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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

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

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. 60.

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

* 16th and 17th January.

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 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

Rule II.

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.

The Committee were unanimous in the opinion that a limit must be put to the sub-division of fields, and

Rule III.

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.

This gets rid of surreptitious irrigation regarding which very different views have been held and acted upon.

Rule IV.

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.

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

The charge of 1 Rupee a-month for water supplied after the 31st December

Rule V.

for irrigation direct from the canal and
without tanks is a convenient way of

dealing with a precarious supply of water by the Company.

Clause 11. consists of one rule only, which contains, however, many clauses.

Rule VI.

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 banded: 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 tempta-
tion to take more water than is really good for such crops.

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 pro-
vides 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 Bowanassay
bank of that river. Water discharged 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. Banakeherla, referred to in the second illustration, is no excep-
tion 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
Rule XXI. 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.

FORT ST. GEORGE, (Signed) J. MULLINS, Leut-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.

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 Vannam,
before the 1st day of May
following.

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

No water to be
taken without
application

A

File Board Prop: 64
No. 1050.
Tue. No. 3
To the Agent
apt. as per m. 8.
5th April 1875

REVENUE.

THE BOARD OF REVENUE.

17th March 1875.

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

MARCEL

Nos. 160-161.

Revised Rules for the distribution of water
from Madras Irrigation and Canal Company's
and—Refers to Revenue Board for early report
there regarding—



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.

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

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

Sub-division
of fields.

Cases without application how to be dealt with.

Risk of late sowing.

entitled to remission. If
water is taken with the ^{out of the cation} ~~the~~
^{alternately} intention of evading payment
double rates will be charged.

The Company do not
undertake to supply water
beyond the 31st December; but
so far as water is available
in the Tombudra 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

1. Rice
2. Sugar cane. (dried)
3. Betel leaves (do)
4. Coconuts (do)
5. Plantains (do)

crane ①. Single crops requiring continuous supply

Crane ②. _____ Do. _____
2nd crop (under _____) 6-11

Clause 3. Crops requiring frequent floodings. 4--

Clause 4. Dry crops requiring occasional floodings. 2 Rupees

NOTE. By "crop" is meant 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, unless supplied after 31st Dec. at the rate of 1 Rupee.

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. Or from 1st of January to the closing of the Canal. 10 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. Raggy.
2. Onions.
3. Chillies.
4. Sweet Potatoes.
5. Tobacco &c.

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

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

* as for instance
Sugar cane
Betel leaves
Coconut
Plantains
&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. -

Clause 9. For water supplied to a tank for storage for the purposes of irrigation, the rate shall be 1 Rupee for 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 is drawn from the tank, for irrigating the lands under it, the same shall be charged per acre at 6 pias per diem between 1st June and 31st December, and 8 pias 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 1440 cubic yards the Rupee. Water shall be supplied as above on the application of an officer not lower than a Tahsildar.

Boards Pro:
No 1157 dated
2nd July 1873.

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

use ⑩. If water is valued the charge shall be 2/3 of the full rate.

use ⑪. When leakage water from the Canal or the Company's Channel flows through the soil and irrigates wet or garden crops, and it 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.

use 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

12. use ⑬. No charge shall be made on any land cultivated within

Irrigation by leakage water conveyed to lands for purposes of cultivation, within the limits commanded by the Company's irrigation channels, will be charged the same rate as are laid down for similar cultivation supplied directly from the Canal channels. ^{leakage into fields, otherwise called, sub-soil leakage} Rs 4 or 6. will not be charged for.

NOTE on clause 13. Mr. Latham thinks it a pity that the maximum former irrigation is

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

irrigation under the influence of canal water, shall, if such irrigation is charged at the same rate as the other cultivation. 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 shall be maintained and the area in each of these extent shall be liable to the water rate, if regularly & intentionally supplied by the Company.

change shall be made if found an surplus into the natural supply to garden or wet crop, less part or usually, being irrigated. The extent of lands so to shall be maintained and the area in each of these extent shall be liable to the water rate, if regularly & intentionally supplied by the Company.

Chapter III. Remissions.

Application may be withdrawn in certain cases.

VII. 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

Chapter IV. Registers of Application and Accounts

Applications to be registered.

* FORM ~~19~~

Course to be adopted if new channels are required.

Register when to be closed and to whom forwarded.

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

XII. All applications shall be recorded, if possible, on the same day they are presented. ^{by the Karmam} 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 Karmam will send an immediate report to the Company's Overseer or Engineer of the Division.

XIII. The Register of Applications shall be closed on 20th of 1st month 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.

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 before 10th.

Grounds for remission.

Discretionary remissions.

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

his application. If cultivation has been commenced but has not been completed, the 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 in such cases. In exceptional cases, such as failure due to "Chondri", 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 Karmam will give prompt intimation of the claim to the Company's Overseer or the Resident Engineer.

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

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

XVI. The Karam shall further keep a book 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.

XVII. The Register of Applications kept by Karams shall be open for inspection to Officers of the Company, who may enter any remarks they think proper, or make extracts thereof. Similarly the Karams and other Revenue Officers may inspect Registers kept by the Company's Overseers and Surveyors. Where there is a difference of opinion — between the Karams and the

Karam to send fortnightly reports to the Resident Engineer.

Book of measurements of fields applied for.

* Form C Appendix.

Registers kept by Karams to be open for inspection to Officers of the Company, and vice versa.

Register of Irrigation.

Entries therein to be made after personal inspection.

* Form C Appendix.

Without prejudice

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.

XVIII. The Karam and the Reddi 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 ~~irrigation~~ ^{irrigation} use of water, 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 at once 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 Ineristadar shall conduct the investigation in person.

XIX. The Karam 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.

Form 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

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 Settlement to be given to the ryots.

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 thereon, 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 arbitrators shall be final.

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

town-torred through the
Village sufficiently early
to admit of the attendance
of the reports. In the date
of the report.

XII. It shall be
missible 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
in amount in the Province
in 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.

XIII. A table of
water-rates and remiss-
ions in accordance with

Company's manager
will pay Village
Officials from Canal
Revenue.

Remiss
with a view to facilitate

the registration of applications
for water and the subsequent
transaction of the Company
business in the affairs of the
admitted Corp. Demand,
will be paid by the Company
to the Village Committee
in remuneration for their
troubles.

Printed Table of rates
to be published in 20 to 21 in Telugu shall be
each village

The above rules in English
and Telugu, and a printed
copy of sections 2 to 6, and
shall be posted by the Company
in every Village and
hamlet whose land is
will be acted by irrigation.

(Signed) James Hope
Ag. Collector of Kurnool.

(Signed) John D. Lathier
Chief Engineer & Manager M.

A true copy,
C. Dawson
Head Clerk M.L.C.C.

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 some

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 Talukas through which the Canal passes, all the fields, as demarcated by boundary stones numbered and shown 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

claps or sub-claps, or be required

* dated 21st May 1873.
(80-1534-1/1000)

I think the rule should be that the ryot can take up the whole of the field for wet cultivation, but if he does not, the double rate should be charged, but remission should be refused.

10
survey numbers or clubbed with into one survey number. Village Officers and the more familiar with than with Revenue course of a few years becomes settled, it

may be separately demarcated and surveyed and classed as wet, so that the necessity for annual examination and annual applications may be removed.

Rule IV. This is intended to meet exceptional cases of Rule III and the ryot.

Rule V. In Board's Proceedings 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 evad payment is not proved the double rate should not be charged, but remission should be refused.

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

September 1873.

II. Closures 1 to 5 incl-

Water Rates.

Garden crops have
to 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 (5)
has, therefore, been fixed for the former
and Rs (4) for the latter.

1st class includes, such as
paddy, 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 cholera, cotton &c.
hitherto crops other than rice

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 waited till the crop was 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 have been
better spread over 2 or 3 moderate
waterings, and if done so,
would have required smaller
channels to supply it. The
charge for a single flooding was
equal to that for 3 weeks con-
tinuous 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

...rate for rice and gardens
had been reached: this risk
deterred many from flooding
except to ear their crop. But
somewhat inconsistently, the
possibility of flooding, as a
final resource, operated to bias
Ryots to run the risk 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 floodings. 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. One question is discussed
in Letter No 103 dated 27th March

Clause 6.

ce 8

5-29 Oct 73
24-13 Sept 73

note
508
1873.

1873 before the Board
of Revenue. There was
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
Board's 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
be charged for it
a month. This view is
acquiesced in by Colonel
Mullins, but he thinks
that a concession might
be made in favor of the
Company and Rs 1 1/2 charged
per month's supply. The
rule will partly affect
but second crops, which
are hardly ever 6 months
crops.

Clause 9. This is in accord-
ance with the view expressed
in Board's Proceedings
dated 2nd July 1873.

modified so as to cover
the case of the Canal
supply being insufficient
to fill the tank rapidly,
or lest 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 inserted. 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
one third is

By the resolution to charge for
volunteers, the supply can be
increased at the supply station
Swampy (probably not known)

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.
field Chuties &c. where
inferior grains were sown
before. The charge is the
same as for dry crops
flooded.

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

bank. This intermixture
of the two supplies should
be avoided as far as possi-
-ble. When it cannot
be avoided, Government
Revenue must be assured
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
is such as
that stated above, to
secure the interests of the
ryot and Government.
Clause 14. This is in
accordance with Board's
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-

I am inclined to think
that no charge is admissi-
-ble in such cases. The Company
can withhold supply if it can
account for the drain of water
irrigated by the lands, but
it is not equitable to do so
the claim should not be
recognized.

I would drop the rule very
difficult.

Rule X. This is a
new rule intended to
meet cases of extreme
hardship when the
ryot loses his crops from
causes beyond his control.
To enforce payment in
such cases may possibly
lead to the abandonment
of irrigation.

The remaining
rules need no explana-
-tion.

/Signed/ J. J. J. J.
Act. Collector of Kurnool

/Signed/ John H. Latham
Chief Engr & Manager
M. J. & C. Co.

23/9/73.

/True Copy/
C. Dawson
Head Clerk.

Mr. Salmons 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 the Government nor the Board found 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 paid 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 irrigation hitherto, it is not likely to do so hereafter, 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 payots; 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 report to the crops field Chillies, field tobacco" being entered on the examples of the 3rd Class of Crops under the rate of Rs 2 however was caused by a 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 Nandikatatur says that he knows of only one of each kind in his Taluk. Of these perhaps 500 acres will pay the six paise water rate for 1st Crop under the Canal this season in this Taluk and they are sown, like rice, often in fields than in beds, owing to the ignorance of the payots of the way to make beds. They are more

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

Maze and wheat pay Rs 6 now, and payots are talking of trying wheat at Rs 6 very largely for a second crop this year - 150 acres are talked of in Muchmarri alone. It is presumable that they are omitted as being evidently not dry crops, and as being similar 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 paise. If so, it seems a pity to have one rule, only, in which the Companies are made to supply Government with an unspecified quantity of water gratis. are sitting up so rapidly that hardship would not be inflicted on the payots, were they supplied free with their average irrigation. This question is now before Govt. and is a question to be settled by statistics.

Signed John H. Latham
Judicherla (True copy) Chief Eng. & Manager
23rd Sept 1873 C. Dawson Head Clerk

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

I wish that it is mind the
regretted that a member of
the Board Rev. was not put on
the Comtee. He rules etc.
he sent to the Board for
early comment.

1912

1762

18

Immanuel Coll. R. 8.

Fort St. George

February 1874

Secretary to Govt. P.N.D.

43

Note by the Chief Engineer for Irrigation.

In G. O. No. 1508 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 preliminary report prepared 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 Cuddapoh 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

16th and 17th
January

Rule II

Rule III

reasons were adduced for giving to the rules the form and phraseology finally adopted. The Curmums 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 ~~XX~~ 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 Curmums for disposal.

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 subdivision, and as 4 acres field the smallest to be subdivided.

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 intimating that this supply cannot be ensured 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 settled

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. No reduction will be made when 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

Rupree 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 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 sup-
plied by the Company." I do not
know whether I can render the
meaning more obvious. The Com-
mittee 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, re-
linquish this control and use, the
claim to payment is deemed untenable.
As regards the first illustration

27
I should say that the Company can,
if they think fit, pick up and
distribute water discharged into the
Bomnassy 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 reme-
dy 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 2^d 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 ~~III~~

case quoted by him of Curmums
being in gaol for felony is probably
somewhat exceptional, but in such
a case some one would, it is sup-
posed, be appointed to do the
Curmums' work, and after the word
Curnum the words "or the substi-
tute appointed to act for him"
if inserted. I'd meet the
difficulty. —

Fort McIntosh
4th February 1874

Voluntarily
Lieut. Col. R. R.
Chief Engineer for Irrigation.

27^o
So,

The Secretary to Government
Pub. Works Department.

Public Works Department

Proceedings of the Madras Government
Read the following.

Note by the Chief Engineer
for Irrigation.

(For order No 65 of 4th Feb 1874)

Order No 111th March 1874

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

(True Extract)

Commander Colonel R.E.
Secretary to Govt
P.W. Dept.

To The Revenue Department
with original papers

E. S. S.

Public Works 1874 Department

28-8-8

For Chief Engineer

To the Secretary

8 April 1874

1285

Dated 1st Feb 1874

Order 8

Note on the
subject of the Re-
vised rules re-
garding water
supply from the
Government Canal
The water note to
be charged for work
only.

1874
P.W. 27/17 March 1874

Public Works 1874

2-16-8

8019 Dec 13 to 114 Dec

Revenue 1874 Deftd

\$807

Pro of Govt P. H. &

Date 11. 3 Dec 114

Ex. 6. 14 and 15 Dec 114

Is serving for early

consideration of 114 13d 114

Original papers on the sub.

of the reserve and

regarding water supply from

Produce Inspection Manual

Company's Manual & the water

notes to be changed for water

supply.

Ex. 6. 14 354 17 Dec 114

with order

160-161

31-354

Report to the Board of

Revenue for early report.

W. L. L.

17 March 1874

13 5 11 4 1/2 p. 114. 114. 3. 73