from such owner or occupier in the manner provided by law for the recovery of arrears of land revenue.		
5	Irrigation & CAD Dept.	Andhra Pradesh (Andhra Area) Rivers Conservancy Act, 1884	Section 22	Power to make rules: The State Government may from time to time make, and when made, alter, add to and repeal, rules not inconsistent with this Act for the prevention, of any injury to works constructed upon all rivers or upon any river to which this Act may be applied, and for the prevention of acts or omissions likely to affect injuriously the conservancy of such rivers or river. Provided that no penalty for any one infringement of any such rules shall Irrigation & CAD Dept. exceed rupees fifty. All rules made under this section shall be published in three successive issues of the Official	Fine	Upto 50

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				Gazette and of the Gazettes of every district in the State in which any part of the river is situated to which such rules relate, and shall not come into operation until one month after such publication.		
6	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 34/ 2/i	Any Person who is convicted for the offences under sub section(1) shall i) For the first Offence	Fine	Upto 500
7	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 34/ 2/ii	Any Person who is convicted for the offences under sub section(1) shall ii)Second Offence or subsequent	Both	Fine 200 to 1000,Imprisonment -upto 3 Months or Both
8	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 34/ 3	Whoever contrivances any of the provisions of section 8 or section 9 or Section 10 shall be liable for conviction before a Magistrate and shall be punished with a fine	Fine	Upto 500
9	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 34/ 4	In case of continuing offence, a fine not exceeding fifty rupees per day shall be imposed during the period of continuance of the offence.	Fine	Upto 50/Per day
10	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development	Chapter Viii/Section 35	Abetment of Offences-Whoever abets any offence punishable byor under this Act or attempts to commit any such offence, shall be punished with the penalty provided by or under this Act for committing such offence.		

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		Act,1884				
11	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 37 /1	Summary disposal of cases,Central Act 2 of 1974 :- Notwithstanding anything in the Code of criminal Procedure, 1973, an offence punishable under this Act may also be tried summarily under the provisions of Chapter XXI of the said Code: Provided that no sentence of imprisonment for a term exceeding three months shall be passed in any such case tried summarily.	Imprisonment	Upto 3 Months
12	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 37 /2	Summary disposal of cases,Central Act 2 of 1974 :-All offences under this Act shall be cognizable but bailable in the manner provided by Code of Criminal Procedure, 1973.		cognizable but bailable
13	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 39 /1	Payment or Reward to informants:-Whenever any fine is imposed for an offence under this act, the court which imposes such fine or which confirms in appeal or revision a sentence of such fine, or a sentence of which such fine forms part, may direct that the whole or any part of such time may be paid by way of reward to any person who gave information leading to the detection of such offence or to the conviction of the offender.		
14	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 39 /2	Payment or Reward to informants:- If any such fine is ordered to be paid as reward by a court whose decision is subject to appeal the amount ordered to be so paid, shall not be paid until the period prescribed for presentation of the appeal has elapsed, or if an appeal is preferred, until after the disposal of the appeal.		

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15	Irrigation & CAD Dept.	The Andhra Pradesh Irrigation Utilisation and command area development Act,1884	Chapter Viii/Section 40 /2	Composition of offences :- On payment of such sum of money, the said person, if in custody, shall be discharged and no further proceedings shall be taken against him in regard to the offence, so compounded.		
16	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/48/1/	The following matters are prohibited within the boundaries of a water reservoir, tank, canal or channel except that they are performed by persons authorized:- (a) removal of any material relating to the irrigation work; (b) cultivation of any kind; (c) sowing or planting of trees; (d) tapping of Abkari trees situated on the land acquired; (e) establishment of any new place of worship; (f) grazing or tethering of any animal; (g) vehicular traffic on bunds or inspection pathways; (h) passage of animals on bunds or inspection pathways; (i) corruption of or fouling the water; (j) removal or cutting of or damaging trees in any way; (k) other prescribed matters.		
17	Irrigation &CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/49/1/h	Whoever contravenes any rule made under section 67 the breach whereof is declared punishable under this section ,shall on conviction before a collector	Fine	Upto 500
18	Irrigati	The Telangana	Part	For any contravention mentioned in clause (a),(d) or (e) of sub section	Imprisonment	Upto 3 Months

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	on & CAD Dept.	Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	VIII/49/2	(1) if the Collector is of the opinion that in the circumstances of these case it is proper to punish with imprisonment in lieu of fine he may commit the case to the special Magistrate appointed under section 55 or if no such special magistrate is appointed ,to the competent Magistrate concerned and on conviction before the special Magistrate or the Competent Magistrate,as the case may be shall be punished		
19	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/50/1	Endangering stability of any irrigation work-- without the Permission of the Competent Authority	Fine	Upto 1000
20	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/50/2	For any contravention mentioned in clause (a) or clause (c) of sub section (1) if the Collector is of the opinion that in the circumstances of the case it is proper to punish with imprisonment in lieu of fine he may commit the case to the special Magistrate appointed under section 55 or if no such special magistrate is appointed ,to the competent Magistrate concerned and on conviction before the special Magistrate or the Competent Magistrate,as the case may be shall be punished	Imprisonment	Upto 1 Year
21	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/51/	Whenever any person is convicted under section 49 or 50 the Collector or, the special Magistrate or the concerned competent Magistrate, as the case may be, may order that he shall remove the obstruction or compensate the loss on account of which he is punished, within a period to be fixed in the order. If such person refuses or neglects to obey the order within the fixed period, the Collector may authorise the Irrigation officer to remove such obstruction or compensate such loss and its cost shall be recoverable from such person as an arrear of land revenue	Imprisonment	Upto 1 Year

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22	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/52/	(1) Any person in charge of or employed on any irrigation work may remove from the lands or buildings belonging thereto, or may take into custody without a warrant, and take forthwith before a Collector or concerned Tahsildar, to be dealt with according to law, any person, who in his view: (a) wilfully damages, obstructs or fouls any irrigation work, or (b) without permission from the competent officer, interferes with the supply or flow of water, in or from any irrigation work so as to endanger, damage or reduce its utility. (2) when a person is arrested and produced before the Tahsildar under sub-section (1) the Tahsildar shall release such person binding him for appearance by taking security or bond and shall send the report to the Collector without delay.		
23	Irrigation & CAD Dept.	The Telangana Irrigation Act 1357 F(Act No. XXIV of 1357 F.)	Part VIII/53	Punishment or contravention of section 35--Any Person ,eho,being called upon to assist by his physical labour in the completion of any irrigation work under section 35 refuses or neglects to comply with such call without sufficient cause shall,on conviction before a Collector be punished with a fine	Fine	Upto 50 Rupees
24	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002(Act no. 10 of 2002)	Chapter 6/35/1	Whoever contravenes any of the provisions of this Act or obstructs any person in the discharge of his duties under this Act or contravenes any order or violates any rule made under this Act shall be punished with fine which shall not be less than one thousand rupees but which may extend to five thousand rupees: Provided that the person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.	Penalties	Penalties
25	Irrigation			Damages, Alters, Pollutes or obstructs any part of a Public Water	Both	Fine 2000 to

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	on & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/35/2	supply system or a water body, encroaches water bodies including tanks, Lakes, Ponds, Nalas (Water course or drainage course), Contaminates waste disposal or directly disposes waste water into the aquifers.		50000, Imprisonment- One to Six Months
26	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/37/	<p>(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Authority or the designated Officer or any officer authorized by the Government in this regard, as the case may be, may accept from any person who committed or who is reasonably suspected of having committed an offence punishable under this Act other than the offences punishable under sub-section (2) of section 35 of this Act,-</p> <p>(i) A sum of money as may be prescribed, by way of compounding of the offence;</p> <p>(ii) The Authority or designated officer or any other officer authorized by the Government in this regard, as the case may be, may reject to compound the offence for the reasons recorded in writing;</p> <p>(iii) The Authority or Designated Officer or any officer authorized by the Government in this regard, as the case may be, shall pass order to compound the offence or otherwise within a period as may be prescribed.</p> <p>(2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with the offence shall be set at liberty and no proceedings shall be instituted or continued against such person in any criminal court.</p> <p>(3) The acceptance of the sum of money for compounding an offence in accordance with sub-section (1) by the authority or the designated officer shall be deemed to amount to an acquittal within the meaning</p>		

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				of section 300 of the Code of Criminal Procedure, 1973		
27	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/1	<p>(1) Where there is reason to believe that an offence has been committed in contravention of the provisions of this Act, any instrument, machinery or any other device, vehicle or other conveyance or any other moveable property used or involved in committing any such offence may be seized by an officer as authorised by the Government in this behalf and without any unreasonable delay either produce the property seized before the designated officer or any other officer authorised by the Government in this behalf by notification (hereinafter referred to as the authorised officer) or make a report of such seizure and produce the seizure before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made except where the offender agrees in writing forthwith to get the offence compounded under section 37 of the Act. Where the property seized is such that it cannot be conveniently transported to the court or authorised officer as the case may be, give custody thereof to any person on his executing a bond undertaking to produce the property before the Court or authorised officer as and when required and to give effect to the further orders of the Court or authorised officer, as the case may be, as to the disposal of the same:</p> <p>Provided that where the property with respect to which such offence is believed to have been committed is the property of the Central or State Government or local bodies and the offender is not known, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to the designated officer or any other officer as notified by the Government.</p>		

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28	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/2	(2) Where an authorized officer seizes under subsection (1) any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property or where any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property is produced before him under subsection (1) and he is satisfied that an offence has been committed under this Act, in respect thereof, he may order confiscation of any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property so seized or produced.		
29	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/3 & 4	(3) No order of confiscating any property shall be made under subsection (2), unless the person from whom the property is seized is given:- (a) a notice in writing informing him of the grounds on which it is proposed to confiscate such property; (b) an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds for confiscation; and (c) a reasonable opportunity of being heard in the matter. (4) Without prejudice to the provisions of sub-section (3), no order of confiscation under sub-section (2) of any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property shall be made if the owner thereof proves to the satisfaction of the authorised officer that it was used without his knowledge or connivance or the knowledge or connivance of his		

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				agent, if any, or the person incharge of such instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property in committing the offence and that each of them had taken all reasonable and necessary precautions against such use.		
30	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/5	(5) Any person aggrieved by an order passed under sub-section (2) may within thirty days from the date of communication to him of such order, appeal to the District Court having jurisdiction over the area in which the property has been seized, and the District Court shall after giving an opportunity to the parties to be heard, pass such order as it may think fit and the order of the District Court so passed shall be final.		
31	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/6	(6) Where the offence is compounded under section 37, the property seized shall be released to the person entitled to the possession thereof.		
32	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/7	(7) Where the offender is convicted, the property seized shall be ordered to be confiscated except where the owner thereof proves to the satisfaction of the court that it was used without his knowledge or connivance or the knowledge or connivance of his Agent, if any, or the person in charge of the property in committing the offence and that each of them had taken all reasonable and necessary precautions against such use.		
33	Irrigation & CAD Dept.	The Telangana Water, Land and Trees Act 2002 (Act no. 10 of 2002)	Chapter 6/38/8	(8) Except in so far as expressly provided in this section, the provisions of the Code of Criminal Procedure, 1973 shall mutatis mutandis apply to the seizure and disposal of such property.		