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# MADRAS RECORD OFFICE.

Government of Madras.

*Public Works* DEPARTMENT.

|               |     |               |
|---------------|-----|---------------|
| G.O. No. 1134 | (2) | Press<br>Mis. |
| Dated 4-4-    |     | 1877.         |

**Not to be folded or roughly handled**

*Proceedings of the Madras Government, Public Works Department,  
4th April 1877. No. 1,134.*

No. 71. Read the following Proceedings of the Madras Government in the Revenue Department, dated 23rd February 1877, No. 790 :—

ABSTRACT.—*Canal Rules.*—Deferring consideration of the modifications in — proposed by Chief Engineer and Manager of Madras Irrigation and Canal Company until Secretary of State has been asked as to the position of the Company, and transferring these papers to Public Works Department.

No. 72. ORDER THEREON, 4th April 1877, No. 1,134.

IRRIGATION, No. 5.

ORDERED accordingly that the Secretary of State be addressed in connection with the foregoing order in the Revenue Department.

(True Extract.)

Lieut.-Col., R.E.,  
Secretary to Government, P.W.D.

To the Chief Engineer for Irrigation.

„ Chief Engineer and Manager, Madras Irrigation  
and Canal Company.

„ Examiner of Railway Accounts.

Exd. E. C. Shunker.  
Spare Copies

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*Proceedings of the Madras Government, Revenue Department,  
23rd February 1877.*

Read the following papers:—

No. 719. Proceedings of the Board of Revenue, dated 30th August 1876,  
No. 2,226.

Read the following letters:—

From J. D. B. GRIBBLE, Esq., Acting Collector of Cuddapah, to C. A. GALTON, Esq., Acting  
Secretary to the Board of Revenue, dated 7th July 1876, No. 169.

THE Government, in their Order, dated 25th May 1875, No. 1,430, directed that modifications of the Canal Rules, as by experience may be considered desirable, should be introduced once a year, and in conformity with these instructions certain alterations were proposed by the Chief Engineer and Manager of the Madras Irrigation and Canal Company and sent to me, in March last, for my remarks and opinion.

2. I accordingly gave the subject my full consideration, and duly conveyed my views to him after communication with the Acting Deputy Collector, who is in immediate charge of the canal work in this district.

3. My remarks on a draft of rules were then returned by the Chief Engineer, who agreed with me in some points and dissented in others. As I proposed to meet the Canal Officers at the settlement, I reserved my further discussion for that time, when the rules were talked over by Mr. Latham, Mr. Dumphy, and myself. It appears, however, that the draft of rules proposed had already been submitted by Mr. Latham to Government, although I did not receive a copy until three weeks ago. The points to which I now beg to refer are not mentioned in the rules; but, as at our discussion I was led to understand that the Chief Engineer would agree to the alterations I propose, I beg that, before finally sanctioning the new rules, my remarks may be taken into consideration.

4. The chief alterations as now submitted to Government, which seem to have been approved of by the local Revenue Officers of this and Kurnool Districts, are briefly as follow:—

(1.) *Rules I, II, III, and IV.*—In modification of the rule requiring the submission of written applications to the Canal Officers, the registration of verbal applications made by the ryots to the Village Curnams is recognized.

(2.) Authorizing the Village Curnams to sub-divide family and joint holdings.

(3.) Calculations of fine on full acre for surreptitious irrigation used to the fractional part of an acre, and inspection of fields by Canal Officers.

(4.) *Rules V and VI.*—Disallowing remission for monthly rate charge.

(5.) Classification and clear definitions of crop, excluding indigo, from double-crop charge.

(6.) Classification and clear definitions of crops liable for progressive rates of charge.

(7.) Clear definition of levelling and bunding of the fields.

(8.) Clear definition of leakage.

(9.) Exemption of charge for surplus water passed into any natural water-course.

5. I shall now enumerate the other important amendments discussed with difference of opinion, and which were omitted in the rules sent by Mr. Latham.

(1.) Rule II authorizes the Curnam of a village to sub-divide and demarcate family holdings and joint puttas, and requires him to report the formation of such sub-divisions to the Tahsildar. I would require the Curnam to report the fact of the sub-division being made on the same day on which it was carried out, or, at all events, within a certain fixed time, to prevent any malpractice, and to afford means of proper check for the Taluq authorities. The Chief Engineer and Manager considers that mere registration of the sub-division by the Curnam would be sufficient, in which I certainly do not concur.

(2.) Rule V is an important one, and deals with the supply of water in the hot season. The Board will observe that the rule stipulates that the Company, except in certain cases under their tanks, cannot guarantee supply of water after 31st December, but, if water is available, it will be supplied at the rate of 1 Rupee per acre a month, or fraction of a month, without

remission. This system of charging an equal amount, whether for one flooding or a month's continual supply, is most unpopular among the ryots. In many cases it will act unfairly, because a ryot whose lands are favorably situated will get a constant supply for a month, whereas another whose lands are not so favorably placed will, when water runs low, receive only a limited supply, but both will be charged the same. I would suggest that the charge be 4 Annas per week, so that, if water is taken for less than a quarter of a month, the full charge for the quarter is to be paid, the other fractions of a month being calculated in the same way. It is true, that under the old rules the cost of a single flooding was 1 Rupee, but this charge was, I think, excessive. Ryots have as true an appreciation of justice and consistency as other persons, and I do not think that a new rule under which two men, one of whom may receive thirty and the other only one flooding, but both of whom have to pay the same charge, is likely to commend itself to them. I feel confident that a little liberality in this matter will render the canal far more popular than it now is, and, though the Canal authorities are inclined to despise the revenue derived from irrigation supplied for broken periods as troublesome, it is, I think, capable of great development, and of being made remunerative. As pointed out in paragraph 4 of the Deputy Collector's letter, No. 42, dated 8th October 1875, embodied in Board's Proceedings, dated 14th January 1876, No. 94, some provision requires to be made as to the certainty of supply of water subsequent to 31st December. In the absence of any such rule, the ryots will be discouraged from making any attempt to raise wet crops for fear of losing it from want of water just when it is required at the last stage of maturity, which is subsequent to 31st December. The Canal authorities wish to induce the ryots to commence their cultivation earlier, but it will, I think, take years before they can do this, if, indeed, they ever succeed. The canal must suit itself to the custom of the country, for these customs are not likely to alter themselves in order to suit the convenience of the canal. It is well known that the Hindu commences his cultivation only after certain religious feasts, and each step of his cultivation is dependent, not so much on the presence of water as upon the arrival of some feast day. The first crop may have been sown and reaped, but he will not plant the second, however plentiful the water, until the festival has passed, previous to which none of his ancestors have ever planted a second crop. I am strongly of opinion that, unless the guarantee of water can be extended to at least the 15th February, which, I believe, can be done, a great deal of revenue will be lost.

(3.) A note is added to Clause 1 of Rule VI, which prescribes that for crops classed as double the rate will be charged on the area of such crop irrigated independent of the area of the field. I propose to add the words "whether with or without permission" after the words "crops irrigated" so as to include surreptitious irrigation of double crops also, otherwise the charge under new Rule II by full acre will bear very heavily on the ryots in certain cases. The Company's Engineer and Manager agreed to the addition proposed by me being made when we had a discussion. In this rule irrigation by leakage water is also dealt with. The policy of charging the full rates, even when the water flows of itself without the interference of the owner of the field, is clearly contemplated by the rule; thus, a ryot who has a well land at the brink of a distribution channel cannot escape the charge if water flows into his field under circumstances over which he will often have no control. Having had full discussion as to the propriety of making such charge with the Company's Engineer and Manager, I made an additional provision in the rule to the effect that "lands which have an independent means of irrigation, and which have been irrigated previous to the canal, water which may flow thereon without any act or omission of the ryot" should not be charged for.

(4.) At present a great difficulty is experienced in charging the water-rate in disputed cases of surreptitious irrigation. During the settlement of demand this often gives rise to considerable controversy between the settling officers, as the direct statements of the Company's Amins are frequently met by the flat contradictions of the ryots. I beg, therefore, to suggest that a proviso may be added requiring the Company's subordinates to give immediate information to the heads of villages, or to any respectable neighbouring ryots, so that they may witness, on the spot, any surreptitious taking of water which may have been detected.

(5.) Lastly, I have to observe that the payment of remuneration only to the Village Curnams has given rise to a great discontent among Village Reddies, who stand responsible for the punctual collection of revenue, and, with a view to give encouragement to this class of servants, I think one-third of the remuneration now paid to the Curnams may be allowed to be shared by the Reddies. At present there is often a large amount of arrears outstanding, and this is, I think, in many cases due to this feeling of jealousy on the part of the Reddies. Reddies and Curnams are only too apt to fight without reason, and it would, I think, in this case be advisable to do away with any cause for quarrelling. We should also be able to ensure collections being promptly made by stopping the remuneration of those Reddies who show neglect. At present the Reddies are excluded from a share of the profits, and it therefore frequently occurs that they show no interest in, and even obstruct the increase of, irrigation. We should try and make all the village officials feel a direct interest in the canal. As far as the other rules are concerned I agree to the alterations. Further alterations may perhaps be found necessary next year, but for the present I have nothing further to suggest except that I think an annual meeting of the Collectors of Kurnool and Cuddapah with the Canal Officers, at some convenient time and place to be fixed, would be productive of good, at all events for the next few years.

\* Both are to be returned.

6. The new draft of rules\* and the Chief Engineer's explanatory note\* are enclosed.

ENCLOSURE No. 1.—Canal Rates.

ENCLOSURE No. 2.—Explanatory Notes.

From W. S. FOSTER, Esq., Acting Collector of Kurnool, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 20th June 1876, No. 269.

I HAVE the honor to forward, herewith, the papers noted in the margin in regard to the alterations proposed by Mr. Latham in the Canal Letter No. 29, dated 8th May 1876, and its enclosures. Rules sanctioned in G.O., No. 830, of the 3rd July 1874, communicated with the Board's Proceedings, No. 1,957, dated the 24th idem, and to state my views on the alterations.

2. Mr. Latham proposed to omit Rule I of the existing rules as obsolete, and I objected to the omission. I still adhere to my opinion that the omission of the rule is inadvisable, as it is highly important that the Revenue authorities should be kept informed of the numbers or portions thereof in each village which can be irrigated from the canal. The rule has not been attended to properly, and therefore it is difficult for the Revenue authorities to say whether any particular number or portion thereof is irrigable from the canal, and the consequence is that a ryot makes a durkhast for a piece of land with the belief that he could obtain canal water for that land, and it will be only, when too late, that he can find out he cannot get water, and yet he will possibly have to pay for the land. The difficulty of making a list of field numbers irrigable should not be made a pretext to omit to prepare and furnish such a list.

3. I proposed in addition to Rule II to the effect that no water shall be taken for a second crop without due application. This addition is not to be found in the rule. I still hold that the proposed addition is necessary, because I think that a ryot should be duly and clearly impressed with his duty in regard to applications for water. If, otherwise, he takes water for a second crop without application, under the impression that such was not necessary, and makes himself liable to a penalty in addition to the regular charge for water.

4. The modifications, omissions, and additions in Rules III to VI have been agreed to by me. The insertions proposed in Rule XII have had my approval.

*Chief Eng. J. Latham*

5. I proposed the addition of a rule to the effect that waste lands would be allowed water to prepare them for cultivation at the rate of 1 Rupee an acre, but that this favorable rate would not be allowed if any crop is raised on the land. But I have no wish to press this addition: I think it would be a good thing for the Company, for it might induce people to cultivate with water when the heavy charge they have to pay for simply preparing the land for cultivation is reduced.

ENCLOSURE No. 1.

From J. H. LATHAM, Esq., Chief Engineer and Manager of the Madras Irrigation and Canal Company, to W. S. FOSTER, Esq., Acting Collector of Kurnool, dated Ootacamund, 8th May 1876, No. 29.

I HAVE the honor to enclose copy of my letter, No. 37, of 4th May 1876, to the Chief Engineer for Irrigation regarding proposed alterations of rules for your consideration in case the Revenue Board refer to you about them.

2. In Rule III the old rule seems to be that if water be taken without application the ryot will be charged on the recorded extent of his field. This, on transcribing it, I took for a mistake, and have inserted the words "if less than an acre." There are several fields of 100 acres and more in extent in villages with which I am acquainted, and I am aware that the rule has not been practised as written in those and other cases. It seems to me that the surreptitious irrigator should (besides the fine) pay water-rate on the whole field if less than an acre and on not less than an acre if it be larger: and it should be understood that, if he be found letting the canal water into a portion of a field, then the whole irrigated portion of that field shall be considered to come under Rule III even though alleged to be irrigated from rain, springs, or wells. The Revenue Officers will best judge how to make a rule likely to effectively stop theft of water without oppressively punishing stupidity. Native Revenue Officers are perhaps too anxious that rules should admit of lax action in emergencies; but, where the risk of emergency is voluntarily incurred by a ryot who takes the risks of weather and sickness of cattle rather than apply for canal water in time, I do not see any hardship in rigidly enforcing the processes required by the rules (which are as simple as possible) or leaving the ryot to the penalties of Rule III if he take water with them. Ryots understand how to make emergencies, if emergencies be to their profit or excuse their indolence.

ENCLOSURE No. 2.—Copy of letter to Chief Engineer, dated 4th May 1876, No. 37.

ENCLOSURE No. 3.

To accompany my letter, No. 37, of 4th May 1876, to the Chief Engineer for Irrigation, and letter, No. 29, of 8th May 1876, to the Acting Collector of Kurnool.

CANAL RULES—IRRIGATION.

*Rules for the distribution of Water from the Canal of the Madras Irrigation and Canal Company.*

**Rule I.**—No canal water shall be used for irrigation purposes, unless an application made verbally by the ryot be previously registered by the Village Curnam, or else the ryot must first make written application through the Canal Officers to the Village Curnam. The Canal Officers will be at liberty to supply water immediately on the receipt of applications; and these, on transmission to the Curnams, will be completed, as regards revenue details, by them and transmitted to the Tahsildars.

**Rule II.**—Applications will be registered for whole revenue fields, or recorded sub-numbers of survey fields, however small they may be, except for crops classed as double, water will not be supplied for areas of less than one acre in fields of larger extent. The Curnam is authorized to sub-divide and demarcate family holdings, or joint holdings of putta, amongst the individual owners for the purposes of irrigation, provided none of the family or putta-holders make objection thereto, and will duly report such sub-divisions to the Tahsildars.

**Rule III.**—If water is taken without application or registration, the cultivator will not be entitled to remission, and he will be charged on the recorded extent of the field, if less than an acre, and will be required to pay a fine of 8 Annas an acre or fraction of an acre for the first offence, 1 Rupee an acre or fraction of an acre for the second offence, and thereafter such an addition not exceeding double the rate as may be considered requisite by the settling officers.

The Canal Officers are entitled to inspect fields, without damaging the crop; and the holders are bound to permit the inspection and measurement of Canal Officers equally as of Revenue Officers.

**Rule IV.**—A ryot may apply for water under Rule V or any clause of Rule VI, provided it suit his case: and, if he be found irrigating without application or registration, he must be rated by the rule in his favor, provided it suit his case.

**Rule V.**—The Company do not, except in certain cases under their tanks, guarantee a supply of water after the 31st December; but, so far as water may be available in the Toombudra or other streams feeding the canal, it will be supplied to all except first-class single crops, so long as the supply lasts until the annual closing of the canal, at the rate of 1 Rupee per acre a month or fraction of a month, without remission.

**Rule VI.**—The full rate per acre charged for water on application shall be as follows:—

**Section 1.**—First-class crops requiring continuous supply —

|            | RS. |
|------------|-----|
| First crop | 6   |
| Second do. | 6   |

These crops include rice, and the following double crops, viz., sugar-cane, betel leaves, cocoanuts, plantains, saffron, fruit trees (various).

**Note.**—The rate for crops classed as double will be on the area of such crop irrigated independent of the area of the field.

**Section 2.**—In future years the rate for first-class single crops, when raised on fields so levelled and bunded that quiet water will stand at a depth of a finger to a hand breadth over a whole bed, will be for the first year of cultivation 3 Rupees, for the second year 4 Rupees, for the third year 5 Rupees an acre, single rate. After the third year full rate will be charged for crop irrigated on the same fields.

**Section 3.**—Second-class crops requiring frequent floodings, Rupees 4.

These crops include garden raggy, onions, chillies, sweet potatoes, tobacco, maize, garden korra, indigo, brinjals, java (wheat), cummin, bariga, montilu.

**Section 4.**—Third-class crops requiring occasional floodings, Rupees 2.

These crops include cholam, field raggy, field korra, field tobacco, field chillies, cotton, gram (various), oil-seeds (various), areca.

**Section 5.**—A "crop" includes one, two, or more crops sown together in intermediate rows at the same time. Double crops, or those requiring irrigation for more than six months, except indigo, pay double the rate specified for their class, unless supplied after the 31st December at the monthly rate.

**Sections 6 to 8.**—The same as before.

**Section 9.**—As before, except for "1,000" read "1,440."

**Section 10.**—As before.

**Section 11.**—Land irrigated by canal water springing up in a field and not conveyed over the surface will not be charged. Irrigation by canal leakage water conveyed to lands for purposes of irrigation within the limits of the Company's distribution channels, or flowing through cuts or holes in a bund, will be charged the same rates as are laid down for similar cultivation supplied directly from the canal channels.

**Section 12.**—No charge will be made for water passed as surplus into any water-course or natural channel from which, before the construction of the canal, a first or second-class crop had in time past by any means been irrigated. The possession and extent of lands so irrigated, and

the numbers of crops thereon irrigated, shall be ascertained and recorded; and areas and crops in excess of this shall be liable to the canal water-rate if regularly and intentionally supplied by the Company.

*Rule VII to XI—Section 13.—Unaltered.*

*Rule XII.*—All applications, whether made by the ryots verbally or through the Canal Officers, shall be recorded by the Curnam, if possible, on the same day they are received in a register (Form B); but applications to cultivate less than the minimum allowed by the rules must be refused. Cultivation where applications have been refused, or not made, will be separately registered by the Curnams.

*Rule XIII.*—As before.

*Rule XXI.*—No agreement seems likely as to this.

*Rule XXI.*—As before.

(Signed) JOHN H. LATHAM,  
Chief Engineer and Manager.

(True Copy)  
(Signed) C. RAGAVA MOODELLIAR,  
Clerk.

ENCLOSURE No. 4.

*Explanatory Notes upon the Alterations proposed in the Canal Rules.*

*Rule I* I omit as obsolete. Mr. Foster says: "I should have no objections to the omission of this rule if I had any means of knowing what lands in each village can be irrigated from the canal and what cannot; but, as this rule has never been attended to properly, it is difficult for me to say whether any particular piece can be irrigated; and the consequence may be that a ryot may make a durkhast for a piece of land under the impression that he will be able to get water for it, and it will only be when it is too late that he can find out he cannot get water and yet will possibly have to pay for the land. The case of the Nandial Tank shows that there are certain lands fit for wet cultivation to which the canal cannot bring water without causing great hardship to other ryots. I would therefore propose that you should give me a list of such lands in each village, and then the annual preparation of the list contemplated by Rule I would be useless."

It was originally proposed at Cuddapah to make a list of "field numbers" "irrigable;" but the rule was altered so as to admit of a general description such as "in Pagalial all the land below the canal," in Rudraveram all "the land between the canal and the Gowanassay River," and so forth. My view is that villagers now know the condition of every locality yearly as regards its being irrigable as well as such descriptions could give it them. The difficulty of going into details regarding every field is shown by the example quoted by Mr. Foster. Billapuram is a village under one of the higher sluices of the Nandial Government tank, which tank can be filled from the canal. Every field in Billapuram would be returned by me as "irrigable" from the canal. But when the water in the tank fell below Billapuram Sluice cill at the end of last year, the ryots of Nandial still had a supply; and the Revenue Officers declined to have the tank filled up. I see no necessary hardship which would have been caused to any ryots by filling up the tank. It would, of course, have swelled the account of the revenue payable by Government to the Company for water supplied.

Probably it will be sufficient to leave the Canal Officers to inform the Revenue Officers, from time to time, of any extensions of the system of distribution without inserting any rule.

*Rule II.*—The alterations include those sanctioned in G.O., No. 1,327, of 8th May 1875. In addition it is arranged that any ryot who does not care to get a ticket can get his field registered by the Curnams by verbal application. This I think necessary, for without the rule such verbal applications must be made and accepted in pressing times. Even in ordinary times it will be well for a ryot whose crop is failing, or (if he be irrigating from his well) whose cattle

fall sick, to have a means of getting water at once. A Canal Amin when once engaged on a large village may be detained there a week or fortnight by the multiplicity and complication of the applications therein, and so his periodical visits to his circuit of villages must be at uncertain intervals.

The Collector of Cuddapah objected to the trouble and time which direct applications would demand from the Curnam, if he were obliged, as before proposed, to fill up and give tickets. The present proposal gives him no extra trouble.

*Rule III.*—The addition sub-division of family holdings by the Curnam is proposed by the Deputy Collector of Kurnool. Circumstances may suddenly put a ryot in possession of small areas of several adjacent fields, which there is frequently no time for sub-dividing in the regular way, before the crop must be sown. The Curnam's sub-division will, of course, be liable to correction by his superiors. The Collector of Kurnool proposes the extension to joint holders.

The proposed *scholia* by the Board of Revenue (G.O., No. 1,360, of 23rd October 1874) will be found added to *Rule XII* as modified to meet a suggestion of the Collectors.

*Rule IV.*—The alteration is in conformity with general practice, and is required because the obscurity of the present rule has led to occasional diversity of practice.

The addition to the rule is with a view to quietly preventing opposition by ryots to the measurement of their fields when they have taken water without application.

The new Rule IV restores the original number of the rules. It is in conformity with general practice.

The Collector of Cuddapah asks would it do to make the rate in Rule V 4 Annas per acre a quarter month or fraction of a quarter month. If this be thought well, I think 1 Rupee should be fixed as the minimum rate per acre. The case is different from that of Government tanks and channels. It would frequently not pay to make channels at less than 1 Rupee an acre, and a single flooding under the old rules was considered worth a Rupee, and largely taken at that price.

*Rule VI.*—The alterations proposed in the first two clauses bring them into conformity with G.O., No. 1,360, of 23rd October 1874, with the addition of yava, cummin, bariga, and mentilu to second-class crop and of areca to third-class crop.

The "Note" will be best recast in conformity to G.O., No. 1,289, of 26th August 1875, with enough additional definition to the "levelling and bunding" to make the meaning clear to ryots, in conformity with the practice near Kurnool, recommended by the late Acting Collector.

*Clause 5.*—At present there is doubt as to whether indigo irrigated in December, January, and February is to pay Rupees 6, or 4, or 8. This alteration will fix it at 4 Rupees, maximum charge.

*Clause 9.*—This alteration has been ordered by Government.

*Clause 11.*—"Leakage" has proved a most ambiguous term. It has been held by some Curnams, ryots, Overseers, and Amins to include water issuing through the chinks of a closed sluice, water pouring out of one field into the next, water conveyed a mile or more from canal side-pits where the existing canal sluice was kept closed because the leakage from these pits sufficed for the irrigation, and so forth. The alteration is meant to bring the rule clearly into conformity with general practice.

*Clause 12.*—The meaning of the existing rule is not clear, and has passed from the recollection of the Deputy Collector and of myself. The second word "natural" seems to exclude from the benefit of the rule land irrigated by artificial means, such as picottas or dams, from old water-courses, but this could not have been intended.

*Rule XII.*—See G.O., No. 1,360, of 23rd October 1874.

*Rule XXI* seems singular as presenting an insuperable difficulty, perhaps the insuperable difficulty which has been so often foretold, to the harmonious working of a private Company with the Government department. It is a matter of but small importance. The Village Curnam has, as a departmental duty, to account for all the cultivation in his village, to ascertain the extent of cultivation of every kind by each ryot, and to present his accounts in person to the Tahsildar

and there to support them against the appeals of the ryots. The canal imposes on him the additional duties of registering the applications for canal water and the surreptitious use of it, together with the claims for remission and the extent to which it should be granted and the reasons upon which it is claimed. The Company are desirous of paying him for this work if it be done; but it is obvious that this conditional payment may cause him to neglect his departmental work. Perhaps the best plan will be, under the present rule, for the settling officers to draw up a list of Curnams in whose villages irrigation has taken place, and the amount due to each by the rule, and to submit this list to the Collector, who, so far as he approves it, should authorize the Company to pay the Curnams accordingly. This payment, if promptly made, would be an inducement to Curnams to encourage, at least unofficially, the use of canal water, without creating any temptation to neglect their departmental work. In reference to my proposal to make the payment in some measure depend on the actual official work done by the Curnam in registering applications and assisting in the measurement of the irrigation, Mr. Foster writes, with great justice: "I cannot agree to place my subordinates, with reference to rewards and punishments, under any one but myself and the officers under me. I cannot agree to the settling officers deciding whether a Curnam was to be fined or rewarded."

The foregoing papers relate to certain modifications in the Canal Rules proposed by the Chief Engineer and Manager of the Company and assented to by the Collectors of Kurnool and Cuddapah with the exception of one or two points in which additions or omissions are considered advisable. The existing rules are those sanctioned in, and appended to, G.O., dated 3rd July 1874,

Rule II, G.O., 8th May 1875, No. 1,327.  
" VI, " 23rd Oct. 1874, " 1,350.  
" VI, " 26th Aug. 1875, " 1,389.  
" VI, " 25th May " " 1,430.

No. 830, since which date Rules II and VI have been amended by the marginally-noted Orders. The rules which are affected by the present proposals are the first six and Rule

XII. For facility of reference the existing and proposed rules are shown side by side in an Appendix.

2. The Board will now take the rules in order and notice the points requiring decision.

*Rule I.*—Mr. Latham proposes to omit this rule, which he considers obsolete, on the ground that the condition of every locality as regards capability of being irrigated is now well known to the ryots. Mr. Foster apparently insists on being furnished once for all with a list of all field numbers irrigable in each village, whereupon the annual notice required by the rule may, in his opinion, be dispensed with. Mr. Latham would leave it to the Canal Officers to inform the Revenue Officers from time to time of any extensions of the system of distribution without inserting any rule to that effect; but the Board consider that it is very necessary that the Revenue Officers should have timely and accurate information as to the extent to which the Company will be prepared to supply water each year; there would seem to be no objection, however, to a general description when whole villages are concerned, but, if portions only are irrigable, the field numbers should be stated. The rule as at present worded admits of general descriptions, and the Board do not consider it necessary to define more strictly the nature of the information to be furnished; they would leave the rule as it stands and would not annul it.

*Rule II.*—This rule was modified by G.O., dated 8th May 1875, No. 1,327, application in writing through the Canal Officers being substituted for written application to the Curnam direct. It is now proposed to recognize verbal applications to the Curnams to obviate the delay occasionally entailed by the present practice. The Board approve the alteration, and see no objection to the addition proposed by Mr. Foster to the effect that a separate application is requisite for water taken for a second crop to prevent any risk of misapprehension on this point.

*Rule III.*—This rule has been recast and a clause added to authorize sub-division of family and joint holdings by the Curnam to meet cases where there is no time for sub-division in the regular way. The Board observe, however, that the concluding sentences of the present rule have been omitted, viz.: "The charge will be on the recorded extent of the field. This rule will be

subject to relaxation under circumstances beyond the control of the ryots." These clauses were added by Government on reviewing the proposed amendments in 1874, and it is not clear what was intended, as it is plain from the previous sentences that the rule contemplated water being supplied to portions of field subject to the proviso that the area to be irrigated must exceed one acre unless the entire field be less than that extent. It is presumed, therefore, that the requirement with regard to charging the recorded extent of the field relates exclusively to such as are smaller than one acre, and that in other cases the charge was intended to be imposed with reference to the extent irrigated. On this supposition the first portion of the amended rule is correct and clearer than the existing one. There is no objection to the proposed addition, but the rule as it stands seems sufficiently comprehensive and the wording of the amended rule leads to the inference that sub-division is only permitted in the case of joint holdings. If the Curnam is to be allowed to sub-divide joint holdings when disputes may be expected to arise, there does not appear to be any reason why he should not be authorized to make any temporary sub-division for purposes of irrigation only, reporting the fact to the Taluq authorities within a fixed period, say one week.

The word "demarcate" appears unnecessary—(see paragraph 6, G.O., 3rd July 1874).

*Rule IV.*—This rule has been altered so as to provide for the calculation of fines by the full acre in the case of surreptitious irrigation of fractional parts of an acre and for the inspection of fields by Canal Officers. It is stated that the alteration is in conformity with the existing general practice, but that doubts have arisen owing to the expression in the previous rule "the charge will be on the recorded extent of the field" which has been taken as applying in this rule only to fields of less extent than an acre. Under Rule III sub-division is allowed when necessary on application, and it is presumed that when water is taken for portions of fields several acres in extent the portion to be irrigated is sub-divided for the purpose, but when water is taken surreptitiously no such previous sub-division has been effected, and a difficulty arises as to the extent to be charged when the recorded area is considerably in excess of the portion irrigated. In the case of fields the recorded extent of which is less than an acre, there is no hardship in charging for the whole field, but when the area is several acres the imposition of water-rate on the whole field in addition to fine would be unduly severe and could not have been contemplated. It is presumed that the charge was intended to be limited to the portion irrigated with the proviso that the ryot should be required to pay for an acre at least except in cases where the recorded extent of the field might be less than an acre. To make this clear it would be well to amend the rule as follows:—

If water is taken without application or registration the cultivator will not be entitled to remission, and he will be charged on the portion irrigated, provided that the charge shall never be for less than an acre except in the case of fields the recorded extent of which is less than an acre, when the charge shall be on the whole field; he will further be required to pay a fine of 8 Annas an acre or fraction of an acre irrigated for the first offence, &c.

It is proposed to insert between Rules IV and V a new rule intended apparently to regulate the rate to be charged for surreptitious irrigation, viz., that it shall be that most favorable to the ryot amongst those which are applicable to his case. This provision should be made an additional clause to the previous rule to obviate a disarrangement of the numbers. The first portion of the proposed rule seems unnecessary.

*Rule V.*—That portion of the rule requiring the notification of the date of the annual closing of the canal not later than the 1st December has been omitted, but the reason of the omission is not explained; it does not appear advisable to dispense with such notice. The rule as now modified further provides that the charge shall be the same, viz., Rupee 1 for fractions of a month, and that no remission will be allowed. Mr. Gribble objects to the system of charging the same amount for one flooding as for a month's continuous supply, and suggests that the charge should be by the week at the rate of 4 Annas a week or fraction of a week. Mr. Latham apparently does not object, and, as the arrangement is obviously fair and is stated to be likely to increase the popularity of the canal and prove remunerative, the Board support the recommendation. As regards the date of closing, which Mr. Gribble is of opinion should be fixed at a much later date than at present, the advantage of guaranteeing a certain supply to a later

date is so obvious that it is presumed the Company would in their own interests extend the period if they were in a position to do so. This is a point which must be left for the determination of the Company.

*Rule VI.*—This rule has been amended so as to embody the alterations approved in G. Os., dated 23rd October 1874, No. 1,360, 25th May 1875, No. 1,430, and 26th August 1875, No. 1,289; a few additions have been made to the list of crops, the term "levelling and bunding" has been defined, and Clauses 11 and 12 have been altered to express the meaning more clearly. The addition to the note to Clause 1 proposed by Mr. Gribble is agreed to by Mr. Latham, and the Board think that the modification of Clause 11 in regard to irrigation by leakage water may be accepted without danger, but it is undoubtedly difficult to frame a rule regarding the utilization of leakage water that will not press hardly in some individual cases without opening a door for fraud. The "act or omission" of the ryot which would render him liable under Mr. Gribble's amendment is generally incapable of proof, but in the case of lands previously irrigated from an independent source it may fairly be presumed that the former supply was sufficient and was not deliberately supplemented. Clause 12 seems to have been framed on the same principle, and the amendment is therefore approved.

With reference to the suggestion that the Company's subordinates should be required to give immediate information in case of detection of surreptitious irrigation, it does not appear necessary to embody a provision to this effect in the rules; a departmental order will suffice.

Mr. Foster's proposal that a reduced charge should be fixed for water supplied merely for preparing land for cultivation is worthy of consideration; the advisability of holding out inducements to the ryots to take water for the conversion of their lands into "wet" has been frequently noticed.

The proposed amendment of Rule XII is unobjectionable.

As regards Rule XXI, which is stated by the Chief Engineer and Manager to present an insuperable difficulty to the harmonious working of a private Company with the Government department, and in regard to the amendment of which it is stated that there is no prospect of an agreement being arrived at, the Board do not clearly understand from the explanatory notes what are the exact points on which the Revenue and Canal Officers are at issue. It appears from the discussion which took place on the occurrence of the last revision of the rules that Mr. Latham considered that the settling officers should be vested with discretionary power to reduce the remuneration allowed under the rule in case of neglect, and the Board supported this view. The Government, in their Order, dated 3rd July 1874, No. 830, remarked that the wording of Rule XXI does not preclude the exercise of discretion in the allotment of the amount or of a portion of it to such person as the Collector may determine on report of the Settlement Officers, that the relations of the village officers to the Revenue authorities are not altered by these rules, and that the Collector in case of proved neglect would substitute another man and make other needful arrangements, &c. Although, therefore, the decision in regard to the payment or withholding of payment of remuneration must rest with the Collector, due weight would, of course, be attached to the representations of the Canal Officers, and the Board do not see what more is required. Mr. Gribble's suggestion that the Ryoties should be stimulated to greater promptness in the collection of the revenue by the assignment to them of a portion of the percentage allowed is approved, and, in fact, this appears to have been contemplated though not expressly stated. The object will be met by altering the wording of the concluding portion of the rule as follows: "6 Pies in the Rupee of the adjusted gross demand will be paid by the Company to the Curnam and Reddy of the village in remuneration for their trouble in such proportions as the Collector may determine."

(True Copies and Extract.)

(Signed) C. A. GALTON,  
Acting Secretary.

*Existing Rules.*

*Rule I.*—Before the 1st day of April in each year the Agent of the Company shall inform the Collectors of districts what portions of each village, under the influence of the canal, he is prepared to irrigate during the ensuing irrigation season, and the Collectors shall have the above information duly posted up and publicly notified in each village concerned through the Curnams before the 1st day of May following. The Canal Administration shall, at the same time, send a notice to the Curnam of each village in anticipation of the Collector's order.

*Rule II.*—No water shall be taken from the canal for irrigation purposes without written application through the Canal Officers to the Village Curnam. The Canal Officers will then be at liberty to supply water immediately on the receipt of applications, and these on transmission to the Curnams will be completed as regards revenue details by the latter and transmitted to the Tahsildars.

*Rule III.*—Applications will be recorded for whole revenue fields, or recorded sub-numbers of survey fields however small they may be. Water will not be supplied for areas of less than one acre, except where the entire field is of less extent. Sub-divisions of fields when necessary will be made by the Revenue authorities. The charge will be on the recorded extent of the field. This rule will be subject to relaxation under circumstances beyond the control of the ryots.

*Rule IV.*—If water is taken without application, the cultivator will not be entitled to remission; and he will be required to pay a rate of 8 Annas an acre for the first offence, 1 Rupee an acre for the second offence in addition to the regular rate, and thereafter such an addition not exceeding double the rate as may be considered requisite by the settling officers.

*New Rules proposed by Mr. Latham.*

It is proposed to omit this rule as obsolete.

*Rule I.*—No canal water shall be used for irrigation purposes, unless on application made verbally by the ryot be previously registered by the Village Curnam; or else the ryot must first make written application through the Canal Officers to the Village Curnam. The Canal Officers will be at liberty to supply water immediately on the receipt of applications, and these on transmission to the Curnams will be completed as regards revenue details by them and transmitted to the Tahsildars.

*Rule II.*—Applications will be registered for whole revenue fields, or recorded sub-numbers of survey fields, however small they may be; except for crops classed as double, water will not be supplied for areas less than one acre in field of larger extent. The Curnam is authorized to sub-divide and demarcate family holdings, or joint holdings of putta, amongst the individual owners for the purposes of irrigation, provided none of the family or putta-holders make objection thereto, and will duly report such sub-divisions to the Tahsildars.

*Rule III.*—If water is taken without application or registration, the cultivator will not be entitled to remission, and he will be charged on the recorded extent of the field if less than an acre, and will be required to pay a fine of 8 Annas an acre or fraction of an acre for the first offence, 1 Rupee an acre or fraction of an acre for the second offence, and thereafter such an addition not exceeding double the rate as may be considered requisite by the settling officers.

The Canal Officers are entitled to inspect fields without damaging the crop; and the holders are bound to permit the inspection and measurement of Canal Officers equally as of Revenue Officers.

*Existing Rules.*

Proposed new rule.

*Rule V.*—The Company do not, except under their tanks, guarantee a supply of water beyond the 31st December; but, so far as water may be available in the Toomboodra or other streams feeding the canal, it will be supplied at the rate of 1 Rupee a month so long as the supply lasts until the annual closing of the canal, which will be notified not later than the 1st December.

*Rule VI.*—The full charge for water on application shall be as follows:—

|                                                                                | Rate per<br>Acre.<br>RS. |
|--------------------------------------------------------------------------------|--------------------------|
| First Class—                                                                   |                          |
| Clause (1). Crops* requiring continuous supply—first crop ... ..               | 6                        |
| Clause (2). Crops requiring continuous supply—second crop (under tanks) ... .. | 6                        |
| * Rice.                                                                        |                          |
| Sugar-cane (double).                                                           |                          |
| Betel (do.).                                                                   |                          |
| Cocoanuts (do.).                                                               |                          |
| Plantains (do.).                                                               |                          |
| Saffron (do.).                                                                 |                          |
| Fruit trees, various (double)                                                  |                          |

*Note.*—In future years wet crop of the description referred to in Clauses 1 and 2 when raised on fields levelled and bunded will be charged Rupees 3 an acre for the first year, Rupees 4 for the second year, Rupees 5 for the third year, and Rupees 6 for the fourth and subsequent years on the same fields. Wet crop irrigated in an open field without level beds and bunds will always be charged the full rate of 6 Rupees. The charge for crops classed as double shall be on the area under such crop irrigated, irrespective of the area of the field.

*New Rules proposed by Mr. Latham.*

*Rule IV.*—A ryot may apply for water under Rule V or any clause of Rule VI, provided it suit his case; and, if he be found irrigating without application or registration, he must be rated by the rule in his favor provided it suit his case.

*Rule V.*—The Company do not, except in certain cases under their tanks, guarantee a supply of water after the 13th December; but, so far as water may be available in the Toomboodra or other streams feeding the canal, it will be supplied to all except first-class single crops so long as the supply lasts until the annual closing of the canal at the rate of 1 Rupee per acre a month or fraction of a month without remission.

*Rule VI.*—The full rate per acre charged for water on application shall be as follows:—

|                                                                                                                                                | RS. |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Section 1.—First-class crops requiring continuous supply—                                                                                      |     |
| First crop ... ..                                                                                                                              | 6   |
| Second do. ... ..                                                                                                                              | 6   |
| These crops include rice and the following double crops, viz., sugar-cane, betel leaves, cocoanuts, plantains, saffron, fruit trees (various). |     |

*Note.*—The rate for crops classed as double will be on the area of such crop irrigated independent of the area of the field.

*Section 2.*—In future years the rate of first-class single crops when raised on fields so levelled and bunded that quiet water will stand at a depth of a finger to a hand breadth over a whole bed, will be for the first year of cultivation 3 Rupees, for the second year 4 Rupees, for the third year 5 Rupees an acre, single rate. After the third year full rate will be charged for crop irrigated on the same fields.

*Existing Rules.*

|                                                                    | Rate per<br>Acre.<br>RS. |
|--------------------------------------------------------------------|--------------------------|
| Clause (3). Second-class crops* requiring frequent floodings... .. | 4                        |
| * Maize.                                                           |                          |
| Garden raggy.                                                      |                          |
| Do. korra.                                                         |                          |
| Do. chillies.                                                      |                          |
| Do. tobacco.                                                       |                          |
| Indigo.                                                            |                          |
| Sweet potatoes.                                                    |                          |
| Onions.                                                            |                          |
| Brinjals.                                                          |                          |
|                                                                    | Rate per<br>Acre.<br>RS. |
| Clause (4).—Dry crops* requiring occasional floodings ... ..       | 2                        |
| * Cholum.                                                          |                          |
| Field raggy.                                                       |                          |
| Do. korra.                                                         |                          |
| Do. chillies.                                                      |                          |
| * Do. tobacco.                                                     |                          |
| Cotton.                                                            |                          |
| Gram (various).                                                    |                          |
| Oil-seeds (do.)                                                    |                          |

*Note.*—“Crop” includes one or two or more crops sown together in intermediate rows at the same time.

*Clause (5).*—Double crops or those requiring irrigation for more than six months to pay double the rates specified for their class, unless supplied after 31st December at the monthly rates.

Clauses (6 to 8).  
Clause (9).

Clause (10).

*Clause (11).*—Irrigation by canal leakage water conveyed to lands for the purposes of cultivation within the limits commanded by the Company's distribution channels shall be charged the same rates as are laid down for similar cultivation supplied directly from the canal channels. Leakage into fields otherwise called subsoil leakage will not be charged for.

*Clause (12).*—No charge shall be made for water passed as surplus into any water-course

*New Rules proposed by Mr. Latham.*

*Section 3.*—Second-class crops requiring frequent floodings, Rupees 4.

These crops include garden raggy, onions, chillies, sweet potatoes, tobacco, maize, garden korra, indigo, brinjals, yava (wheat), cummin-bariga, mentilu.

*Section 4.*—Third-class crops requiring sional floodings, Rupees 2.

These crops include cholum, field raggy, field korra, field tobacco, field chillies, cotton, gram (various), oil-seeds (various), areca.

*Section 5.*—A “crop” includes one, two, or more crops sown together in intermediate rows at the same time. Double crops are those requiring irrigation for more than six months, except indigo, pay double the rates specified for their class, unless supplied after 31st December at the monthly rate.

No alteration proposed.

The alteration suggested has already been sanctioned (G.O., 25th May 1875, No. 1,430).

No alteration.

*Section 11.*—Land irrigated by canal water springing up in a field and not conveyed over the surface will not be charged. Irrigation by canal leakage water conveyed to lands for purposes of irrigation within the limits of the Company's distribution channels, or flowing through cuts or holes in a bund, will be charged the same rates as are laid down for similar cultivation supplied directly from the canal channels.

*Section 12.*—No charge will be made for water passed as surplus into any water-course

*Existing Rules.*

or natural channel, from the natural supply of which a garden wet crop has been in time past or usually been irrigated. The position and extent of lands so irrigated shall be ascertained and recorded; and areas in excess of this extent shall be liable to the canal water-rate if regularly and intentionally supplied by the Company.

Rule VI, Clause 13, and Rules VII to XI.

Rule XII.—All applications shall be recorded by the Curnam, if possible, on the same day they are received in a register (Form B).

*New Rules proposed by Mr. Latham.*

or natural channel, from which, before the construction of the canal, a first or second-class crop had in time past by any means been irrigated. The position and extent of lands so irrigated and the number of crops thereon irrigated shall be ascertained and recorded, and areas and crops in excess of this shall be liable to the canal water-rate if regularly and intentionally supplied by the Company.

No alteration.

Rule XII.—All applications, whether made by the ryots verbally or through the Canal Officers, shall be recorded by the Curnam, if possible, on the same day they are received in a register (Form B); but applications to cultivate less than the minimum allowed by the rules must be refused. Cultivation when applications have been refused, or not made, will be separately registered by the Curnams.

No. 620. Proceedings of the Madras Government, Public Works Department, dated 29th September 1876, No. 158.

Read the following endorsement of the Chief Engineer for Irrigation, dated 21st September 1876, submitting the Revised Water-rate Rules of the Madras Irrigation and Canal Company.

TRANSFERRED to the Revenue Department with a view to the opinions of the Collectors of Kurnool and Cuddapah and the Board of Revenue being speedily obtained on the alterations proposed by the Chief Engineer and Manager of the Madras Irrigation and Canal Company.

(True Extract.)

(Signed) A. D. C. SCOTT, Major, R.E.,  
Under Secy. to Govt., D.P.W.

List of Papers transferred to the Revenue Department with No. 158, dated 29th September 1876.  
G.O., No. 2,072, dated 5th September 1867, Revenue Department.

|   |   |        |   |                      |
|---|---|--------|---|----------------------|
| " | " | 34,    | " | 4th August 1874.     |
| " | " | 51,    | " | 7th January 1875.    |
| " | " | 50,    | " | 8th " "              |
| " | " | 140,   | " | 20th " "             |
| " | " | 1,327, | " | 8th May "            |
| " | " | 1,328, | " | " " "                |
| " | " | 1,430, | " | 25th " "             |
| " | " | 89,    | " | 15th September 1875. |
| " | " | 1,535, | " | 20th June 1876.      |

Printed Rules for distribution of Water from the Madras Irrigation and Canal Company's Canal.

Letter from Chief Engineer and Manager, Madras Irrigation and Canal Company, No. 37, dated 4th May 1876, with two enclosures.

Letter from Chief Engineer and Manager, Madras Irrigation and Canal Company, No. 68, dated 20th July 1876.

Endorsement of the Chief Engineer for Irrigation, dated 21st September 1876.

No. 721. Endorsement of the Officiating Under Secretary to Government, Public Works Department, dated Fort St. George, 9th November 1876, No. 53.

From the Chief Engineer for Irrigation, No. 238-W, dated 26th October 1876.

TRANSFERRED to the Revenue Department in continuation of Endorsement No. 158, dated 29th September 1876.

(Signed) W. FAREWELL, Colonel,  
Offg. Under Secy. to Govt., P.W.D.

No. 722. Endorsement of the Joint Secretary to Government, Public Works Department, dated Fort St. George, 4th December 1876, No. 26.

Endorsement of the Chief Engineer for Irrigation, No. 276-W, dated 30th November 1876, submitting observations of the Collector of Kurnool in regard to improving the working of the Water Rules of the Madras Irrigation and Canal Company.

TRANSFERRED to the Revenue Department in continuation of Endorsements Nos. 158, dated 29th September 1876, and No. 53, dated 9th November 1876.

(Signed) JOHN MULLINS, Lieutenant-Colonel, R.E.,  
Joint Secretary to Government, P.W.D.

No. 723. Proceedings of the Board of Revenue, dated 13th December 1876, No. 3,161.

Read the following letter from W. S. FOSTER, Esq., Acting Collector of Kurnool, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 2nd November 1876, No. 511.

With reference to the Board's Proceedings, Miscellaneous No. 6,414, of the 28th July last, calling upon me to report if any further revision of the rules is contemplated, I have the honor to forward, herewith, a copy of the Company's Chief Engineer's letter, No. 47, dated the 23rd September last, which contains some further alterations and additions. My views in regard to these alterations and additions were communicated to the Company's Chief Engineer in my letter, No. 148, dated this day. A copy of this letter is also submitted for the Board's perusal.

ENCLOSURE No. 1.

From J. H. LATHAM, Esq., Chief Engineer and Manager of the Madras Irrigation and Canal Company, to W. S. FOSTER, Esq., Acting Collector of Kurnool, dated 23rd September 1876, No. 47.

Improving the Working of Water Rules. Your letter of 19th May 1876.

I have the honor to reply that I forwarded a copy of your letter to Mr. Wilks for his careful reply after the annual settlement, but have received no answer. I presume that he considered the many verbal discussions which we have had upon the proposed alterations in the rules and mode of working them rendered a reply unnecessary.

I yesterday submitted to Government the proposed alterations of the rules as approved by you with an addendum to Rule VIII making it distinct that the Company guarantee no supply and give no remission for failure of supply after the 31st December. This was suggested by some remarks made at a conference I had the honor to attend with His Grace the Governor, Colonel Mullins, and the Hon. W. Hudleston at Ooty last week.

The following remarks will assume the rules altered as proposed :—

*Ordinary Irrigation—New Rule I.*—It is very desirable that at each village a Revenue Officer or Deputy should always be present to take and register applications, give notice of insufficient supply, &c., during the sickness or absence of the Curnam.

*Rule II.*—I suggest that the Curnam should hold an assembly in his village on the 1st July, August, and September for the purpose of receiving requests to divide holdings, after tom-toming the intention through all his village hamlets; and that he report the fact, and its results, and the divisions he has made formally to you through the Tahsildar.

*Rule VI, Clause (9).*—In order to facilitate the due application for supply of tanks, the Collector should have a map showing all the tanks commanded by the canal. This I shall be glad to furnish. On this map he might note against each tank the date on which the Company should be requested to supply it if not yet supplied by rain.

But I do not see how the reasonable and beneficial supply of tanks from the canal can be carried out unless some individual or body be authorized to request a supply and bind both the Government and the holders of Ayacut land to the financial obligations involved.

A tank is a work for holding rain-water, and may virtually be considered Government property. The water is available by Ayacut holders under very various conditions, even under the same tank. Some represent the original constructors of the tank paid for it by being allowed use of the water free; some represent contractors and are allowed free use of water on condition of repairing the tank; some are pensioners granted use of water at quit-rent; some pay a regular water-rate for use of water; some a consolidated rate if they sow any crop whether they use water or not. In some cases payment for the water is compulsory if there be any, whether it be used or not. In most cases all Ayacut holders claim to use any water there may be in the tank, however it came there; whether they objected to its being drawn from the canal or not; of course, all the first-mentioned classes do this. Now, I understand that Government has ruled to some such effect as this, that if there were no rain, and the tank were filled by the canal, all the above bargains would be null; Government could claim no more than dry assessment for land irrigated in the Ayacut, but such land should pay water-rate. Such a simple case, however, cannot in practice be anticipated. If rain fall after the filling or partial filling of the tank by the canal, then the quit-rent holders and free holders, unless bound as parties to the application for canal water, refuse to pay more than their quit-rent. As a rule these men hold off and leave others to apply to the Collector for canal water, and in that case the only means of irrigation for the rest of the Ayacut holders seems to be for them to irrigate directly from the canal and thus become liable to the full canal rate of 6 Rupees besides the full water-rate, or consolidated assessment under the tank.

It seems to me that it is fair and desirable that Government make a standing rule fixing for each tank a date—say, the 1st July—and a quantity in cubic yards, reckoned to be a month's supply, for each individual tank under the canal, and order Canal Officers, at the requisition of the Tahsildar, who shall make the requisition on being satisfied as to the fact, to pour into each tank a month's supply as soon as and whenever after that date the tank water fails to supply all the tank sluices. Government are a judicial body morally strong enough to enforce such a rule without creating dissatisfaction, and to levy from all Ayacut holders, in proportion, say, to the dry assessment of the fields or to their area, the value of this supply according to Rule VI, Clause (9), and to determine what relaxation shall be granted to those holding Ayacut under a water-rate or consolidated assessment.

It will be noticed that a month's supply will never try the tank nor increase the cost of repair. The Tahsildar is nearer the spot than the Collector, and can conduct the necessary inquiries in a day or two. When a tank supply fails, the highest sluice, of course, runs dry first; under this is almost always the land of the poorest cultivators. Application for canal water is always postponed till the last moment in hope of rain, and then a few days' delay causes the loss of the crops under the highest sluice.

It will be convenient for the Canal Company that a monthly bill be presented to the Collector, dated on the last day of every month, of the realized earnings of the canal during the past month, up to the 31st December, that will contain only supplementary supplies under Rule VI, Clause 8, and tank supplies under Clause 9. On the 31st December all crop irrigation applied for up to date under Rule VI, Clauses (1) to (7) and (11), and excess crops under Clauses (12) and (13) will be included since the rates will be realized, no remission for failure of water being granted after the 31st December. Thereafter each month's bill will include the irrigation applied for under Rule V also. The Collector should be instructed to place 95 per cent. of the amount of these bills at the disposal of the Company's Manager, reserving 5 per cent. for errors, to be finally and completely adjusted before the 30th June. These sums will be brought into the Company's Half-yearly Revenue Account against the date of each bill.

I believe that the most convenient time for settlement will be that at present in use. The last settlement has been exceptionally tedious. In future I expect it to occupy far less time.

(True Copy)

(Signed) W. S. FOSTER,  
Acting Collector.

ENCLOSURE No. 2.

From W. S. FOSTER, Esq., Acting Collector of Kurnool, to J. H. LATHAM, Esq., Chief Engineer of the Madras Irrigation and Canal Company, dated 2nd November 1876, No. 148.

WITH reference to your letter, No. 47, dated 23rd September last, in regard to improving the working of the Water Rules, I have the honor to make the following observations.

2. I fully agree to the insertion of the addendum to Rule VIII which makes it distinct that the Company guarantee no supply and give no remission for failure of supply after the 31st December. This was my view from the very beginning, and in my observations on the proposed alterations in the rules I distinctly stated in regard to Rule V that I see no ground why the Company should bind itself to do more than what they are bound to do, and that the omission of the word "their" would imply that the Company did guarantee a supply of water after the 31st December to lands which are under Government tanks.

3. As regards the new rule which requires that at each village a Revenue Officer or Deputy should be always present to take and register applications, &c., during sickness or absence of the Curnam, I have the honor to state that I consider this rule unnecessary. The Curnam generally is to be found always in the village, and when he is prevented by illness to do the work, or is absent from the village for a short time, the Reddy, assisted by one who knows how to read and write (to find one such there will be little difficulty), could very easily perform the duty required of the Curnam in regard to the receipt and registry of applications for water, &c. When the Curnam is absent for long periods a substitute is always appointed. There may be rare cases in which no village officer may be found in the village to perform the duties of the Company, and I do not think that these rare cases, which may not at all occur, call for any special rule.

4. Your suggestion that the Curnam should hold an assembly in the village on the 1st July, August, and September for the purpose of receiving applications to sub-divide holdings, &c., has my approval.

5. Your proposal to supply me with a map of all the tanks commanded by the canal in order to facilitate the due application for filling up the said tanks with canal water either wholly or partially as is found necessary is good, and I shall be very glad if I should be supplied with a map showing all the tanks and other irrigation works commanded by the canal. I shall, after making the requisite inquiries, note against each tank and other irrigation work on the map the date on which the Company may be applied to for water for supplying the irrigation works. The Tahsildar of the taluq would, in my opinion, be the best officer to apply for water for filling either wholly or partially Government works of irrigation whenever their natural supply appears to have failed.

6. I quite approve of your proposal to supply Government works of irrigation either wholly or partially with canal water whenever their natural supply fails. If the natural supply to the

J. H. Latham  
Chief Eng. & Manager

Government irrigation works fails entirely, and they are supplied wholly with water from the Irrigation Canal, I would recommend that the whole of the Government water-rate, which is about Rupees 4 per acre, be remitted to the holders of wet lands under those irrigation works, and that the portion forming the dry assessment only of the lands be collected from them on behalf of Government, and that the ryots shall pay to the Company the full charge for water supplied to them, subject to remissions according to rules. This concession will be made only to Ryotwar land-holders; but the Inamdars who obtain a supply for either a single or two crop land will be required to bear the full cost of water supplied to them in addition to the quit-rent payable by them although this quit-rent may have been fixed with reference to the wet assessment of the Inam lands. It will be observed that this my recommendation is in respect to irrigation from Government tanks whose natural supply has entirely failed in the year.

7. When the ordinary supply of a Government irrigation work when deficient is supplemented by the canal water, the course to be followed in regard to the charge for water supplied by the Company is laid down in G.O., No. 1,294, dated the 9th October 1874; and I have not heard of any difficulty being experienced in enforcing the said Order. In that Order the Government have laid down that, in the case of ryots receiving water for a first crop and for a mamool second crop, they would fix the share to be paid by the ryots for Company's water at two-thirds of the price paid to the Company, but that the Inamdars who get a supply for either a single or two crop land and ryots using the water for a second crop on single-crop lands should bear the full cost.

(True Copy.)

(Signed) W. S. FOSTER,  
Acting Collector.

SUBMITTED for the orders of Government in continuation of Board's Proceedings, dated 30th August 1876, No. 2,226.

2. With the foregoing letter Mr. Foster submits copy of a letter from the Chief Engineer of the Irrigation and Canal Company proposing some further modifications of the rules with a copy of his reply thereto. Mr. Latham's proposals are —

*First.*—That a Revenue Officer or Deputy should always be present in each village to perform the work connected with the supply of water to the ryots.

Rule I of the proposed new rule s.

Rule II of the proposed new rules.

*Second.*—That the Curnam should assemble the ryots on certain dates with a view to the division of holdings on application.

*Third.*—That to facilitate the supply of tanks the Collector should be provided with a map showing the tanks commanded by the canal, and should note against each the date on which the Company should be requested to furnish a supply in the event of the rainfall proving deficient. He points out, however, that holders of land on favorable tenure, who are entitled to a supply of water free of payment, generally hold back when the ryots are desirous of obtaining a supply of canal water, with the view of evading payment, on the plea that they were not parties to the application, and he, therefore, considers it necessary that "some individual or body should be authorized to request a supply and bind both the Government and the holders of Ayacut land to the financial obligations involved," and suggests that a date should be fixed by Government (1st July proposed), after which the Tahsildar should be authorized to apply to the Canal Officers for a month's supply, whenever the tank water does not suffice for all the sluices.

3. The first two points are not of much importance. Mr. Foster considers that no special rule is called for in regard to the first proposition, but approves the second, and the Board concur. Mr. Foster assents to the third recommendation, but the Board cannot accord their support, as it appears to be directly opposed to the policy hitherto followed of leaving it optional with the ryots whether they will take water or not. It is apparently intended to vest the Tahsildar with power to make requisition for a supply after a certain fixed date, whether application has been made for

it or not, but it might happen that the ryots had given up all hope of raising a wet crop and had already sown their paddy lands with dry crops in which case they would have to pay for water which they did not want. At present water is only run into the tanks at the request of the body of the ryots and not otherwise; it is this which justifies the extra charge against them, and for this reason no difficulty has hitherto been experienced in its recovery. The Board are, therefore, decidedly opposed to the innovation proposed, and consider that the principle on which tank supplies are now supplemented should be maintained. There is no objection, however, to the substitution of "Tahsildar" for "Collector" in Clause 9 of Rule VI; if the Tahsildar is empowered, on receipt of an application from the ryots, to communicate with the Canal Officers direct the delay entailed by the necessity for making a reference to the Collector will be avoided and the interests of Government are not likely to suffer.

4. As regards the charge to be made for water so supplied, the Board observe that whether the natural supply of the tank fails entirely, or is merely supplemented by means of canal water, the charge is the same, viz., two-thirds of the price of the additional water in addition to the full assessment to ryots receiving water for a first crop and for a mamool second crop, and the full cost of the water in the case of Inamdars, and of ryots raising two crops on one-crop land. This has already been distinctly laid down in G.O., dated 17th June 1875, No. 921, in elucidation of the Order quoted by Mr. Foster. As regards Mr. Latham's remarks concerning the reluctance of Inamdars to apply for canal water, and his anticipation that they may refuse to pay more than their quit-rents, the Board observe that, though difficulties might arise in enforcing the demand in case of refusal to pay, Mr. Foster states that, as far as he is aware, no difficulty has been experienced as yet. The Inamdars know perfectly well that a supply of water is not guaranteed by Government, and, though they may be backward in making applications for canal water, they are no doubt well aware that they will have to pay if they irrigate their lands when the supply of the tank has been supplemented from the canal.

5. Mr. Latham's proposals regarding the method of realizing the earnings of the canal have not been noticed by the Collector, but they seem to be in accordance with the course prescribed in G.O., dated 3rd October 1876, No. 2,637, Public Works Department.

(True Copies and Extract.)

(Signed) C. A. GALTON,  
Acting Sub-Secretary.

No. 724. ORDER THEREON, 23rd February 1877, No. 790.

Irrigation, No. 8.

HIS GRACE the Governor in Council is of opinion that the consideration of these Rules should be deferred until the

Secretary of State has been asked as to the position of the Company, and whether, in his opinion, it is desirable that any change in its status should occur.

2. The papers will with this object be transferred to the Public Works Department, in which department all correspondence with the Secretary of State relating to the Company has passed.

(True Extract.)

*[Signature]*  
Secretary to Government

To the Board of Revenue.

.. the Public Works Department. *With 11 Encls.*

Exd. A. S. Rodgers. *20 Feb 77*

*[Signature]*  
Chief Eng. Irrigation

11.6.76 1/2  
 15.9.75 " 89  
 15.5. " " 1230  
 9.5. " " 1327-1327  
 6.1. " " 140 1/2  
 9.1. " " 50  
 7.1. " " 51 1/2  
 4.8.74 " 34 1/2  
 5.9.67 " 1072 7/8

Canal Rules.—Deferring consideration of the  
 modifications in—proposed by Chief Engineer  
 and Manager of Madras Irrigation and Canal  
 Company until Secretary of State has been asked as  
 to the position of the Company; and transferring  
 these papers to Public Works Department.

SECRETARY,  
 Nos. 719-721.

P.W.D.  
 24 MAR 77  
 No. 3177

Govt. of (1877) Madras.  
 REVENUE.

THE BOARD OF REVENUE,  
 Secy. Secy. Secy.

Dated February, 23rd.  
 Recd.  
 O. O. 23rd February 1877, No. 730.  
 File + 11 Enclosure to Office  
 given to 30 Office



Madras Irr. & Canal Co.  
 Chief Engineer & Manager's Office  
 Dhor 20 July 1878

No 68.  
 To Mr. Col. J. Mullins, R.E.  
 Chief Engineer for Irrigation  
 Sir,

Revision of Rules.

In reference to a remark of yours  
 printed with G.O. No. 1535 of 20th ult.,  
 I have the honour to say that I have no  
 further issues to start in reference to a pro-  
 posed revision. I had the honour of sub-  
 mitting to you with my letter No. 37 of 4th  
 May last. The Collectors do not, or did  
 not, quite agree in the mode of wording  
 my propositions, & have some improvements  
 to suggest; but I have no intimation that  
 they will move in the matter until they  
 are asked for an opinion by the Revenue  
 Board.

I shall be glad, however, to take any  
 course which you think will hasten matters.  
 I have written to both Collectors (yes twice) to  
 say how glad I shall be if the Currents take  
 applications, as well as the Arins, and how  
 urgent I consider the matter. The demand  
 is larger than usual & more urgent. The very  
 first circuit of the Arins would take a long  
 time; & meantime the whole country is crying  
 for immediate water. The Subordinate of Modatu  
 says that the Arins cannot do the work in  
 time.

I have the honour to be, Sir  
 Your most obedient servant  
 John Hathorn  
 Chief Eng. & Manager

40 11/11/77 20/11/77

20/11/77

From Chief Engineer & Manager Inlce. No 37  
— do — do — No 68 of 20 July 1976  
of 4 May 1976

Submitted to Government  
To the  
Secretary to Government

Ootacamund  
21. September 1976

Chief Secy  
Major R.E.  
By Chief Engineer for Irrigation  
for Chief Engineer for Irrigation.

To

The Secretary to Government  
Public Works Dept.

20 June / 76 - 16385  
 8 May / 75 - 16274 / 1828  
 220 - June / 75 - 146  
 15 Sept / 75 - 89  
 26 May / 75 - 1480  
 8 June / 75 - 50  
 7 June / 75 - 67  
 5 Sept / 76 - 2072

1876 F.W.D.  
 24 MAR 77  
 No 3177

From  
 The Chief Engineer for Irrigation  
 To  
 The Secretary to Government  
 P. H. D.

Mr. J. and. Canal Co.  
 Chief Engineer & Manager's Office  
 Kumbhool 23rd September / 76  
 To  
 The Chief Engineer  
 for Irrigation  
 No 24 P. Madras.

Dated 21 September 1876.  
 Desd

Has the honor to forward  
 a copy of Kandolapah bolis  
 No 29 of 5th Inst. to be  
 attached to my letter  
 No 90 of 22nd September / 76.  
 It is referred to in the note in  
 the margin of that letter.  
 J. H. Latham

Recd.  
 No  
 Rev 5  
 204 / 76

Revised Water rate Rules of  
 the M. S. C. Co. - Submitted

Chief Engineer & Manager

Whipped from Ar: 29.9.76  
 Cii - 22.9.76  
 A. H. Shub 24 Sept

No 29. on Circ. No. 11011  
 5th September 1876.  
 From  
 J. R. Daniel Esquire  
 Ag. Collector of  
 Kandolapah  
 To  
 J. H. Latham Esquire  
 Chief Engineer & Manager  
 M. S. & C. Co.

Sir,  
 In reply to your letter No.  
 25 dated 31st Ultimo, I have the  
 honor to request that you will for-  
 ward to Government the rules amen-  
 ded as you propose.  
 I shall shortly visit the  
 Canal but until then I shall not  
 be in a position to offer any opinion  
 on them the remarks of Mr. Gribble  
 will be before Government and it  
 appears to me inadvisable to delay  
 the submission of the Rules for  
 any further remarks from me.

I have the honor to be  
 Sir

Your Most Obedt. Servt.  
 Signed J. R. Daniel  
 Ag. Collector

(True Copy)  
 J. H. Latham  
 Chief Engineer & Manager



R 37 C C / 76

17/7/76

To accompany  
No. 9007 22<sup>nd</sup> Sept 1876

# Canal Rules: Irrigation

21

Rules for the distribution of water from the Canal of the M. I. & C. Co.

Rule I. No Canal water shall be used for irrigation purposes unless an application made verbally by the ryot be previously registered by the Village Burnam: or else the ryot must first make written application through the Canal Officers ~~to the~~ Village Burnam. The Canal Officers will be at liberty to supply water immediately on the receipt of application; and these on transmission to the Burnams, will be completed as regards revenue details by them and transmitted to the Tahsildars.

Rule II. Applications will be registered for whole revenue fields, or for fields recorded under sub-numbers, however small they may be. Except for crops. Classed as double, all charges for water supplied for areas of less than one acre <sup>fields</sup> of larger extent will be the same as for one acre. The Burnam is authorised to subdivide and demarcate family holdings, or joint holdings of puttab, amongst the individual owners for the purposes of irrigation provided none

of

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of the joint holders make objection  
therein; and will duly report in  
Such sub-divisions to the Tahsildar.  
Rule III. If water be taken  
without application or registration  
the cultivator will not be entitled  
to permission; and he will be charged  
on the recorded extent of the field,  
if less than an acre, and will be  
required to pay in addition to that  
charge for each offence, a fine of 8 an-  
-nas an acre or fractions of an acre  
for the first season 1 rupee an acre  
or fraction of an acre for a similar  
offence, committed in a subsequent  
season and thereafter such an addition  
not exceeding double the rate as may  
be considered requisite by the settling  
officers:-

The Canal Officers are entitled  
to inspect fields without damaging the  
crop; and the holders are bound  
to permit the inspection and mea-  
-surement of Canal Officers equally  
as of Revenue Officers.

Rule IV A ryot may apply for  
water under Rule V or under any  
clause of Rule VI provided it suit  
his case: and if he be found irri-  
-gating without application or regis-  
-tration he must be rated by the  
rule most in his favour provided  
it suit his case.

Rule V

Rule V. After the 31<sup>st</sup> December, water will be supplied to all except 1<sup>st</sup> Class Single Crops, so long as the supply last, until the annual closing of the Canal, at the rate of 1 rupee per acre for a calendar month or fraction of a month without pre-mission, reckoning from the date of Commencement stated in the application.

Rule VI. The full rate per acre charged for water on application shall be as follows:-

§ 1. First Class Crops, for a supply not exceeding six months.

1<sup>st</sup> Crop      Rs 6

2<sup>nd</sup> Crop      Rs 6

These crops include rice and the following double crops viz: Sugar cane, Betel leaves, Cocoanuts, plantains, Saffron, fruit trees various.

Note. The rate for Crops classed as double will be on the area of such crop irrigated, independent of the area of the field.

§ 2. In future years the rate for 1<sup>st</sup> Class Single Crops when raised on fields so levelled and bunded that, quiet water will stand at a depth of a finger - to a hand-breadth over a whole bed will be for the 1<sup>st</sup> year of Cultivation 3 rupees for any such Cultivation

in the same registered field during the next year. 4 rupees and for any such in the 3<sup>rd</sup> year 5 rupees an acre, single rate. After the 3<sup>rd</sup> year full rate will be charged for crop irrigated in the same field. These progressive rates will be allowed only once in regard to the same field, when water is taken in 3 successive years, and if there is a break in the 2<sup>nd</sup> and 3<sup>rd</sup> year <sup>the</sup> crop will forfeit the benefit of the reduced rate on that field for all future years.

§ 3. 2<sup>nd</sup> Class Crops, requiring frequent floodings. . . . . See 4

These crops include Garden paddy, onions, chillies, Sweet potatoes, tobacco, Maize, Garden Korra, Indigo, Brinjals, Yava (wheat), Cumin, Bariga, mentulu.

§ 4. 3<sup>rd</sup> Class Crops, dry crops, requiring occasional floodings. . . . . See 2

These crops include Cholera, field paddy, field Korra, field tobacco, Cotton, gram various, oil seeds various, areca.

Note. The collector & Manager may classify any crop not included in the above lists, provisionally, until the <sup>decision of</sup> Board of Directors can be obtained. The Class of Crop

depends on the Kind of Seed, and not on the mode of sowing.

§ 5. A "Crop" includes one, two or more crops sown together in intermediate rows at the same time.

For crops requiring irrigation for more than 6 months the application must state this or else a fresh application requires to be made for every 6 months for which irrigation is desired; or they may be supplied after the 31<sup>st</sup> December under Rule V.

§ 6 to 8 {the same as before}

See Interim  
§ 9 [as before, except for "1,000" read "1440"]

§ 10. [as before]

§ 11. Mandlam paddy grown in fields in which similar crop had been grown in any of the facilities 1276 to 1280 will not be charged a list of the position and extent of such fields shall be made by the Revenue officers and recorded. Irrigation <sup>by</sup> Canal leakage water conveyed to lands for purposes of irrigation within the limits of the Company's distribution channels, or flowing through cuts or holes in a bund, will be charged the same

39

Same rates as are laid down for similar  
Cultivation supplied directly from the Canal  
Channel.

§ 12. No charge will be made for water  
passed as surplus or leakage into any water-  
course, or natural channel, from which  
before the construction of the Canal a  
crop of the same class had in time past  
by any means been irrigated. The position  
& extent of lands so irrigated, and the  
number of crops thereon irrigated, shall  
be ascertained and recorded by the  
Revenue Officers and areas and crops  
in excess of this shall be liable to the  
Canal water rate, if regularly and  
intentionally supplied by the Company.

Rule VII. As a general rule <sup>an</sup> application  
will be bound to pay for all the land  
applied for. In special cases where from  
sudden illness or loss of cattle or other  
unforeseen causes beyond his control,  
the ryot is prevented from cultivating  
the land, he may, at the discretion  
of the settling officers, be allowed  
to withdraw his application. If Cultiva-  
tion has been commenced, he may be  
charged only for the water used.

Ryots should be permitted to withdraw  
their applications for water, subject  
to subsequent approval by the settling  
Officers.

§ 13. & Rule VII to XI. [unaltered]  
Rule XII

Rule ~~III~~. All applications, whether made by the ryots verbally, or through the Canal officers shall be recorded by the Curnam, if possible, on the same day they are received <sup>in a Register;</sup> but applications \* Form B to cultivate less than the minimum allowed by the rules must be refused. Cultivation, where applications have been refused or not made will be separately registered by the Curnam.

Rule ~~III~~ to ~~XXV~~ unaltered.

P.S. To be added to Rule viii.

"No remission will be granted for failure of crops due to deficiency of water between the 1<sup>st</sup> January and the ~~annual~~ reopening of the Canal after the annual closing."

John H. Latham



A:37 J.C.C.

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Rev 4821/76

Madras Irrigation & Canal Co.  
Chief Engineer & Manager  
Kurnool 22<sup>nd</sup> Sept 1876

To Lt. Col J. Mullins, R.E.  
Chief Engineer for Irrigation, &c

Sir

Proposed new Water Rules.

I have the honor to submit for the sanction of Government, in accordance with clause 13 of the Contract of 3 June 1863, a draft of rules being a revision by the Collectors of Kurnool & Cuddalore. <sup>Best see letter No 29 of 9<sup>th</sup> instant from the present Collector of Cuddalore</sup> in communication with one of the rules passed in G.O. No 830 of 3 July 1874 & altered in G.O. No 1327 of 8 May 1875, G.O. 1360 of 13 Oct 1874 &c, with an addition to Rule viij drafted by myself only in conformity with views recently canvassed at Ooty.

2. The old Rule j is omitted, since the villagers know from the actual positions of the channels in their villages what fields are irrigable from them, better than any description could tell them: and for the Collectors and Deputy Collectors it is proposed to provide Taluk Maps showing the Canal & chief channels, in which the Taluks commanded by the Canal can be seen at a glance.

3. It will be seen that it is proposed to give up the option of applying for water at "crop rates" under clauses 1, 2, 3, 4, 5, 6, 7 & 8, (even

even in the first six months of the calendar year, although the supply of water is not guaranteed, nor remissions for failure of water granted. This will be a boon to the ryots. For instance take one indigo crop, which may last for two years, & in any case needs water in July in order to obtain a cutting before ploughing it up for rice in August or September. It also needs water in February, March and April. It does not die if water fails, except in extreme cases: it only ceases to grow, & deteriorates. Such a crop could be supplied at the monthly rate in February, March & April, under Rule v, at a rupee a month: but it could not then be irrigated in July, even once, except under Rule v, clause 3 for Rs 4 more; making Rs 7 in all. Indigo is largely grown in the Cuddalore district, & is the best crop to precede rice; and its waste leaves, after the extraction of the indigo, furnish one of the best manures for rice. Hence it is policy to encourage it in every way.

4. The other alterations are, so far as I see, merely changes of detail, in accordance with the practice at settlement, and intended to make the rules clearer: except the rule regarding Mundhum, or coarse, paddy (rule v, clause 11). This, I understand, it has been settled in the Coolevery irrigation, is a dry crop, though it will grow without irrigation only in moist land - as in land slightly hollow, or fed by subterranean springs. It will grow freely in the neighbourhood of the Canal, or of its channels, or of rice fields; especially in sandy soil, the best for rice irrigation. Mr Foster therefore drafted the clause in question. Mundhum paddy, so far as I learn, is a poor unwholesome rice, used chiefly for (adults)



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adulterating better kinds, and is likely to interfere with the reputation of the rice grown under the canal, to say nothing of its corrupting the morals of the Ryots generally.

5. I beg to urge an early consideration of these alterations, since, as Mr Daniel writes, it is advisable to avoid delay.

I have the honor to be,  
Sir

Yours Most Obedt Servt.

John H. Hutton  
Chief Engineer & Manager



M. J. C. C.

27/7/78  
5/11

Rev <sup>4</sup>/<sub>4821</sub>/76

Madras Irrigation & Canal Co.  
Chief Engineer & Manager's Office  
Kurnool 23<sup>rd</sup> September 87

From

J. H. Latham Esquire  
Chief Engineer & Manager M. I. C. Co.

To

W. S. Foster Esquire  
Mag. Collector of Kurnool

Sir,

Improving the working of  
Water Rules.

Your letter of 19<sup>th</sup> May 1876.

I have the honor to reply that I forwarded a copy of your letter to Mr M. L. for his careful reply after the Annual Settlement, but have received no answer. I presume that he considered the many verbal discussions which we have had upon the proposed alterations in the rules and mode of working them rendered a reply unnecessary.

I yesterday submitted to Government the proposed alterations of the rules, as approved by you, with an addendum to Rule viii, making it distinct that the Company guarantee no supply and give no remuneration for failure of supply after the 31<sup>st</sup> December. This was suggested by some remarks made at a Conference I had the honor to attend with His Grace the Governor Colonel Mullins and the Honorable W. H. Stoddart.

(at

at Ooty last week.

The following remarks will assume the Rules altered as proposed.

Ordinary Irrigation.

New Rule; It is very desirable that at each Village a revenue officer or deputy should always be present to take and register applications, give notice of insufficient supply &c during the sickness or absence of the Curman. Rule ii. I suggest that the Curman should hold an assembly in his Village on the 1<sup>st</sup> July, 1<sup>st</sup> August, and 1<sup>st</sup> Sept. for the purpose of receiving request to divide holdings, after tom-tomming the intention through all his village hamlets and that he report the fact and its results, and the Division he has made formally to you through the Tahsildar.

Rule vi Clause (?). In order to facilitate the due application for supply of tanks, the Collector should have a Map showing all the tanks commanded by the Canal. This I shall be glad to furnish. On this Map he might note against each tank the date on which the Company should be requested to supply it if not yet supplied by rain.

But I do not see how the reasonable and beneficial supply of tanks from the Canal can be carried out unless some individual, or body, be

(authorised

authorised to request a supply) and  
bind both the Government and the holder  
of ayacut land to the financial obligations  
involved.

A tank is a work for holding  
rain water and may virtually be considered  
Government property. The water is available  
by Ayacut holders under very various  
conditions, even under the same tank.  
Some represent the original constructors  
of the tank, paid for it by being allowed  
use of the water free: some represent  
contractors, and are allowed free use of  
water on condition of repairing the tank.  
Some are pensioners granted use of water  
at quit rent: some pay a regular water  
rate for use of water: some a consolidated  
rate if they sow any crop, whether  
they use the water or not: in some  
cases payment for the water is compulsory  
if there be any, whether it be used or not.  
In most cases all Ayacut holders claim  
to use any water there may be in the  
tank, however it come there, - whether  
they object to its being drawn from  
the Canal or not; - of course all the first  
mentioned classes do this. Now, I  
understand that Government has ruled  
to some such effect as this - that if there  
were no rain, and the tank were filled  
by the Canal, all the above bargains  
would be null: Government could  
claim no more than dry assessment  
for land irrigated in the Ayacut; but  
(Such

Such land should pay water rate.  
Such a simple case however cannot  
in practice be anticipated. If rain fail  
after the filling, or partial filling, of the  
tank by the Canal, then the quit-rent  
holders and freeholders, unless bound as  
parties to the application for Canal water,  
refuse to pay more than their quit-  
rent. As a rule these men hold off,  
and leave others to apply to the Collector  
for Canal water: and in that case  
the only means of irrigation for the rest  
of the Ayacut holders seems to be for  
them to irrigate directly from the Canal,  
and thus become liable to the full canal  
rate of six rupees besides the full water  
rate, or consolidated assessment, under  
the tank.

It seems to me that it is  
fair and desirable that Government  
make a standing rule, fixing for each  
tank a date - viz the 1st July - and a  
quantity in cubic yards, reckoned  
to be a month's supply for each individ-  
-ual tank under the Canal and  
order the Canal Officers at the re-  
quest of the subscriber who shall make the requisition  
to pour into each tank a month's  
supply, so soon as and whenever after  
that date the tank water fails to supply  
all the tank sluices. Government are  
a judicial body, morally strong enough  
to enforce such a rule without creating  
dissatisfaction, and to levy from all  
(ayacut

ayacut holders, in proportion say  
to the dry assessment of the fields  
or to their area, the value of this sup-  
-ply according to Rule vi clause (9),  
and to determine what relaxation  
shall be granted to those holding  
ayacut under a waterrate or consolidated  
assessment.

It will be noticed that a  
month's supply will never try the  
tank, nor increase the cost of repair.  
The Tahsildar is nearer the spot than  
the Collector, and can conduct the  
necessary inquiries in a day or two.  
When a tank supply fails, the highest  
slice of course runs dry first, and  
under this is almost always the land  
of the poorest cultivators. Application  
for Canal water is always postponed  
till the last moment in hope of  
rain; and then a few days delay  
causes the loss of the crops under  
the highest slice.

It will be convenient for the  
Canal Company that a (monthly) bill  
be presented to the Collector dated on  
the last day of every month, of the  
realised earnings of the Canal during  
the past month. Up to the 31<sup>st</sup> December  
that will contain only supplementary  
supplies under Rule vi clause 8 and  
tank supplies under clause 9. On the  
31<sup>st</sup> December all crop irrigation applies  
for up to date, under Rule vi clause  
(1)

(1) to (7) and (11), and excess  
crops under clause (12) and (13), will  
be included, since the rates will be  
realised, no remission for failure of  
water being granted after the 31<sup>st</sup>  
December. Hereafter each month's  
bill will include the irrigation  
applied for under rule & also. The  
collector should be instructed to  
place 95 per cent of the amount  
of these bills at the disposal of the  
Company's Manager, reserving 5%  
for errors, to be finally and completely  
adjusted before the 30<sup>th</sup> June. These  
sums will be brought into the  
Company's half yearly revenue  
account against the date of each bill.

I believe that the most  
convenient time for settlement  
will be that at present in use.  
The last settlement has been  
exceptionally tedious: in future  
I expect it to occupy for less time.

I have the honour to be  
Sir

Yours Most Obedt Servt

Signed John M. Latham  
Ch. Eng. & Manager

N-96. True copy forwarded to Ch. Eng. of Irrigation  
for information  
John M. Latham  
Ch. Engineer & Manager.  
Kurnool 25<sup>th</sup> Sept 1876



Recd.

P.W.D.

1876

7078

Rev 4821/6

No 65. Kurnool Collr Office  
19<sup>th</sup> May 1876.

From The Sr. Collector of  
Kurnool

To. The Chief Engineer  
M. S. & C. Co. Kurnool.

Sir, I have the honor to request you  
will inform me if you have any  
suggestions to make as to the im-  
provement of the means for giving  
effect to the Rules.

I also wish to know what  
cause of complaint you may  
have as to the manner in which  
the Rules are worked.

I have the honor to be  
Sir,

Yours most obedt. servt.  
W. S. Foster  
/Signed/ Sr. Collector

(True Copy)

Wm. H. Latham  
Chief Engr. & Manager



P.W.D.  
4076  
NR 7978

<sup>2</sup>  
Rm 4821/6

No 238 - 1000 - 1000 - 1000

Exhibit 2 Submitted to Govern-  
ment in continuation of this  
Office No. - 88, dated 21<sup>st</sup>  
September 1876.

Retained 2  
26<sup>th</sup> Oct. 1876

William H. Holcomb  
Chief Engineer for  
Irrigation.

604-8-76, No 34

8-5-75 - 1327

19-9-76 - 158.

Rules for the distribution of water  
from the Canal of the L. S. (C.)

P.W.D.

1876. 40076

No. 1978

From

The Chief Engineer for Irrigation

The Secretary to Govt.  
P. W. D.

Dated 26 Oct 76

Recd. 4 Nov 76.

Encls 2

No. 238-W.

Rev 1821/76

Proposed Water Rules - M. S. C.  
Co - Submits copy of letter of  
Chief Engineer to Manager  
The Collector of Revenue  
Rega Encl -

No. 276-W.

Endorsement of the Chief Engineer and  
Manager, M. S. C. Co., No 115 dated 7<sup>th</sup> Nov 1976

Encls

Submitted to Government, in con-  
tinuation of this office endorsement dated  
2<sup>nd</sup> September 1976 and No 238-W. dated 26<sup>th</sup>  
October 1976.

Ans. Ltr.

Major R.E.  
Dy. Chief Eng. for Irrig.  
for Chief Eng. for Irrigation.

For Ltr. Genl.  
26<sup>th</sup> Nov 1976. 3

Submitted to Government  
The Secretary to Government  
P. W. D.

P. W. D.

To The Most Honble the Secretary of State  
for India.

My Lord Marquis

The rules regulating  
the supply of water for  
Irrigation by the Canal  
of the Madras Irrigation  
& Canal Company and the  
water rates leviable for  
such supply having been  
found to need some modi-  
fication this subject to-  
gether with the rates pro-  
posed to be substituted  
for those now in force  
have been carefully con-

considered

MA  
24

MS. 111

considered by the Chief  
Engineer and Manager  
of the Company in consul-  
tation with the District  
Revenue Officers and have  
been reported only by the Board  
of Revenue, but before  
making any changes we  
consider it desirable to  
ascertain from your Lordship  
whether any measures likely  
to affect the position and  
status of the Company  
are under consideration or  
contemplated, and we have  
the honor therefore to trans-  
mit a copy of our Proceedings  
in this margin, and to request  
that we may be informed  
whether we should continue  
to

11. 11. 6

No. 7

Received at the  
office of the  
Secretary to the  
Government of India  
at Calcutta  
this 27th day of  
November 1853

J. L. B.

to act on the assumption that  
the Company will maintain  
its present position indefinitely  
by a course which it will  
be necessary to follow should  
your Lordship <sup>be so minded</sup> purpose  
to enter into negotiations  
for transferring the direct  
management of the Canal  
to the Government.

27/3

5  
C103172

Sept. 11 1877

PUBLIC WORKS.

The Chief Engineer  
9/14

W. B. Smith 1136

Nos. 71-72

Mr. J. C. Co. The Secretary  
of State addressed with  
in connection with the sub-  
ject of modifying the rules  
regulating the supply of  
water for irrigation by the  
Canal of the — and the  
water rates variable for  
each supply.

Requesting to be informed  
whether any measures likely  
to affect the position & status  
of the M. & C. Co. are under con-  
sideration with the view of  
modifying the present rules  
regulating the supply of  
water for irrigation by the  
Canal and the water rates  
variable for each supply.

W. B. Smith

W. B. Smith 1136

Aug 21/77