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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	2613	Press.
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Not to be folded or roughly handled

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

30th August 1877, No. 2,613.

Read again G.O., 23rd February 1877, No. 790, Revenue Department.

Read also the following papers:—

No. 460. Proceedings of the Madras Government, Public Works Department, dated 31st May 1877, No. 53-I.

ABSTRACT.—Communicating, for early consideration, letter from the Chief Engineer and Manager requesting that Rule II of the Water Rules, Madras Irrigation and Canal Company, as approved by the Revenue Board, may be passed.

No. 461. Proceedings of the Madras Government, Public Works Department, dated 20th July 1877, No. 179-I.

ABSTRACT.—Communicating, for very early consideration, Despatch from Secretary of State on subject of modifying the Rules regulating supply of water for irrigation by canal of Madras Irrigation and Canal Company.

No. 462. ORDER THEREON, 30th August 1877, No. 2,613.

Irrigation, No. 12.

THE Secretary of State having intimated that no change is impending in the status of the Madras Irrigation

and Canal Company, His Grace the Governor in Council proceeds to pass orders upon the alterations in the Water-rate Rules proposed in the correspondence read above.

2. *Rule I.*—The Board's opinion is approved, and this rule will be retained and enforced.

3. *Rule II.*—The revised Rule is approved with the addition recommended by the Board, viz., "A separate application is necessary for water taken for a second crop." There is no necessity for *ruling* that a village official should be present at all times. This is matter for departmental arrangement.

4. *Rule III.*—The Governor in Council accepts the revised Rule. It is clear and unobjectionable, and provides for all that is intended. The words "and demarcate" may be omitted. There is no occasion to make the second proposal in Board's Proceedings, 13th December 1876, No. 3,161, part of an authoritative Rule. The suggestion is approved where such assemblages can be held as a matter of convenient administration, but it may not be always feasible.

5. *Rule IV.*—The altered Rule, as amended by the Board, is sanctioned. The word "equitable" should be substituted for "requisite." The proposed *new* Rule (paragraph 6, Board's Proceedings, 30th August 1876, No. 2,226) should form an additional clause to Rule IV, and may be worded as follows:—"In cases of surreptitious irrigation the rate to be levied will be that which is most favorable to the ryot amongst the Rules applicable to his case."

6. *Rule V.*—The Governor in Council does not consider the changes proposed desirable. The Rule should be maintained intact.

7. *Rule VI.*—Revised Clauses 1 and 2 are approved with proposed addition to note to Clause 1, viz., "whether with or without permission" after the words "crop irrigated." The alterations in Clauses 3, 4, and 5 call for no remark. In regard to the third proposal of Mr. Latham (Board's Proceedings, 13th December 1876, No. 3,161), which has reference to Clause 9 of this Rule, no alteration can be permitted which will increase the responsibilities of Government. The Governor in Council entirely agrees in the view which the Board have taken of this suggestion, and with them sees no objection to the alteration of Clause 9 by allowing the Tahsildar to intervene. This might best be done by adding the words "or Tahsildar" at the end of the clause.

8. The Government agree with the opinion expressed by the Board in paragraph 4 of their Proceedings, dated 13th December 1876, No. 3,161.

9. The words "under circumstances within the control of the cultivator" should follow the word "bund" in revised Clause 11. The inference is that the cuts or holes referred to would be wilfully made, but the means of rebutting it must be left in case the thing was accidental. The second sentence in this clause should read "surface irrigation by canal leakage, &c., &c." Revised Clause 12 may stand.

10. *Rule VIII.*—In the draft Rules forwarded by Mr. Latham to the Chief Engineer for Irrigation with letter, dated 22nd September 1876, No. 90, allusion to which is made in the papers recorded in Board's Proceedings, dated 13th December 1876, No. 3,161, it was proposed to add to Rule VIII the following words, "no remission will be granted for failure of crops due to deficiency of water between the 1st January and the reopening of the canal after the annual closing." The Collector of Kurnool appears to have approved this addition. The Board did not notice it. His Grace the Governor in Council sees no objection to this modification of the original Rule.

11. Revised Rule XII is approved.

12. *Rule XXI.*—The Governor in Council approves of the alteration in this Rule proposed by the Board at the close of their Proceedings, dated 30th August 1876, No. 2,226.

13. The Board will have a revised and complete set of Rules printed embodying the changes which have now been sanctioned, and submit it for final approval.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Public Works Department.
.. the Board of Revenue.

Ed. F. R. Bantleman.

Order No. 4903/77.

3/26/73

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

31st May 1877, No. 53 I.

Irrigation.

Read the following paper:—

No. 103. Endorsement of the Chief Engineer for Irrigation, dated 25th May 1877, No. 31 I.

From J. H. LATHAM, Esq., Chief Engineer and Manager of the Madras Irrigation and Canal Company, to the Chief Engineer for Irrigation, dated Madras, 25th May 1877.

In reference to G.O. No. 1,134 of 4th ultimo, postponing any general decision about the Water Rules, I have the honor to ask if the Government will be so good as to pass Rule II as approved by the Revenue Board in its amended form, viz.—

"Rule II.—No canal water shall be used for irrigation purposes, unless an application made verbally by the ryot be previously registered by the Village Curnum, or else the ryot must first make written application through the Canal Officers to the Village Curnum. The Canal Officers will be at liberty to supply water immediately on the receipt of applications; and these on transmission to the Curnums will be completed as regards revenue details by them and transmitted to the Tahsildars. A separate application is necessary for water taken for a second crop."

2. The present rule deprives a ryot of all guarantee. *Supposing* the officers dishonest, he must purchase a ticket from a Canal Overseer, and he is then still in uncertainty unless he purchases the "completion" of the ticket from the Curnum. The rule, as amended, will prove a check on both officers, owing to the option it leaves the ryot.

My application will, I hope, be excused, in consideration of the emergent nature of the case. In another month irrigation will re-commence. To get two crops, the first must be sown in July, otherwise risk is incurred of the water failing before the second (dry) crop is secured. If the monsoon again fail, the lives of thousands will depend upon the orderly registration of 100,000 or 200,000 acres in the course of a month, and on the supply of water being carefully adjusted to the needs of each locality as known by the registration of applications.

3. I cannot conclude without again urging that (if only as a provisional measure) Assistant Curnums of some sort be appointed, in every village in which the irrigation has reached 200 acres, *in the course of June*. I will engage on the part of the Company to pay them (through the Collector) 1 Anna in the rupee on the revenue collected by the canal for irrigating in each village, and that at an average of Rupees 4 an acre water-rate on the 200 acres (even supposing no increase) will be about Rupees 6 a month for the year, without reckoning second crop. *It is of no use my proposing to increase my own staff because they are not authorised to take complete applications, and, if they were, their authority can be completely upset by the Lower Revenue Officers.* All must depend on the Government, if any efficient means of registering the applications of those wishing to use canal water is to be provided in 1877-78 at all.

PUBLIC WORKS DEPARTMENT, 31st May 1877, No. 53 I.

Submitted for the consideration of Government.

(Signed) JOHN MULLINS, Lt.-Col., R.E.,
Chief Engineer for Irrigation.

To the Joint Secretary to Government, Public Works Department, Irrigation Branch.

ORDER THEREON, 31st May 1877, No. 53 I.

Communicated to the Revenue Department for early consideration, with reference to the Order No. 790, dated 23rd February 1877 in that department.

(True Extract.)

W. Mullins

Lieut.-Col., R.E.,
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

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

8/6

2/10/77

Ed. L. C. S. S. S.
S. S. S.

Revenue Department
No. 2803.

IRRIGATION.

Govt. of Madras.

PUBLIC WORKS.

THE CHIEF ENGINEER FOR IRRIGATION.

At. Sec. &c.

Despatch No. 103.

From.

8 June.

To.

G. O., 21st May 1877, No. 99 I.

B 30 - 8 - 77 W. 2613

MAY.

Nos. 103-104.

Water Rules, Madras Irrigation and Canal Company. Letter from the Chief Engineer and Manager requesting that Rule II be approved by the Revenue Board and be passed. Communicated to the Revenue Department for early consideration.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

20th July 1877, No. 179 I.

Irrigation.

Read the following paper:—

No. 102. Despatch from the Most Honorable the Secretary of State for India:—

Public Works.

No. 9.

INDIA OFFICE, LONDON,
14th June 1877.

MY LORD DUKE,—Your Grace's letter, No. 15, of 25th April last, informs me that the present regulations in respect to the supply of water for irrigation by the Madras Irrigation and Canal Company have been found to require modification, but that, before making any changes, you desire to ascertain whether any measures likely to affect the position and status of the Company are contemplated, and you accordingly inquire whether I have entered, or propose to enter, into negotiations, whereby the direct management of the canal will be transferred to the Government.

2. In reply, I have to inform your Grace that I have no present intention of taking the initiative in negotiations of the kind referred to.

3. Unless the Company should themselves offer to sell, I am, as at present advised, disposed to think that it may be better to wait until June, 1888, when the Secretary of State's right of compulsory purchase will first become operative, or at any rate to wait until a safer judgment than is as yet possible can be formed as to the future prospects of the canal.

4. Under these circumstances I think it important that, so long as the Company remain in possession of the works, the rules under which irrigation takes place should be rendered as suitable to their position in relation to the cultivators requiring water as is practicable, and that changes regarded by your Government as likely to remove difficulties or aid in the extension of irrigation should be made as occasion requires.

I have, &c.,
SALISBURY.

His Excellency the Most Noble,
The Governor in Council, Fort St. George.

No. 103. ORDER THEREON, 20th July 1877, No. 179 I.

COMMUNICATED to the Revenue Department for very early consideration, with reference to the Order, No. 790, of the 23rd February 1877, in that department.

(True Extract.)

W. L. L. L.

Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Revenue Department.

" Chief Engineer for Irrigation.

" Chief Engineer and Manager of the Madras Irrigation and Canal Company.

Encl. E. C. Shunker.

Spare Copies

19 July 1877 R. 30: Aug 1/77

Company, His Grace the Governor
in Council proceeds to pass orders
upon the alterations in the water-rate
rules proposed in the correspondence
read above.

2. Rule I. The Board's opinion
is approved and this rule will be
retained, Further to enforcement
should be insisted upon. The neglect
with which it has been treated
is not creditable.

3. Rule II. The revised rule
is approved with the additions
recommended by the Board viz "A
separate application is neces-
sary for water taken for a
second purpose." The Board's
opinion that the verbal ex-
planation to the Council is
evidenced by a note certifying

Handwritten notes in left margin:
As on the 11th inst. the
Board rule approved was
passed without objection
at the meeting of the
11th inst. 1876
The Board's opinion
is approved with the
additions recommended
by the Board viz "A
separate application is
necessary for water taken
for a second purpose."
The Board's opinion that
the verbal explanation to
the Council is evidenced
by a note certifying

the fact otherwise the Canal
officer cannot attend to the re-
quisition. There is no neces-
sity for ruling that a village
official should be present
at all times. This is matter
for departmental arrangement.

4. Rule III. The Governor
in Council accepts the revised
Rule. It is clear and unobjec-
tionable and provides for
all that is intended. The words
"and demarcate" should
however be excluded. There
is no occasion to make the
second proposal in Board's
Proceedings of 13th December 1876
No. 3161 part of an authorita-
tive rule. The suggestion
is

Handwritten notes in right margin:
The Board's opinion
is approved with the
additions recommended
by the Board viz "A
separate application is
necessary for water taken
for a second purpose."
The Board's opinion that
the verbal explanation to
the Council is evidenced
by a note certifying

is approved, where such
assemblages can be held, as
a matter of convenient ad-
ministration, but it may not
be always feasible.

5. Rule IV The altered
Rule, as amended by the Board
is sanctioned. The word "expi-
table" should be substituted
for "requisite". The proposed
new rule (para 6 Board's
Proceedings 30: August 1876
p. 2256) should form an addi-
tional clause to Rule IV
and may be amended as follows
"In cases of surreptitious
"irrigation the rate to be levied
will be that which
is most favorable to the Ryot
amongst

8/2/73
"amongst the rules applicable
to his case".

6. Rule V. The Governor
in Council does not consider
the changes proposed altogether
desirable. He objects to any
alteration which is disad-
vantagous to the Ryot.
The Rule should hold good
with the substitution of the
weekly for the monthly rate.

7. Rule VI. Revised clauses
1 and 2 are approved with
proposed addition to Rule to
clause 1 viz. "whether with or
"without permission" after the
words "crop irrigated". In
clauses 3 and 4 it is desirable,
if possible, to define the terms
"frequent" and "occasional".
Clause

Don't rule see how these
can be defined & apply
specifically to crops as per
and

Clause 5 calls for no re=
mark except that "monthly"
should be substituted for
"monthly" with reference to
the alteration in Rule V. In
regard to the third proposal
of Mr. Latham (Board's Pro=
ceedings 13th December 1876
No. 3161) which has reference
to clause 9 of this Rule no
alteration can be permitted
which will increase the
responsibilities of Govt.
The Governor in Council
entirely agrees in the views
which the Board have taken
of this suggestion and with
them sees no objection to the
alteration of Clause 9 by

See above
I don't think
it should be altered
by the
Board.

I don't think
it should be altered
by the
Board.

I don't see
"In fact might be
a great leakage"

7/23
by allowing the ~~tribunal~~ to
interfere. This might
best be done by adding the
words "or Tribunal" at
the end of the clause.

8. The Govt. agrees with
the opinion expressed by the
Board in para 10 of their
Proceedings dated 13th ^(a)
December 1876 No. 3161.

9. The words "under"
"circumstances within the
"control of the cultivator"
should follow the word
"band" in revised clause 11.
The inference is that the
cuts or holes referred to
would be wilfully
made but the means
of

of rebuilding must be left
in case the thing was ac-
cidental. Revised clause
12 may stand.

10 Rule VIII. In the draft
Rules forwarded by Mr. Latham
to the Chief Engineer for con-
sideration with letter dated 22d
September 1876 No. 90, alter-
ation to which is made in
the papers recorded in Board's
Proceedings dated 13d Decr
1876 No. 3161, it was pro-
posed to add to Rule VIII
the following words "no
remission will be granted
for failure of crops due
to deficiency of water
between the 1st January
and the reopening of the
Canal.

Mr. Latham's paper is in regard
to the question of supply of water
at an outlet in the canal. The
Col. Mr. & Dr. Latham
The proposition is that the
water should be taken from the
river and not from the canal.
The Canal Commission
has been of opinion

that the canal should be
kept open for the
purpose of supplying
the water to the
crops. The
proposition is that the
water should be taken from the
river and not from the canal.
The Canal Commission
has been of opinion
that the canal should be
kept open for the
purpose of supplying
the water to the
crops.

Will all draw
his attention
not

10/26/73
"Canal after the annual
"closing". The Collector of
Karnool appears to have
approved this addition. The
Board did not notice it. His
Grace the Governor in Coun-
cil however is not prepared
to accept this modification
of the original rule. Whenever
possible the channels are
and will be kept open and
supplied from the river.

11. Rule XII. Approved
but an addition should
be made for providing the
verbal applicant with
a certificate of registration
to show to the Canal Officer
vide Remarks on Rule II.

12. Rule XVI. The Governor

Exd. 28

21 To P. M. Sept 25-9-22
 16 " R. of Bayview

Water Rights, etc.
Irrigation and Land
Company

Despatch
per
Mr. J. H. [unclear]