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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P. W. DEPARTMENT

G.O. No.	2384 (W)	Press.
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14TH SEPTEMBER 1882, No. 2384 W., PUBLIC WORKS.

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GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

General
Establishment.

No. 113.

READ—the following:—

Draft of Rules framed under the Madras Irrigation Act, 1882.

No. 114.

ORDER—dated 14th September 1882, No. 2384 W., Public Works.

The accompanying draft of Rules framed under the Madras Irrigation Act, 1882, is referred to the Board of Revenue for their remarks in continuation of the draft Act forwarded with G.O., No. 2209 W., dated 28th August 1882.

(True Extract.)

Under Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Board of Revenue, with copies of draft Rules.
„ Chief Engineer for Irrigation.

Exd. S. T. Austin.
Spare Copies

GENERAL
ESTABLISHMENT.

Gobt. of 1882 Madras.

PUBLIC WORKS.

Dated September, 14th.

Recd.

Encl.

G.O., 14th Sept. 1882, No. 2384 W.

SEPTEMBER.

Nos. 113-114.

Rules framed under the Madras
Irrigation Act, 1882.

Draft of — forwarded to the Board of
Revenue for remarks.

In exercise of the power conferred by the Madras Irrigation Act, 1882, the Governor in Council is pleased to make the following Rules for the administration of Canals in the Madras Presidency:—

I.—APPLICATION FOR WATER FOR
IRRIGATION.

1. No application is required for water for land which has been irrigated for wet crop in the preceding year.

2. For the irrigation of land not before irrigated, or for which irrigation has been relinquished, application must be made in duplicate in the form of Appendix No. I to the Executive Engineer of the Division, or to some other canal officer duly empowered to receive such applications. Blank copies of the form will be supplied to intending applicants free of charge.

Similar applications will be required for all second wet crop irrigation, and for all dry crop irrigation.

When the land to be irrigated is held jointly by two or more holders, the application must be signed by each of such joint holders.

Both copies of the application will, if the application be granted, be forwarded to the Divisional Revenue Officer after column 8 has been duly filled in, and the Divisional Revenue Officer will, after filling in column 9, transmit the original to the applicant, and return the duplicate to the Executive Engineer.

Applications for water for any purpose other than irrigation may be made in the form of an ordinary letter addressed to the Executive Engineer of the Division, or other officer aforesaid.

3. If an application for water be rejected, the cause of rejection will be noted on the form.

4. The causes of rejection which are authorized are—

- (1) the water not being available;
- (2) the means of irrigating the land entered in the application not being available, i.e.,

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there being no Government distribution channel capable of supplying the applicant's water-course;

(3) the land to be irrigated not being demarcated and prepared for irrigation.

5. If, from any cause, the water-supply from a canal proves insufficient to meet all the accepted applications for water, all questions regarding priority of right to receive the available water, and the quantity and regulation of supply, shall be finally determined by the Executive Engineer of the Division.

Provided always that the claims of those whose lands were irrigated in the preceding year shall have priority over all claims dating from the current year.

II.—CLOSING OF CANALS FOR REPAIRS, &c.

6. No canal shall be closed for the execution of any repairs, alterations, or additions thereto, except in cases of emergency, without the previous sanction of the Chief Engineer for Irrigation, who shall fix the period, or periods, for which the supply of water may be stopped under Section 27 (d) on account of the execution of such repairs, &c. In cases of emergency a canal may be closed, and the said period, or periods, may be fixed by the canal officer of highest rank on the spot.

III.—WATER-SUPPLY RATES FOR IRRIGATION.

7. The rates leviable for canal-water supplied for purposes of irrigation will be fixed at a certain amount per acre, varying according to the kind of crop to be irrigated, and according as the water is obtainable from the canal by lift or flow.

8. When the crop first sown fails and is ploughed up, and a fresh crop is sown in the same season, the rate shall be levied on that crop only which comes to maturity.

9. If only part of a field be irrigated, the rate shall be chargeable on the area of the whole field unless such part shall, from the first

if the level of the land is too high

who will forward a copy of his decision at once to the Executive Engineer of the Division

due notification being made in the District Gazette at least one month previous to such closure when feasible?

commencement of the irrigation, have been clearly demarcated by a ridge not less than half a foot high.

10. When a portion of a field has been irrigated with canal-water and a portion with well-water, the rate shall be chargeable on the whole field unless the portion irrigated by well-water shall, from the first commencement of the irrigation, have been clearly demarcated by a ridge not less than half a foot high.

If the portion demarcated for the purpose of being irrigated by canal-water has nevertheless been partly irrigated by well-water, enquiry shall be made whether the use of well-water was necessitated by a deficiency in the supply of canal-water, and, if it be shown to the satisfaction of the Executive Engineer that it was so, the rate chargeable on the portion irrigated by canal-water shall not exceed the lift rate.

11. The same provisions shall apply to irrigation from escape channels as to irrigation from other parts of a canal.

When the supply of water from any such channel lasts continuously throughout the period for which it is required for use, the same rates shall be levied as for a supply from the canal. When the supply is intermittent, such reduced rates shall be charged as may be fixed in each particular case under the orders of Government.

12. If a supply of water is obtained by any person from a canal for the purpose of irrigation without the previous permission of the Executive Engineer of the Division, the rate chargeable for such water shall be double the rate chargeable for the authorized irrigation of the area irrigated, and this rate shall be leviable in addition to any penalty which may be imposed under the Act.

Water-supply Rates for Non-irrigational purposes.

13. Water supplied from a canal for any purpose other than irrigation will be charged for by volume or otherwise at such rate as Government shall from time to time determine.

Applicant must be notified as a matter of fact in the District and in the Division?

IV.—OCCASIONAL RATES.

11.14 The charge to be made under Section 44 on account of water supplied through a water-course used in an unauthorized manner shall be as follows (namely):—

- Charge to be imposed when water supplied through a water-course is unauthorizedly used.
- (a) if the water so used (double the has flowed on any highest rate land, and such land leviable for has derived benefit a single therefrom, crop;
 - (b) if the water has flowed (double the on any land, but such lowest rate land has not derived leviable for benefit therefrom, a single crop;
 - (c) in any other case ... double the rate chargeable under Rule 13 on the volume of water estimated by the Executive Engineer to have been used.

The above charges will be leviable in addition to any penalty which may be imposed under the Act on the person who unauthorizedly used the water.

12.15 The charge to be made under Section 45 on account of water supplied through a water-course which is suffered to run to waste shall be as follows (namely):—

- Charge to be imposed when water supplied through a water-course is suffered to run to waste.
- (a) if the water has flowed (double the on any land, lowest rate leviable for a single crop;
 - (b) in any other case ... double the rate chargeable under Rule 13 on the volume of water estimated by the Executive Engineer to have been wasted.

V.—REMISSIONS.

13.16 Remissions of water-rate under the last paragraph of Section 30 may be granted by Collector. Section 30 may be allowed by the Collector, and may extend to the whole or to a part only of the rate, as he shall in each case think fit.

14.17 Claims for such remissions shall be preferred to the Executive Engineer of the Division direct; and if not so preferred within one month from the time when the damage in respect of which the remission claimed is alleged to have occurred, shall not be entertained. If, without giving the Executive Engineer at least seven days' notice in writing of his intention, the claimant cuts the crop alleged to have been damaged at any time within 20 days after preferring his application, his claim shall not be entertained.

18. If the application be preferred within the period prescribed by the last rule, the Executive Engineer shall, within 20 days after the date of its receipt, or within the period of the notice, if any, given to him under the said rule, make or cause to be made a local inquiry, at which he or any person acting under his special order in this behalf shall be present, and the result of which shall be recorded on the application, which, together with the opinion of the Executive Engineer, shall then be forwarded to the Collector for disposal.

VI.—MISCELLANEOUS.

15.18 Applications for free grants of water-supply shall be referred for the orders of Government in the Public Works (Irrigation) Department, and no such grant shall be made without the previous sanction of Government.

16.19 In cases of dispute regarding water-supply, or remission, or abatement of water-rate, the water-gauges and meters set up by the Public Works Department shall, if certified by the Executive Engineer of the Division to have been in good

*Collector who before
submitting such remission
should in every case
make local inquiries
to obtain the opinion
of the Executive Engineer
of the Division.*

order during the period to which the dispute relates, be held to furnish authoritative data for all calculations of discharge.

21. No canal officer or other officer or subordinate shall—
 Certain acts forbidden to canal officers, &c.

(1) acquire, directly or indirectly, any share or interest in the distribution of water from any canal; or,

(2) purchase, or bid, either in person or by agent, or in his own name or in the name of another or jointly or in shares with others, for any Government property in, on, or appertaining to any canal.

Breach of this rule shall be punishable with a penalty under Section 52, Clause (10) of the Act.

Returns.

22. The Collector shall furnish the Executive Engineer of the Division with annual returns in the form of Appendix II as soon after the close of the revenue year as possible.

*not later than 20th Sep.
each year?*

APPENDIX No. I.

Form of Application for Water for Irrigation for the Year 18

Name of Village.	Name of Canal.	Name of Distributary.	Survey Number of Field.	Area of Field to be irrigated.	For what Crop required.	Date from which Water is required.	Order of Executive Engineer whether Application is granted, or otherwise.	Water-rate chargeable per Acre.	Remarks.
1	2	3	4	5	6	7	8	9	10
				ACS. CENTS.					

Columns 1 to 7 to be filled in by Applicant.
 Column 8 to be filled in by Executive Engineer.
 Column 9 to be filled in by Divisional Revenue Officer.

APPENDIX No. II.

Statement of Revenue from Irrigation Works for the Year 18

Division.	Name of Canal.	Name of Distributary.	Area cultivated.	Assessment.	Water- rate.	Total.	Remis- sions.	Net Demand.	Remarks.
1	2	3	4	5	6	7	8	9	10
			ACRES.	RS.	RS.	RS.	RS.	RS.	

Collector.

X/

No 2384 W ²³⁸⁴ M Department
Proceedings of the Madras Government

Under date the 14th September 1882
Draft of Rules framed under the Madras Prigation

Act. 1882.

2384

The accompanying
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under the Madras Prigation
Act 1882 is referred to
the Board of Revenue for
their remarks in continuation
of the draft Act forwarded
with G.O. No 2209 W of 28th
August 1882

(Sd) R.H.S.

Draft Rules to be
reprinted and issued
from Madras office
by S. S. S.

To,
The Board of Revenue

with copies of Draft Rules

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Sd. S.

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Sd. S.

Govt. of (1882) Madras.

PUBLIC WORKS.

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Dated

Recd.

Recd.

G. O. 11th Sept. 1882. No. 2384W.

Nos. 1136714

Rules framed under
the Madras Irrigation
Act 1882.

Draft of — for the
H. of Rev. for the same.

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