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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / B.P. No.	354	Press / Mis.
Dated	17 - 3 - 1874 196 .	

Not to be folded or roughly handled

No. 160. Read the following Proceedings of the Madras Government in the Public Works Department, dated 11th March 1874, No. 111 :—

Read the following :—

No. 65.

Note by the Chief Engineer for Irrigation.

In G. O., No. 1,508, of the 6th June 1873, it was directed that such measures should be submitted for consideration as might appear conducive to the removal of the difficulties which have been supposed to interfere with the free use of the water of the Madras Irrigation and Canal Company's canal for purposes of irrigation; and in pursuance of these instructions it was arranged that the Chief Engineer and Manager of the Company should prepare draft rules and regulations. All former papers were collected and a précis prepared, etc., to facilitate the investigation, and much discussion ensued upon the provisions to be embodied in the rules. When the general views of the officers named in the order of Government had been, as far as possible, elicited, a meeting at Cuddapah was arranged, and two days* were devoted to a careful discussion of all the points which appeared to require further consideration, and the rules now submitted are the result of the deliberations. It is hoped that these will secure the approval of Government at an early date, so that their promulgation in all the villages concerned may take place some months before the commencement of the irrigation season which begins in June.

* 16th and 17th January.

2. But little need be said by me in submitting the rules: it will be understood that the actual circumstances of the districts and of the machinery available for working the rules have been fully considered, and that good reasons were adduced for giving the rules the form and phraseology finally adopted. The Curnams are clearly not to be relied upon to record applications, or to facilitate the preliminaries which must precede the supply of water to the lands, and it was considered that the remuneration to these provided in Rule XXI. would not ensure that prompt attention to applicants which is essential. Consequently, for the future it is proposed that all applications for water shall be made through canal officers, who will then know what water is wanted, and besides this there will be evidence of the number and date of applications forwarded to the Curnams for disposal.

Rule II.

The Committee were unanimous in the opinion that a limit must be put to the sub-division of fields, and after much discussion it was settled that 2 acres should be the smallest sub-division, and a 4-acre field the smallest to be sub-divided.

Rule III.

This gets rid of surreptitious irrigation regarding which very different views have been held and acted upon. For the future inattention to the rule will be lightly punished at first, and the penalty will become heavy only after repeated infringement of the regulation that application for water must precede its being taken.

Rule IV.

The charge of 1 Rupee a-month for water supplied after the 31st December for irrigation direct from the canal and without tanks is a convenient way of dealing with a precarious supply and of [illegible] by the Company.

Rule V.

Chapter II. consists of one rule only, which contains, however, many clauses for the settlement of water-rates. These have been fixed with reference, to the requirements and circumstances of different kinds of cultivation, and they will supply a want which has long been felt. It is believed that the absence of such a scale of rates has prevented water being taken for crops which could not afford to pay 6 Rs., and yet for which flooding was not an appropriate description of irrigation. It will be seen from the note to Clauses 1 and 2 of Rule VI. that a very important concession is provided by charging for the irrigation of wet crops a half rate for the first year, and the full rate only in the fourth and subsequent years, in order that the land-holders may be recouped some of the expense of laying out their fields properly. No reduction will be made where fields are not levelled and bunded: such open fields lead to great waste of water, and, moreover, to very inferior crops; but probably from ignorance the practice of cultivating rice without the means of retaining the water has prevailed to a considerable extent. It will be observed that flooding has been omitted altogether from the rules as a description of irrigation to be paid for on each separate occasion of the supply of water, and that in lieu of this (Clause 4) a 2-Rupee rate has been provided for crops requiring water only occasionally, and they will for this payment receive what they may require. This will be beneficial in more ways than one, for there will be no temptation to take more water than is really good for such crops.

Rule VI.

3. Clauses 11 to 13 refer to leakage and surplus water, and with reference to these Mr. Latham, though he has agreed to and signed the rules, has, in his letter, No. 12, of the 26th January last, made several remarks. Clause 11 provides that all lands commanded by the Company's distribution channels, and which could, therefore, be irrigated by these, shall be charged the proper rates if supplied by leakage water conveyed to them, and that sub-soil leakage into fields shall not be charged for: the rule appears to be sufficiently clear. As regards this clause no purposes or intentions have to be taken into account.

4. Clause twelve also is, so far as I can judge, quite clear, and I need only mention that the concluding words are intended to place cultivation, carried on through a Government work, and not entitled to be irrigated thereby, on the same footing as if it were supplied directly from the Company's channels. It is in the latter part of clause 13 which relates to water passed to waste that allusion is made to intention, and the Chief Engineer and Manager has noted that he does not understand the sentence which provides that extension of cultivation by water passed to waste down a water-course shall be charged the canal water-rate "if regularly and intentionally supplied by the Company." I do not know whether I can render the meaning more obvious. The Committee wished to give the Company full and entire control both now and in the future over the supply of water, and to leave them to use it to the best advantage. All water controlled and made use of by means provided by them is to be charged for; but, if they finally, or finally

Proceedings of the Madras Government, Revenue Department,
17th March 1874.

for the time being, relinquish this control and use, the claim to payment is deemed untenable. As regards the first illustration I should say that the Company can, if they think fit, pick up and distribute water discharged into the Bowanassy [illegible]nk of that river [illegible]ischarged and made use of by the left bank the land is, or will be, fully commanded by distribution channels, and, if the ryots choose to take surplus water in preference to getting a supply in a regular manner, a charge may properly be made. If the Company cannot, by reason of the imperfection of their works, prevent waste, the remedy is obvious; and if it be not worthwhile to provide a remedy, there is no ground of complaint if the abandonment of their property in the water be followed by its use by those who arrange for its utilization. I do not think that the loss of revenue will in any case be material, but, if it be so, it will be proper to prevent it by executing the necessary works. Banakcherla, referred to in the second illustration, is no exception to the rule: the leakage, if as extensive as is indicated, can be utilized by one or more channels cut for the purpose of collecting and distributing it; and these can also be connected with irrigation sluices, and a regular and intentional supply will then be provided, and there will be no doubt as to the propriety of charging the rate on all land irrigated.

5. These clauses were framed after prolonged discussion, and I believe they convey the intentions of the Committee as clearly and fully as these could be expressed.

Against this rule Mr. Latham has made a remark that discretion should be allowed. The case quoted by him of Curnams being in gaol for felony is probably somewhat exceptional; but in such a case some one would, it is supposed, be appointed to do the Curnam's work, and after the word "Curnam" the words "or the substitute appointed to act for him" if inserted would meet the difficulty.

Rule XXI.

FORT ST. GEORGE, (Signed) J. MULLINS, Lieut-Colonel, R.E.,
4th February 1874, *Chief Engineer for Irrigation.*

REFERRED, in original, through the Revenue Department, to the Board of Revenue for early consideration.

(True Extract.)
(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government, P.W.D.

No. 161. ORDER THEREON, 17th March 1874, No. 354.

Irrigation, No. 3.

REFERRED to the Board of Revenue for early report.

(True Extract.)
(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of [illegible] 1874. [illegible]

REVENUE.

THE BOARD OF REVENUE.

[illegible] March 1874.

G. O., 17th March 1874, No. 354

MARCH.

Nos. 160-161.

Revised Rules for the distribution of Water from Madras Irrigation and Canal Company's canal.—Rules to Revenue Board for early report thereon regarding.—

Revised Draft Rules for the distribution of water from the Canal of the Madras Irrigation and Canal Company.

Chapter I. Application for water.

Agent to inform the Collector each year what fields he is prepared to irrigate.

* NOTE.
Where Village maps and Registers have not been published, it would be sufficient to define Irrigable tracts.

I. Before the 1st day of April in each year, the Agent of the Company shall inform the Collectors of Districts what are the survey numbers, with their areas, in each Village, under the influence of the Canal, which 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 Karnams, before the 1st day of May following.

No water to be taken without application

A

II. No water shall be taken from the Canal, for irrigation purposes without application to the Village Karnam or Peadai. If the ryot wishes, he may apply through the Company's ove

or the Revenue Inspector.

III Should a survey field be less than an acre in extent, no application shall be received for a portion of it; and should a survey field exceed an acre, no application shall be received for any portion less than an acre. All cultivation below this limit will be charged as if for the whole field, if it does not exceed an acre and for one acre, if the field is larger.

IV. Where any portion of a field is unfit for cultivation, or where the extent occupied by a shareholder is less than an acre, and the full complement cannot be taken up, a separate sub-division will be made under the orders of the Collector or Divisional Officer, and the sub-division so made will be a whole field.

V IV If water is taken without application the cultivator will not be

Minimum extent for which application should be made.

G.O. dated 14th May 1873 No 492. R.D.

Sub-division of fields.

Cases without application how to be dealt with.

NOTE. McLatham is of opinion that instead of a possibility of refusal of remission, and a liability to be charged double, a fixed penalty of 4 annas an acre for irrigation before application without proof of fraud would be more efficacious. J. H. L.

Risk of late sowing.

entitled to remission. If water is taken with the intention of evading payment double rates will be charged.

VI The Company do not undertake to supply water beyond the 31st December; but so far as water is available in the Toombudra or other streams feeding the Canal, it will be supplied up to 30th April, after which date the head sluice will be closed without fail.

Chapter II. Water Rates.

Charge for water on application.

VII The charge for water on application shall be as follows:-

⊕ such for instance.		Rate per acre R. A. P.
1. Rice	1st Class Crops. Clause ①. Single crops requiring continuous supply 1st crop.	6-"--
2. Sugar cane. (double)		
3. Betel leaves (do)		
4 Cocoanuts (do)		
5 Plantains (do)	Clause ②. Do. 2nd crop (under	6-"--

and for the future years wet crop of the

2nd Class Crops.

Clause (3). × Crops requiring frequent floodings. 4-"-"-

3rd Class Crops.

Clause (4). Dry ⊖ crops requiring occasional floodings. 2 Rupees

NOTE. By "crop" is meant by ~~single~~ one or 2 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, inclu

Clause (6). For a series of any crops, rice excepted, raised from the beginning of the season up to the 31st December. 6-"-"-

Clause (7). Do from 1st of January to the closing of the Canal ~~6~~ 12 Rupees

Clause (8). If water is not supplied for the whole time the crop is on the ground and the

× Usually irrigated in beds, such for instance
1. Paggy.
2. Onions.
3. Chillies.
4. Sweet Potatoes.
5. Tobacco &c.

⊖ Such for instance.
1. Cholum. &c
~~2. Field Chillies.~~
~~3. Field Tobacco &c.~~

NOTE. Mr Latham cannot learn that any field chillies, field tobacco, or field raggee is grown under the canal. None but the ordinary kinds are grown in the Nundikotakur Taluq. He therefore thinks that it would be better to avoid mention of them unless some data regarding the extent of such crops be procur... J.H.L.
Mr Latham would also insert maze and wheat in the 2nd class examples. J.H.L.

as per instance
Sugar cane
Betel vine
Cocoanuts
Plantains
&c &c

crop is matured from other sources, the charge on crops of the 1st class shall be at the rate of 1/2 Rupee and on crops of the 2nd class at the rate of 1 Rupee per month of Canal Irrigation.—

3

Boards Pro:
No 1157 dated
2nd July 1873.

Clause (9). For water supplied to a tank for storage for the purposes of irrigation, the rate shall be 1 Rupee for 1000/1440 cubic yards, the quantity being determined by a gauge set up in the tank, and graduated correctly to cubic yards. If during the time of filling, water ~~water~~ is drawn from the tank, for irrigating the lands under it, the same shall be charged per acre at 6 pies per diem between 1st June and 31st December, and 8 pies per diem between 1st January and 31st May, with a correction for increase or decrease of the contents of the tank during the supply at the rate of 1,440 cubic yards the Rupee. Water shall be supplied as above on the Application of an Officer not lower than a Tahsildar.

3rd Class 2nd Class

who shall apply on receiving a petition signed by not less than 2/3 of the Cultivators under the tank.

Clause (10). If water is baled the charge shall be 2/3 of the full rate.

BALING.

Clause (11). When leakage water from the Canal or the Company's channel flows through the soil and irrigates wet or garden crop, and is proved to the satisfaction of the settling officers, that the crop was benefited to the same extent as if it received a direct supply from the Canal, the ordinary rates shall be charged.

LEAKAGE

Irrigation by leakage water Cannot be allowed to lands for purposes of Cultivation, within the limits Commanded by the Company's irrigation channels, will be charged at the same rate as are laid down for similar cultivation supplied direct from the Canal channels

Leakage into fields, Nuisance called, suit for Damages Rs 4 or 6. vide noble charges for.

Clause (12). When the leakage is not sufficient to raise a wet or garden crop, but is sufficient to improve the land and enable the ryot to raise a more valuable dry or field crop than formerly, the rate will be ____ 2 -"- "

12.

Clause (13). No charge shall be made for the maximum area on any land cultivated within

NOTE on Clause 13. Mr Latham thinks it a pity that the maximum former irrigation be

guaranteed to Govt free, instead of the fair average. The difference is said to be trifling in amount. J. H. L.

annual cultivation under ____ irrigation, due to the influence of Canal water, shall, if such ____ be within the Company's Scheme of irrigation, be charged for at the same

Board's letter on the other cultivation Proceedings in the letter Agent and No 1157 dated at Canal rates by and 2nd July 1878. that limit.

charge shall be made ____ paid on Sugarcane with ____ other natural duffy ____ Sugarcane or wet crop ____ past be usually ____ irrigated ____ time and extent of ____ to ____ shall be ascertained and ____ ; and area to be exempt ____ water rate, if regularly ____

Clause (14). No charge shall be made on account of the mixture of Canal water with a natural source from which a wet or garden crop has in time past been irrigated; nor for extension of cultivation irrigated to any extent, provided such extension be proved not to be due to Canal water

the preceding 5 years under tanks the supply or distribution of which is necessarily affected by the Canal.

Chapter III. Remissions.

Application may be withdrawn in certain cases.

VII

~~VIII.~~ As a general rule, Applicants will be bound to pay for all the land applied for. In special cases, where from sudden illness or loss of cattle or other 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 [illegible]
has been communicated by telephone
or telegram the word -

XVIII. Remission of water rate, either wholly or in part, will be granted for failure of crops only in cases where that failure is caused by excess or deficiency of water due to defect of works, and not to neglect on the part of the ryots, and no remission will be granted unless [illegible]

X. In exceptional cases, such as failure due to "Chondu", excessive rains, or other cause beyond the ryots control, a similar indulgence may be granted, at the discretion of the Settling Officers, subject to the confirmation of the Collector and of the Manager of the Company.

XI. No claim to remission for any case of loss or damage of crop shall be admitted unless timely notice is given to the Village or Taluk Authorities, so as to secure examination on the spot, before the damaged crop is removed. The Karnam will give prompt intimation of the claim to the Company's Overseer or the Resident Engineer.

Grounds for remission.

Discretionary remissions.

Timely notice of damage of crop to be given to Revenue authorities.

Chapter IV. Registers of Applications and Accounts

Applications to be registered.

XII. All applications shall be recorded, if possible, on the same day they are presented. ~~They shall be entered in a~~ *Register, ~~and the signatures or marks of the Applicants shall be taken in the column~~ provided for the purpose. Where new channels are applied for, the Karnam will send an immediate report to the Company's Overseer or Engineer of the Division.

* FORM D.

Course to be adopted if new channels are required.

Register when to be closed and to whom forwarded.

XIII. The Register of Applications shall be closed [illegible] 20th of [illegible] and an extract thereof despatched to the Taluk Cutchery so as to reach it on the 1st of the following month. All cultivation, without application should be shown at the foot of the register with the necessary remarks.

Taluk abstract of applications when to be closed and to whom despatched.

XIV. The Tahsildar, or in his absence, the Taluk Sheristadar, shall prepare an abstract thereof and despatch it so as to reach the Collector on or [illegible]

, who will forward it on, to the Company's Chief Engineer.

Karnam to send fortnightly reports to the President Engineer.

XV. The Karnam shall send fortnightly an extract from the Application Register to the nearest President Engineer or Overseer of the Company.

Book of measurements of fields applied for.

XVI. The Karnam shall further keep a book x showing the detailed measurement of the area applied for. The Revenue Inspector should examine during his visit to the Village the accuracy of the measurements thus recorded and make necessary corrections in red ink.

x Form C Appendix.

Registers kept by Karnams to be open for inspection to officers of the Company and vice versa.

XVII. The Register of applications kept by Karnams shall be open for inspection to officers of the Company, who may enter any remarks they think proper, or make extracts therefrom. Similarly the Karnams and other Revenue officers may inspect Registers kept by the Company's Overseers and Surveyors. Where there is a difference of opinion between the Karnams and the Company's Overseers either in regard to damage or irrigation, the same shall be reported to the Revenue Inspector, in view to the necessary enquiry being held on the spot.

Register of Irrigation.

Entries therein to be made after personal inspection.

* Form C Appendix.

XVIII. The Karnam and the Peddi shall go along the Irrigation Channels and inspect the Cultivation as often as necessary, and at least twice a month, and enter the extent in the * Register kept for the purpose, with any necessary remarks regarding ~~unreported~~ unreported cases of damage to crops &c. An immediate report of any damage shall be sent to the nearest Company's Overseer or Engineer and to the Revenue Inspector of the Range. On receipt of this report, the Revenue Inspector shall as soon as visit the spot, together with the Company's Overseer, if possible, and report the result of his enquiries to the Tahsildar. In more important cases,

the Tahsildar or Sheristadar shall conduct the investigation in person.

XIX. The Karnam shall, at the close of the season, prepare an account showing the total land applied for, the portion irrigated and any loss of produce from insufficient supply, inundation, or defect in the works of the Company and submit the same to the Taluk Cutchery not later than the 1st of April in each year.

Annual water-rate account what to contain and to whom to be despatched.

Some D & D.

Chapter V. General Rules.

XX. The Settling officers shall consist of the Collector of the District and the Manager of the Canal or of an officer appointed by either to act for him. They shall decide all facts pertinent to claims made by ryots for remission of water-rate due to damage done by the Canal water or works; or to appeals against the rates or measurements and shall be competent to decide on the correct amount of water-rate chargeable and on the remission thereof and also to arbitrate, if so desired by the claimant, on all cases of claims for damage made against the Canal. It shall be open to either the Government or the Company as represented by their Local Officers to claim a reference of the question to arbitration, in which case, the Collector and the Company's Chief Local Officer shall each nominate one arbitrator and the two nominees shall elect an umpire. The decision of the arbitrator shall be final.

Claims to remission to be investigated jointly by the Local Revenue and Company's officers and to be settled by arbitration if necessary.

Notice of the time to be given to the ryots

XXI. Notice of the time and place of Settlement of each Village shall b

town-towned through the Village sufficiently early to admit of the attendance of the ryots.

XXII. It shall be permissible for the Manager of the Company to pay to the resident Village officials or any one or more of them in such proportions as he may deem fit, a sum not exceeding a total of half an anna in the Rupee on the gross adjusted water-rate of their Village, such payments to be debited to the working expenses of the Canal for the current season at the close of which they will be made.

XXIII. A table of water-rates and remissions in accordance with the above rules in English and Telugu, and a printed copy of sections 2 to 11 in Telugu shall be posted by the Company in every Village and hamlet whose land is irrigated by irrigation.

(Signed) James Hope.
Ag Collector of Kurnool

(Signed) John [illegible]
Chief Engineer & Manager [illegible]

A true Copy,
C. Dawson.
Head Clerk R.M.L.B.C.Co.

Memo on the Draft Rules for the distribution of water from the Canal of the Madras Irrigation and Canal Company.

Rule 1. As the Company are bound to deliver the water on the fields, it is necessary that they should give timely intimation to the Collector, what new channels have been made, and what extent of lands can be cultivated in the coming season. This information should be publicly notified in the Village to enable the ryots to make up their minds whether to sow dry crops, or to take to wet cultivation. Hitherto there was a rule, requiring the Collector to send a list of applications to the Chief Engineer before the 1st of April every year, but it was found impossible in practice to get the ryots to apply so early, and as a rule, they desire to put off application, and usually refuse to commit themselves in the least until they are just ready to plough. The rule was intended to give the Company timely information of what channels would be required, and so make

it possible to provide suitable staff and working parties just where they might be wanted. Moreover admission of water into the Canal always includes admission of silt. It is important on this and other grounds that the Company's officers should have trustworthy information as to the extent of cultivation to be irrigated.

Rule III. In the Talukes through which the Canal passes, all the fields, as demarcated by boundary stones numbered and shewn in the Government surveys and registers of each village are of large size suitable for dry cultivation. They ryots cannot generally take up the whole of such fields for wet cultivation. The limit of one acre minimum, is therefore necessary; in cases where the fields are larger in extent. Their measurement should be calculated with reference to the survey Nos, which have distinct boundary marks, rather than with reference to Revenue fields, which have no such boundaries, and have either been split into several survey numbers or clubbed with into one survey number. In Village Officers and the r more familiar with s than with Revenue f course of a few ye becomes settled, t may be separately demarcated and surveyed and classed as wet, so that the necessity for annual examination and annual applic-ations may be removed.

Rule IV. This is intended to meet exceptional cases w Rule III the ry

Rule V. In Boards Pro-ceedings No 7739 dated 18th October 1869 paras 9 and 10 and again in Proceedings No 847 of 1873, it is stated that where the intention to evade payment is not proved the double rate should not be charged, but remission should be refused.

Rule VI. Vide Collectors letter No 223 dated 25th July 1873 and Board's Proceedings No 1782 dated

* dated 21st May 1873.

tember 1873.

II. Clauses 1 to 5 incl-

er Rates.

arden crops have
o crops requiring
gation, and crops
requiring frequent irrigation,
(floodings). Considering that
a single garden crop requires
much less water than Paddy,
it seems fair that a reduced water-
rate should be charged on the former
as compared with the latter. Rs (3)
has, therefore, been fixed for the former
and Rs (4) for the latter.
ced
paddy, ... annuals, such as
sugar cane, betel, fruit trees &c,
which take more than six months
to mature: double charge, of course,
being levied when water is supplied
throughout the season. In the
2nd class are included all garden
crops and crops cut periodically
for fodder or for dye, such as
guinea grass, Indigo, and other
remunerative crops. The 3rd class
comprises the ordinary dry crops
such as cholum, Cotton &c.
Hitherto crops other than rice

and garden and, since ... chillies, have been irrigated by floodings at the rate of 1 Rupee per flooding, a practice open to several objections. The ryot was induced as a matter of economy to take as few floodings as possible. He watched ... crops were on the verge of perishing from drought he then flooded it as much as the fall of the ground permitted him to do without destroying the crop. The considerable quantity of water thus used would ... been better spread over 2 or 3 more ... waterings, and, ... would have required smaller channels to supply it. The charge for a single flooding was equal to that for 3 weeks continuous irrigation of rice; and yet the mode of using the water was not (as above explained) calculated to give the ryot the full value of the water used. Again when drought proved persistent, and flooding had to be followed by flooding, there was no limit to the expense, until

...ssible for rice and garden's had been reached: this rule deterred many from flooding except to ensure their crop. Yet somewhat inconsistently, the possibility of flooding, as a final resource, operated to bias Ryots to run the risks of the season with indigo and other crops rather than to pay Rs 6 for rice irrigation. By the present rules the flooding rate is abolished; but composition rates lower than for rice are introduced entitling the ryot to all the irrigation ... These rates seem to suit the requirements of the crop, and to be a boon to the ryot, and also will secure the Canal higher return per acre of that class of crop irrigated, than has been obtained by the flooding system hitherto.

Clause 6 is inserted to meet cases when a succession of crops (garden crops, vegetables &c) are raised and it is not possible to charge separately for separate crops. The question is discussed in Letter No 103 dated 27th March

Clause 6.

note
1508
e 1873.

1873 before the Board of Revenue. There seem to be a difference of opinion regarding the rate per month that should be charged when the Canal supply is supplemented from other sources. In his letter recorded in Boards' Proceedings No 1157 dated 2nd July 1873 Mr. Chase held that six months is the maximum period of a wet crop and therefore one Rupee should ... 6 months. This view is acquiesced in by Colonel Mullins, but he thinks that a concession might be made in favor of the Company and Re 1/2 charged per months supply. The rule will rarely affect any but second crops, which are hardly ever 6 months crops.

Clause 9. This is in accord-ance with the view expressed in Boards' Proceedings dated 2nd July 1...

modified so as to cover the case of the Canal supply being insufficient to fill the tank rapidly, or last it be not desired to fill the tank. The tanks should all be surveyed once for all.

The proviso mentioned in the latter part of para 8, Viz. that the payment should not exceed the total Revenue under the tank, which is the maximum due to Government, has been put that because the Company must be paid for the price of their water irrespective of any such conditions. It is optional with the Government, not to apply for Canal water, when the charge is likely to exceed the total Revenue under the tanks. It is believed however that such cases will seldom arise in practice.

Clause 10. Considering the expenses of baling, the [illegible] one third is not too much.

Clause 11. This is taken from Section 50 of the India Act No XXX of 1871. It will be a question for the settling Officers to decide on the facts before them whether the benefit was equal &c.

Clause 12. This provides for cases where the benefit is not so great as in the preceding case. More valuable dry crops are raised owing to the leak- [illegible] field Chillies &c. where inferior grains were sown before. The charge is the same as for dry crops flooded.

Clause 13. This is intended to meet the case of Government tanks, into which the surplus water from the Canal or from the fields irrigated therefrom necessarily flows, or where the Canal water mixes with or cuts off the supply from such

tank. This intermixture of the two supplies should be avoided as far as possi= =ble. When it cannot be avoided, Government Revenue must be assumed on all lands cultivated within a certain period, say 5 or 10 years preceding, and all excess cultivated above that limit, should go to the Company's credit.

The difficulty of measur= =ing the quantity of supply received from the Canal must result such as that stated above, to secure the interests of the ryot and Government.

Clause 14. This is in accordance with Boards' Proceedings No 1157 dated 2nd July 1873 para 12.

Rule VIII. In special cases the ryots should be allowed to withdraw the application at the dis= =cretion of the settling Officers.

Rule IX. Needs no explana= =tion.

Rule X. This is a new rule intended to meet cases of extreme hardship when the ryot loses his crops fro causes beyond his control To enforce payment in such cases may possibl lead to the abandonmen of irrigations.

The remaining rules need no explana= =tions.

/Signed/ Jas. [illegible]
Actg Collector of Kum

/Signed/ John H Lattha
Chief Engineer & Secy
to Govt. P.W.D. C

23/9/73.

/True Copy/

C Dawson
Head Clerk.

Mr. Latham's explanation of the notes he has made to the Rules proposed.

On Rule V. There seems little doubt that the Revenue Board originally intended that previous application should be enforced by charging double rate on all lands irrigated before application. Hence the need in 1873 of their proceedings No. 847, in order to ensure the giving up of a rule which in practice could not be enforced. But in those proceedings the Board left the rule for lands irrigated without application in a form such as neither [illegible] satisfactory. The rule as proposed or interpreted by the Revenue Board, is to refuse permission to such lands. This left flooding without application by the old rules, and would leave irrigation without application of the 3rd Class and most of the 2nd by the new rules without any penalty, and in the case of rice, the penalty will be on for the greater portion of the rice cultivation a mere shadow of a chance, depending on the breaching of some large work on the Main Canal. Then, if the Canal were to breach, Government could not refuse permission on one or two hundred thousand acres. Since

the dread of being charged double rate has not secured applications before irriga=tion hitherto, it is not likely to do so here=after, when strictly limited to cases of fraud proved. a penalty so small that it can be universally enforced without hardship will be sufficient to influence rayots; and since the theft of water is more difficult to detect in the case of 3rd Class Crops than of 2nd, & of 2nd than 1st, the penalty should be at least as heavy on the 3rd as on the 1st Class.

Mr. Latham's assent to the Crops "field Chillies, field tobacco" being entered in the examples of the 3rd Class of Crops under the water-rate of Rs 2 per acre was given misunderstanding) that there were field sorts of tobacco and Chillies, different from the ordinary sorts. However he cannot hear of the cultivation of more than one kind of each under the Canal, and the Tahsildar of Nundikotakur says that he knows of only one of each kind in his Taluq. Of these Chillies perhaps 500 acres will pay the six rupees water-rate for 1st Crop under the Canal this season in this Taluk and they are sown, like rice, oftener in fields than in beds, owing to the ignorance of the rayots of the way to make beds. They are more risky

risky, but often more remunerative than rice. Unless there be a large cultivation of some poorer kind of Chilly, which deser=ves protection or encouragement, it seems certainly inadvisable to introduce the Com=plision of Crops with two rates, the names of which will be unknown to most of the rayots. This is a question of statistics.

Maize and wheat pay Rs 6 now; and rayots are talking of trying wheat at Rs 6 very largely for a second Crop this year - 150 acres are talked of in Mudemarri alone. It is presumable that they are omitted as being evidently not dry crops, and as being simi=lar to Raggy. If that be evident, there

Rule VII. Clause (13). as estimated (from general knowledge) by the Sheristadar the difference between maximum and average acreage previously irrigated will only be a few rupees. If so, it seems a pity to have one rule only, in which the Compan=ies are made to supply Government with an unspecified quantity of water & ratio. are silting up so rapidly that hardship would not be inflicted on the rayots, were they supplied free with their average irri=gation. This question is now before Gov=t and is a question to be settled by statistics.

[Signed] John H. Latham
Chief Engr & Manr

Judicial
23rd Sept 1873

(True copy)
C. Dawson
Head Clerk

Public Works Departt

17

Note by the Chief Engineer for Irrigation No. 65 dated 4th Februay 1874.

Circulated for orders.

I think Katz is right in the
suggestion that a member of
the Board Res was not put on
the Circular. The rules etc
to be sent to the Board for
early comment.
19/2 1762

Sd/ Lumsden Coll RE
Secretary to Govt PWD

Fort St George
5 February 1874

C.E. 3/Irrig/74
No. 848/74.

Chief Engineer & Secretary
Irrigation Works

Madras 5th February 1874

No. 65 dated 4th February 1874

No 65

Note by the Chief Engineer for Irrigation.

In G.O. No. 1508 of the 6th June 1873 it was directed that such
No 8 measures should be submitted for consideration as might appear conducive to the removal of the difficulties which have been supposed to interfere with the free use of the water of the Madras Irrigation and Canal Company's Canal for purposes of irrigation, and in pursuance of these instructions it was arranged that the Chief Engineer and Manager of the Company should prepare draft rules and regulations. All former papers were collected and a precis prepared &c. to facilitate the investigation, and much discussion ensued upon the provisions to be embodied in the rules. When the general

views

views of the Officers named in the Order of Government had been as far as possible elicited, a meeting at Cuddapah was arranged, and two days were devoted to a careful discussion of all the points which appeared to require further consideration, and the Rules now submitted are the result of the deliberations. It is hoped that these will secure the approval of Government at an early date, so that their promulgation in all the villages concerned may take place some months before the commencement of the irrigation season which begins in June.

2 But little need be said by me in submitting the rules: it will be understood that the actual circumstances of the Districts and of the machinery available for working the rules have been fully considered, and that good reasons

* 16th and 17th January

reasons were adduced for giving to the rules the form and phraseology finally adopted. The Cummins are clearly not to be relied upon to record applications, or to facilitate the preliminaries which must precede the supply of water to the lands, and it was considered that the remuneration to these provided in Rule ~~XXI~~ would not ensure that prompt attention to applicants which is essential. Consequently for the future it is proposed that all applications for water shall be made through Canal Officers, who will then know what water is wanted and besides this there will be evidence of the number and date of applications forwarded to the Cummins for disposal.—

Rule II

Rule III.

The Committee were unanimous in the opinion that a limit must be put to the subdivision of fields, and after much discussion it was settled

settled that 2 acres should be the smallest sub-division, and a 4 acre field the smallest to be subdivided.

This gets rid of surreptitious irriga- Rule IV
-tion, regarding which very different views have been held and acted upon. For the future inattention to the rule will be lightly punished at first, and the penalty will become heavy only after repeated infringement of the regulation that application for water must precede its being taken.

The charge of 1 Rupee a month Rule V
for water supplied after the 31st December for irrigation direct from the canal and without tanks is a convenient way of dealing with a precarious supply, and of intimating ~~that this supply cannot be ensured~~ by the Company.-

Chapter II consists of one rule Rule VI
only which contains however many clauses for the settlement of water rates. These have been fixed with reference

reference to the requirements and circumstances of different kinds of cultivation, and they will supply a want which has long been felt.- It is believed that the absence of such a scale of rates has prevented water being taken for crops which could not afford to pay 6 Rupees, and yet for which flooding was not an appropriate description of irrigation. It will be seen from the note to clauses 1 and 2 of Rule VI that a very important concession is provided by charging for the irrigation of wet crops a half rate for the first year, and the full rate only in the 4th and subsequent years, in order that the land holders may be recouped some of the expense of laying out their fields properly. Noreduction will be made where fields are not levelled and bunded: such open fields lead to great waste of water

water and moreover to very inferior crops, but probably from ignorance the practice of cultivating rice without the means of retaining the water has prevailed to a considerable extent.-

It will be observed that flooding has been omitted altogether from the rules as a description of irrigation to be paid for on each separate occasion of the supply of water, and that in lieu of this (Clause 4) a 2 Rupee rate has been provided for crops requiring water only occasionally, and they will for this payment receive what they may require. This will be beneficial in more ways than one, for there will be no temptation to take more water than is really good for such crops.-

Clauses 11 to 13 refer to leakage and surplus water, and with reference to these Mr. Latham, though he has

has agreed to and signed the rules, has, in his letter No. 12 of the 26th January last made several remarks. Clause 11 provides that all lands commanded by the Company's distribution Channels, and which could therefore be irrigated by these, shall be charged the proper rates, if supplied by leakage water conveyed to them and that subsoil leakage into fields shall not be charged for: the rule it appears to be sufficiently clear. As regards this clause no purposes or intentions have to be taken into account.-

Clause 12 also is, so far as I can judge, quite clear, and I need only mention that the concluding words are intended to place cultivation carried on through a Government work, and not entitled to be irrigated thereby on the same footing as if it were supplied directly from the Company's Channels. It is in the latter part of clause 13 which relates to water

passed

passed to waste that allusion, is made to intention, and the Chief Engineer and Manager has noted that he does not understand the sentence which provides that extension of cultivation by water passed to waste down a water course shall be charged the canal water rate "if regularly and intentionally supplied by the Company." I do not know whether I can render the meaning more obvious. The Committee wished to give the Company full and entire control both now and in the future over the supply of water, and to leave them to use it to the best advantage. All water controlled and made use of by means provided by them is to be charged for; but, if they finally, or finally for the time being, relinquish this control and use, the claim to payment is deemed untenable. As regards the first illustration I should

I should say that the Company can, if they think fit, pick up and distribute water discharged into the Bowanapy river, and that, if this be not done, water so discharged and made use of by land holders on the right bank of that river should not be liable to charge. On the left bank the land is or will be fully commanded by distribution channels and, if the ryots choose to take surplus water in preference to getting a supply in a regular manner, a charge may properly be made. If the Company cannot, by reason of the imperfection of their works prevent waste, the remedy is obvious; and if it be not worthwhile to provide a remedy there is no ground of complaint if the abandonment of their property in the water be followed by its use by those who arrange for its utilization. I do not think that the loss of Revenue will in any case be material

material but, if it be so, it will be proper to prevent it by executing the necessary works. Banakcherla, referred to in the 2d illustration, is no exception to the rule: the leakage if as extensive as is indicated, can be utilized by one or more channels cut for the purpose of collecting and distributing it, and these can also be connected with irrigation sluices, and a regular and intentional supply will then be provided, and there will be no doubt as to the propriety of charging the rate on all land irrigated.—

These clauses were framed after prolonged discussion, and I believe they convey the intentions of the Committee as clearly and fully as these could be expressed.—

Against this rule Mr. Latham Rule XII has made a remark that discretion should be allowed. The case

case quoted by him of Curnums being in gaol for felony is probably somewhat exceptional, but in such a case some one would, it is supposed, be appointed to do the Curnums' work, and after the word Curnum the words "or the substitute appointed to act for him" if inserted would meet the difficulty.—

Fort St. George
4th February 1874.

I have &c.
Lieut. Col. R.
Chief Engineer for Irrigation.

To,
The Secretary to Government
Pub. Works Department.

21A

Public Works Department.

Proceedings of the Madras Government

Read the following.

Note by the Chief Engineer
for Irrigation.

(Forecenter No 665 / 4th July 1874)

Order thereon 11th March 1874 No. 111.

Referred in original Honourable
the Revenue Department, to the
Board of Revenue for early consi-
deration.—

/True Extract/

Commr the Colonel RE

Secretary to Govt

PW Depth.

To The Revenue Department
with original papers.

Encl

Public Works 1874 Department
Proceedings
No 814
Read the Chief Engineer
for Irrigation
Note Forecenter
Dated 4th July 1874
Read 11th March 1874
Ordered
Note in the
margin of the Chief Engineer's
Note, &c.
Referred from the
Public Department to the
Board of Revenue for early
consideration.
Copy to be sent to the
Secretary to Govt
PW Depth.
No. 2
Rec. 8th/75
No. 317 dated 17th March 1874 &c.
Copies to be sent to Govt
Rec 16 Feb 1874

Gen 19 June 73 to 114 Mis.

Revenue 1874 Depto
No 807
Proc. of Govt. P. W. D.

Dated 11th March 1874
Read 12th March 1874
No 111
En: to Govt & Bd of Rev.

Referring for early consideration of the Bd of Rev. original papers on the subject of the revised rules regarding water supply from Madras Irrigation & Canal Company's Canal & the water rates to be charged for such supply.

G. O. No. 354 of 17th March 73
to Bd of Rev.

160—161.

Irrigation

No. 354

Referred to the Board of Revenue for early report.

17th March 1874

13 to Bd of Rev. dr. 18. 3. 74