

acting on behalf of the Governor of Karnataka (here in after called M.I. Division) of the one part and the Managing Director, Shri Hiranyakeshi Sahakari Sakkare Karkhane Niyamit, Sankeshwar (here in after called sugar factory) of the other part witnesses as follows. The drawl of water permitted from back water of weirs at Gotur and Kochari provided there is sufficient flow in the Hiranyakeshi River and the interest of the existing irrigation on both the banks of Hiranyakeshi River and requirement at Dhupadal are not prejudiced. In case there is acute scarcity of drinking water to the downstream village the M.I. Division is free to out off water supply to the sugar factory and no claim for compensation of damages will be admitted.

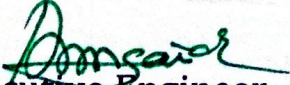
2. No assurance for the supply of water shall be given to the said sugar factory


3. The minor irrigation Division reserved the right for the total stoppage of water to the said sugar factory, due to valid reasons and in the event of such stoppages the sugar factory shall not entitle to get any compensation or rebate for contingencies that may arise due to such stoppages of water, the use of water by the said, factory shall be subject to the stoppage after one month notice of the public interests shall in the opinion of the M.I. Division necessitate such as stoppage.

4. Sugar factory shall not draw water exceeding 150 Mcft. Per year or any other lesser quantity that may be specified by M.I.Division from time to time.

5.(A) The factory shall install a standard meter or meters approved by M.I. Division, and the site is made accessible to the M.I. Division for checking. The meters shall be replaced for repairs if found defective by the office of M.I. Division during inspection within three months.

(B) The meters shall be sealed with two separate seals (one on behalf of the M.I. Division and the other on behalf of the sugar factory) and shall only be accessible to and open for the joint inspection and examination by the officers of the of M.I. Division and the sugar factory duly authorised in this behalf.


Executive Engineer
M.I. Divn., Belagaum
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Managing Director,
Shri Hiranyakeshi.S.S.K.Niyamit,
Sankeshwar.

The readings of the meters shall be taken on the first working day of every month and recorded in a register kept in the office of the Assistant Executive Engineer, and Sugar Factory duly signed by both the officers.

(C) The recording of the meters shall be prima facie evidence of the quantity of water drawn by the sugar factory.

(D) In the event of breakdown of measuring device, the quantity of water shall be assessed by the Minor Irrigation Division Belgaum, on the strength of energy consumption, capacity of pumping equipment etc. till such time the meters are rectified or replaced as per the instruction of M.I. Division. The decision of the Executive Engineer, M.I. Division, Belgaum, in this connection shall be final and is binding on the said factory.

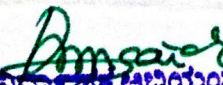
6. The sugar factory shall keep a record of all pumping hours and the water so pumped from the river and shall make those records available to the M.I. Division officers whenever required by the M.I. Division.

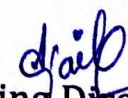
7. The pumping plant or any other works required for drawing the water by pumps from the river and shall be housed as not to interfere with the free flow in the river and shall be subject to the approval of the Executive Engineer, concerned.

8. The use of water shall be only for specific purpose i.e for use in the said factory for industrial purpose only, and not for any un-authorized use of water (except for irrigation and domestic purpose as approved by the Executive Engineer) the said factory is liable to pay additional water rates to be levied as penalty. The ceiling of penalty shall be 3 times of the normal water rate approved by the Government for the pried.

9. The sugar factory should make arrangements to see that the molasses or other water products left over after crushing shall not be allowed to be thrown back in to the river so as to pollute the river water.

10. The sugar factory shall install the required machinery to remove the pollution and industrial refuse to used water after treatment before allowing the waste water from the sugar factory back in to the river.


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Executive Engineer
ಸಣ್ಣ ನೀರಾವರಿ ಮತ್ತು ಕಾಲೇಜ್ ಅಭಿವೃದ್ಧಿ
M.I.Divn., Belgaum


Managing Director,
Shri Hiranayakeshi.S.S.K.Niyamit
Sankeshwar.

11. The water drawn by the factory shall be paid at the rate of Rs.3200/- per mcft as per or at the rates that may be received or enhanced subsequently by the Government.

12. The water rate shall be paid by half yearly payment (financial year) by the factory for each period ending with 30th September and 31st March to the Executive Engineer, M.I.Division, Belgaum, or to the such officer as the Government in writing specify within one month from the date of receipt by the factory of the bill in that behalf. The Bill shall be deemed to have been served on the factory if it is sent by registered post addressed to the Managing Director Incharge of said sugar factory or by delivering the same at the office of the sugar factory.

13. In case of arrears of water rates, the M.I.Division, reserves the right to recover the same as arrears of land revenue.

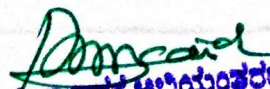
14. The Department also reserves the right of termination of the agreement on breach of any terms therefore by the Factory.


15. Further that the factory is willing to pay the stamp duty charges if it is more than that now prescribed.

16. This agreement shall be in force 01-04-2019 to 31-03-2024 at the end of which the Government reserves the right to renew or revoke the agreement.

17. The Executive Engineer, M.I. Division., Belgaum reserves the right to revoke or cancel the permission subjected to the detriment of availability of water to the irrigators coming under the command area of Gotur weir and also due to the drinking water problems.

18. The Executive Engineer, M.I. Divn., Belgaum reserves the right to cancel the permission on the ground of directions from the higher authorities or the Government.


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M.I.Divn., Belgaum


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