M.R.O. 1—10,006—28-2-50.

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(3) Initials of the Referencer_____

MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No. 2554 Press
~~B.P. No.~~ ~~Mis.~~

Dated 9-9-1874 ~~195~~

Not to be folded or roughly handled

No. 175. Read the following endorsement of the Chief Engineer for Irrigation, dated Ootacamund, 10th August 1874, No. 25 :—

From J. H. LATHAM, Esq., Chief Engineer and Manager, Madras Irrigation and Canal Company, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Kurnool, 13th July 1874, No. 85.

"Interposition" in receiving applications for canal water for irrigation.

In reference to paragraph 3 of G. O., No. 830, of 3rd instant, I have the honor to say that while I regret the legal difficulty which the Madras Government detect in the course of their favorable consideration of the rules proposed at Cuddapah, and generally approved by the Board of Revenue, I fully acquiesce in the importance of maintaining the principle that the Company sell water for cultivation to the Madras Government *only* (within the Presidency), and of avoiding the slightest legal surrender of that principle, a principle which, in framing and approving the rules proposed at Cuddapah, I, and I believe all others concerned, supposed to have been maintained in the proposed rules, conspicuously and legally.

2. In order not to fall into error inadvertently a second time, I have the honor to inform you that I am laying down the following as the "special" cases in which an Overseer may still receive and transmit an application of a ryot to a Curnum :—

1.—When the Curnum is absent from his village.

2.—When the Curnum is incapacitated from recording applications, owing to sickness or other cause beyond his own control.

3.—When the Collector authorizes the receipt of applications.

3. When the Canal Overseer receives and transmits an application, the following will be the conditions connected with it :— viz., identically the same as those which applied during the successful working of the practice last season.

The Overseer accepts the application, subject to revision by the Revenue Officers, especially as regard boundaries, acre holdings, and connection with old sources of irrigation. There were dozens of such revisions last season, which were accepted *as a matter of course* by the ryots, without, so far as I know, the slightest surprise or complaint.

The Overseer will give the ryot a "ticket," being a receipt for the application. The color of the ticket will show whether the application referred to 1st class or serial crops, 2nd class crops, 3rd class crops, or to monthly irrigation (four kinds). Qualifying circumstances, such as those given in the "notes" of the Rule VI., will be stated in a remark column of the receipt or "ticket," on which is also entered the details of area or fields applied for.

The "ticket" simply shows that the ryot has given to the Overseer an "application" for the Curnum, and for what the application was; *so as to render the Overseer responsible for accounting for the application given into his charge.*

4. I hope that the above interpretation and practice will be legally safe, and will have the Governmental approval.

5. I much regret this difficulty, the consequence of which is so serious. The Curnums are left without sufficient inducement to take applications free, for the Government are too sanguine in hoping that a perquisite of $\frac{1}{12}$ of the canal revenue will induce Curnums to encounter cheerfully work for which it is not high pay, under rules which put it in their power to demand of the ryot their old fees as well as this per-centage. The ryot, too, seems to me to be left without any security from loss or alteration of his application, or detention from unavoidable causes, before the duplicates are delivered to the Canal Overseer and Tahsildar. Whether these difficulties be inseparable from the legal condition of water-supply deserves grave consideration. Of course the Canal Company has never had any objection to the Curnums receiving directly all the applications ryots choose to bring them, and it may now be considered as definitely settled by Government that, whatever changes be hereafter made, the responsibility of Curnums to receive applications made directly to them must be maintained.

6. It may be thought that ample agreement between the accounts of the canal and the Curnums might be obtained if the Sub-Overseers of the canal bring the ryots to the Curnums' cutcherry to make application, or sit in the Curnums' office periodically as they make their rounds, so that applicants can come and apply for water before them both: in other words, introduce amalgamation between these officers instead of healthy competition. The Government would certainly thus get agreement, but they would pay dearly for it. When the subordinate Canal Officers are found familiarly fraternizing with the Curnums, doing their work for them, and settling the difficulties of measurement and intricacies of applications and concealments, *before* recording them, and so forth, it will not be a healthy state of affairs, nor a good time for the ryots nor for the canal. I see *no security* for ryots unless ryots be allowed to make, or lodge, their application to the Curnum for water, with the help and in the hands of *any* intelligent man, not the worse if he be a Canal Overseer: and I am therefore still in hopes that a method for making this allowable may be devised.

7. Meantime I await a notice from the Collectors, before prohibiting the Canal Officers from giving the customary assistance to ryots applying. So soon as I receive that notice that they are ready, I will give instructions accordingly. To save time I have written to the Collectors to this effect.

SUBMITTED for the consideration of Government with reference to G. O., 4th August 1874, No. 34.

(Signed) JOHN MULLINS, Lieut.-Colonel, R.E.,
Chief Engineer for Irrigation.

No. 176. ORDER THEREON, 9th September 1874, No. 2,554.

IRRIGATION, No. 24.

THE Government approve, with reference to the latter part of paragraph 3 of G. O., Revenue Department, No. 830, dated 3rd July 1874, of the acceptance, by the Canal Officers, of applications for water for transmission to the Curnums in the special cases detailed

Proceedings of the Madras Government, Public Works Department,
9th September 1874.

in paragraph 2 of the letter from the Chief Engineer and Manager, Madras Irrigation and Canal Company, above recorded.

(True Extract.)

Lieut.-Colonel, R.E.,
Joint Secretary to Government.

To the Chief Engineer for Irrigation.
" Chief Engineer and Manager, Madras Irrigation and Canal Company.
" Revenue Department.

Erd. S. T. Austin.

Spare Copies

Fº 85

Madras Irr: & C. Co.
Chief Eng: & Manager's Office
Kurnool 13th July 1874.

From
The Chief Engineer
and Manager
Kurnool

To
The Chief Engineer
for Irrigation
Fort St. George.

Sir

"Interposition" in receiving applications for Canal water for Irrigation.

1.— In reference to para 3 of G. O. Nº 830 of 3rd instant I have the honour to say that while I regret the legal difficulty which the Madras Government detect in the course of their favourable consideration of the Rules proposed at Cuddapah, and generally approved by the Board of Revenue, I fully acquiesce in the importance of maintaining the principle that the Company sell water for Cultivation to the Madras Government only

only (within the presidency), and of avoiding the slightest legal surrender of that principle:— a principle which in framing and approving the rules proposed at Cuddapah I, and I believe all others concerned, supposed to have been maintained in the proposed rules, conspicuously and legally.

2.— In order not to fall into error inadvertently a second time, I have the honour to inform you that I am laying down the following as the "special" cases in which an Overseer may still receive and transmit an application of a ryot to a Curnum:—

1. When the Curnum is absent from his village.
2. When the Curnum is incapacitated from recording applications, owing to sickness or other cause beyond his own control.
3. When the Collector authorizes the receipt of applications.

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3.— When the Canal Overseer receives and transmits an applica=tion, the following will be the conditions connected with it— viz, identically the same as those which applied during the successful work=ing of the practice last season:—

The Overseer accepts the applica=tion, subject to revision by the Revenue Officers— especially as regard boundaries, acre holdings, & connection with old sources of irrigation. There were dozens of such revisions last season, which were accepted <u>as a matter of course</u> by the ryots, without, so far as I know, the slightest sur=prise or complaint.

The Overseer will give the ryot a "ticket" being a receipt for the appli=cation. The colour of the ticket will shew whether the application referred to 1st Class or serial Crops, 2nd Class Crops, 3rd Class Crops, or to monthly irrigation (4 kinds). Qualify=ing circumstances, such as those given in the "Notes" of the rule VII.

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so as to render the Overseer responsi=
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safe, and will leave the Government
at liberty
approval

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the consequence of which is so serious.
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free: for the Government are too sanguine
in hoping that a perquisite of $\frac{1}{32}$ of
the Canal revenue will induce
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for which it is not high pay, under
Rules

rules which put it in their power to demand of the ryot their old fees as well as the percentage. The ryot, too, seems to me to be left without any security from loss or attention of his applications, or detention from unavoidable causes, before the duplicates are delivered to the Canal Overseer and Talsildar. Whether these difficulties be inseparable from the legal conditions of water-supply deserves grave consideration. Of course the Canal Co. has never had any objection to the Curnums receiving directly all the applications ryots choose to bring them: and it may now be considered as definitely settled by Government that, whatever changes be hereafter made, the responsibility of Curnums to receive applications made directly to them must be maintained..

6.— It may be thought that ample agreement between the accounts of the Canal and the Curnums might be

Obtained

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intelligent man — not the worse if he be a Canal Overseer: and I am therefore still in hopes that a method for making this allowable may be devised.

7. Meantime I await a notice from the Collectors, before prohibiting the Canal Officers from giving the Customary assistance to pilots applying. So soon as I receive that notice, that they are ready, I will give instructions accordingly. To save time, I have written to the Collectors to this effect.

I have the honour to be
Sir
your most obed.t Serv.t
John H Latham
Chief Eng.r & Manager.

Public Works Depart.

Proceedings of the Madras Govt.

Read 10th January

2354

The Chief Engr.

dated

1875

Nº 235

Submitted for the consi-

deration of Government

yr 1/24

Nº 2354 dated 10th Sept. 1874

Requesting reference

Nº 1144 dated 13th July 1874

Columbia Stokes

Requesting reference

to Superintending Engineer for Irrigation

Chief Engineer's report of 1874

dated 1830, dated

Secretary to Govt. Nº 1144

the receipt

Executive Officer

for instruction

Nº 1144.

from

Revd

The Chief Engineer

& Surveyor

Nº 2466

Nº 85.

Rd 7 Sept. 74

In 13 Nº 195

Dated 13th July 74

Recd 17th " "

Regarding Interfering

with pre-emptive applic-

-ations for Canal

water for irrigation.

Nº 5519/74

P.W. 1874 Deptt.
Proceedings No: 5519

From

The Chief Engr.
for Irrigation

Dated 10 Augt. } 1874
Read 2nd Sept. }

E. 1 No 20

Submitting a letter regarding interposition for receiving applications for water from the Irrigation Company's Canal—

Ex. Rs: 25-54. 5-9-74.

Ch. to 175—

Public Works Deptt.

Proceedings of the Madras Govt

Read the following

From

The Chief Engr
& Manager
Madras Irrn &
Canal Co— (H. Cs. No 85 dated
13th Augt 1874)

Chief Engr for Irrign (" dd 10th Augt 1874

23-5-4

The Government approve, with reference to the latter part of para 3 of G.O. R.D. No 830, dated 3rd July 1874, of the acceptance, by the Canal Officer, of applications for water for transmission to the Commune in the special cases detailed in para 2 of the letter from the Chief Engineer

Rs 1/8
1 Bl
2 Cl

Engineer and Manager
Madras Irrigation and
Canal Company above
recorded.

W. 27/8/74

GWW.

-9-

175-176.

Cir 25/8/74 Rd 30/8/74

To The Chief Engr & for Irrn & C Co
" " " Mendon Irrn & C Co
" Capies despd 24/9/74.
Revenue Dept
Capies despd 18/9/74.

Public Works Dept

Proceedings of the Madras Govt
Read the following

From The Chief Engineer
Madras Irrn
and Cl Co (H Cl No 85 dated 13th July 1874)

Do Chief Engineer Irrn (H Cl No dated 10th August 1874)

I shd be disposed to instruct the Dept. to hold and cause the approval of the Govt. solicited in para 4 of the C. E.'s letter, as regards his list of "Special

Govt
18/9

cases". He does not distinctly suggest that we should alter our Order, but it seems to me safe

The Government having, in para 3 of G.O. Revenue Dept. No 830 of the 3rd July 1874, given the officers of the Madras Irrigation Canal Company discretionary power to receive applications for transmission to the Government, consider that no further orders are required in connection with the arrangements under which ryots desiring to obtain water

for

for irrigation are
to make their appli-
cations.

Lm 12/9/24

Gmm

5-57

To The Chief Engr Mississ
R & H.L.
-- Chief Engr for Dist
-- River Dept

5519

Govt: of Madras.

PUBLIC WORKS.

To

The Chief Engr
for Irrigation

Dated

Recd. Encl. 1

G. O. Dept. 1874, No. 2554

Nos. 175-196.

Madras Irrigation and Canal Company's Canal—

The acceptance by the Canal Officers of applications for water for transmission to the Cumcums in certain special cases detailed by the Chief Engr & Manager of the Co., approved ——

21
12
18
51

Cir 1878/14