

(Rules for the Upper Salin Canals.)

No. 137

No. 137.- In exercise of the powers conferred by sections 49 and 79 of the Burma Canal Act, 1905, the Lieutenant-Governor is pleased to prescribe the following rules for the regulation of the Upper Salin Canals of the Minbu District, as detailed in Revenue Department Notification No. 136 of the 14th September 1912.

Rules for the Upper Salin Canals.

- 1.** The management of each canal shall vest in a Myaunggyat chosen by occupiers of land in the irrigated area, subject to the approval of the Deputy Commissioner, Minbu.
- 2.** Each Myaunggyat shall, from time to time, appoint such assistants as he requires, subject to the approval of the Subdivisional Officer, Salin.
- 3.** It shall be the duty of the Myaunggyat to take all measures necessary for the proper maintenance and repair of the works entrusted to his charge and to distribute the work in connection with such maintenance, etc., amongst the villagers.
- 4.** Every occupier of land irrigated from the canals shall be liable on the requisition of the Myaunggyat, either to furnish labour or to supply funds for the alteration, improvement, efficient working, maintenance and repair of the canals and distributaries. The Myaunggyat assisted by Thamadis or assessors shall fix the amount of labour or money to be furnished by each occupier and such amount shall be determined in proportion to the area of irrigated land held by him.
- 5.** The Myaunggyat shall before the waxing of Kason each year prepare a list of the persons who are liable to labour on the canal or to subscribe to the canal fund and shall show in such list the liability of each person calculated according to rule 4. He shall furnish every village headman with an extract from the list showing the names of occupiers of land resident in his jurisdiction and the liability of each.
- 6.** The Myaunggyat may alter the list published under rule 5, if he finds that an occupier of land does not get water from the canal.
- 7.** If it be proved that a landholder who has provided labour or subscribed to the canal fund gets no water from the canal throughout the season, he shall be exempted from the obligation to labour or subscribe to the canal fund in the following year.
- 8.** The persons named in the list prescribed by rule 5 are bound on the requisition of the Myaunggyat or of the headman to attend to perform the labour required or to contribute the amounts assessed.
- 9.** Any person who refuses to comply with the requisition of the Myaunggyat or the headman or neglects to obey a legitimate order of any official appointed under these rules shall be liable, by order of the Myaunggyat, to pay a fine not exceeding Rs. 5.
- 10.** Sums payable under rules 4 and 9 shall be recoverable from defaulters as arrears of land revenue.

- 11.** All fines imposed under rule 9 and all monies collected under rule 4 shall be credited to the canal fund to be utilized for the general upkeep and improvement of the canal and distributaries and for the performance of the customary religious ceremonies.
- 12.** In the event of a tenant supplying labour on the canal and being deprived of his tenancy before the crops are reaped, any compensation payable by his landlord for such labour shall, if no express agreement exists, be determined by the Myaunggyat assisted by Thamadis or assessors appointed by the parties concerned.
- 13.** The Myaunggyat shall be responsible for the proper distribution of water according to the local custom.
- 14.** No canal official shall act as agent for any owner or mortgagee or tenant of any land irrigable by any canal of the Upper Salin system.
- 15.** The Myaunggyat shall keep a roster showing from day to day the name of every person working on the canal.
- 16.** The Myaunggyat shall keep up a register of fines and such other accounts as may be prescribed by the Deputy Commissioner, Minbu.
- 17.** The Deputy Commissioner, Minbu, may revise any orders passed by any canal officer appointed under these rules.
- 18.** All canal officials appointed under these rules and all headmen of villages in the canal areas shall be exempt from the obligation to provide labour or to subscribe to the canal fund.

Footnote

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