

GAL - OYA WATER MANAGEMENT PROJECT

**A NEO-TRADITIONAL  
INSTITUTION  
FOR IRRIGATION  
WATER MANAGEMENT**

RESEARCH STUDY NO. 67



APRIL 1986

**AGRARIAN RESEARCH AND TRAINING INSTITUTE,  
114, Wijerama Mawatha, Colombo 7.**

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A NEO - TRADITIONAL INSTITUTION

FOR  
IRRIGATION WATER MANAGEMENT

( A Study of the Role of the Wattei Vidhane)

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Research Study No. 67

April, 1986

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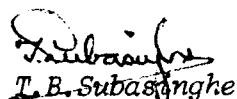
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## FOREWORD

Water Management at the village level was traditionally in the hands of Irrigation Headmen known by different names such as Vel Vidane, Diyabalanna, Wattei Vidhane, etc., in different agricultural districts of Sri Lanka. Although the Paddy Lands Act of 1958 and subsequent tenancy laws have undermined the important role that was played by these traditional headmen and appointed others in their place, it seems that this institution has continued unabated in some Tamil speaking areas in the Batticaloa and Ampara districts.

This report which is an outcome of a special study carried out under the USAID/ARTI/ID Gal Oya Water Management Project provides an assessment of the current role and functions of the Wattei Vidhane in local irrigation management. It further suggests how the strengthening of this role can contribute to efficient water management.

Mrs. N.P.Kasynathan, Cornell Consultant to the Gal Oya Water Management Project, designed the study with the help of Dr. Brewer, formerly a Cornell Consultant to the Project. Mrs. Bhawani Manoharan, Research & Training Officer of the Institute, functioned as the Coordinator of the study and was responsible for the supervision of the field work and for the tabulation of the data. Mrs Kasynathan wrote the research report in this form. Prof. Norman Uphoff of Cornell University and Dr.Jayantha Perera - Head, Irrigation Water Management and Agrarian Relations Division of the Institute guided and commented on the study in its different stages. I take this opportunity to thank all of them for their valuable contribution.

  
T.B. Subasinghe  
DIRECTOR

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Messrs R. Sugirtharajah, A. Kandasamy, P. Pushparajah and S. Shanmugam who were the investigators for this study and other field workers collected field data under difficult and often dangerous conditions.

The Cultivation Officers and the Divisional Officers in the study area were very generous with their time whenever consulted and responded willingly to a tiresome Questionnaire. Mr. Ibrahim Lebbe, Assistant Commissioner, Agrarian Services, Ampara (now at Batticaloa) was of immense assistance in helping to gather data from many scattered sources of information.

Professor Norman Uphoff, Cornell University Consultant with ARTI under the Gal Oya Water Management Project, went through an earlier draft with meticulous care and made innumerable corrections and suggestions. The generosity with which he spared time for this purpose from his very busy schedule is very gratefully appreciated.

Finally, this work would not have been possible if not for the great interest and encouragement given at every stage by Mr. T.B. Subasinghe, Director, ARTI, and Dr. Jayantha Perera, Deputy Director, Water Management Group, ARTI.

Nalini P. Kasynathan.

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SUMMARY AND POLICY IMPLICATIONS

1. The study examines the roles, functions and methods of operation of the WV, the contemporary version of a traditional irrigation or water 'headman' in the Tamil-speaking tracts within the Gal Oya Left Bank and also in parts of the River Division. An assessment is made of the strength and weakness of the institution as it operates now and suggestions are made about some ways in which it may be modified if it is to be retained.
2. The study area includes 7 ASC Divisions in the Batticaloa and Amparai Districts, covering a total of approximately 68,240 acres served by 169 WV. There are also 76 CO under the direction of 7 DO.
3. The study is based on field observations made during Yala 1984 in 24 selected tracts, responses obtained from 28 WV and 60 farmers to Questionnaires administered by interviewers. Posted Questionnaires elicited responses from 40 CO's.
4. The belief that most of the Irrigation Headman belonged exclusively to the relatively affluent landowning class and that they derived their authority and therefore their effectiveness from their fairly high socio-economic positions in the feudal hierarchy in the village has a great deal of truth with regard to the past. But at present many of the WV are ordinary men who are in socio-economic status not decisively different from the others in the tracts they serve. Their authority if it could be called such devolves on them by virtue of their being functionaries who police arrangements which are generally accepted as necessary.
5. The WV of today holds office by the Agrarian Service Act of 1979 the regulations under which provide for his election by the farmers as an Assistant to the CO. When elections were

held contests were few. There was little talk of elections being conducted on political lines. Even where elections had been marked by vigorous campaigning and keen contest there was no evidence of permanent polarisation in the tract due to these election-time divisions.

6. Many farmers who felt that their WV was unsatisfactory hope to get rid of him at the next WV election. But if they do not want to wait that long they think that they can petition the DO and that the DO can remove the WV. But even when petitions are sent all the signatories are not willing to attend the inquiry and acceptable evidence is rarely produced. Most petitions therefore fail. As for removal at election time there has been no general elections of WV since 1980. Though the farmers believe that there would be elections every three years the Act as it stands does not specify the WV's term of office.

7. Water distribution is the primary concern of the WV and all WV are judged by their success or failure in this task.

8. Most of the tracts in the study area have only an inadequate supply of irrigation water and almost all WV therefore have to take steps to procure water to the tract. This is the most frustrating of his duties and the one for which he feels least equipped. In procuring water the WV neither has the support of the CO who is officially his principal nor does he have the willing ear of the Irrigation Engineer with whom he has no official standing.

9. Though according to the law the responsibility of assessing damage by cattle to crops lies with the CO and the officials above him, most of this work is done even now by the WV and the farmers seem to prefer it that way. Though WV are empowered to seize cattle causing damage to irrigation works this work is totally neglected by them.

10. WV succeed in getting irrigation channels cleaned in tracts which get water when farmers can perceive that the neglect of this task would affect their water supply. With regard to drainage channels the adverse effects of neglect are not felt in the short run and almost all WV failed in the task of maintaining them.

11. Farmers pay 1/4 bushel per acre as Suthanthiram payments to the WV. Ninety-three per cent of the farmers interviewed pay Suthanthiram regularly. All good WV and most bad WV also get their Suthanthiram. Even farmers who are dissatisfied with their WV hand over the Suthanthiram regularly partly because of a traditional sense of obligation and partly through the fear that they may be sued.

12. Nearly 70 per cent of the farmers interviewed reported that their WV was not in the habit of accepting bribes from the farmers in the tract. Whatever bribery that was there is for the most part limited to the WV accepting arrack or toddy from cultivators. Taking money as bribe was mentioned almost exclusively in connection with the offence of giving water to private lands outside the tract. Bribery and nepotism do not seem to be either virulent or widespread enough to discredit the institution of WV.

13. The distribution of water, allocation of channel clearing and fencing duties, maintenance of channel bunds within the tract and the settlement of cases of damage by cattle are all functions in dealing with which the WV acts entirely within the tract. In performing these inward functions the WV interacts almost wholly with his farmers and it may be said that all good WV are able to fulfill this part of their duties satisfactorily.

14. Though in the words of the farmers themselves the WV operates as a common functionary he is nevertheless a functionary acting for individual farmers. The WV as an elected functionary of the cultivators is able to see the needs of every farmer, needs which the farmer himself sees. But he has not evolved

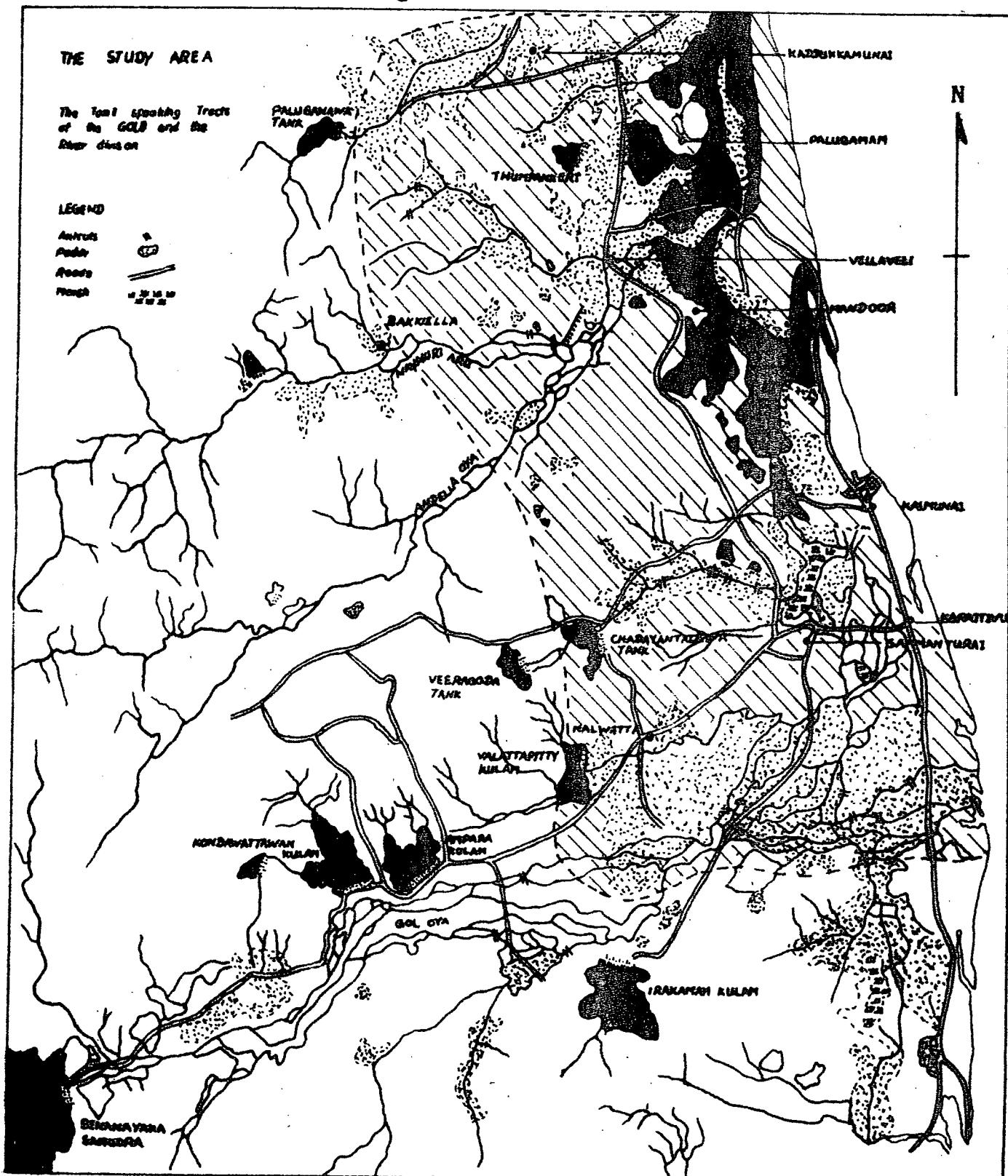
into an institution which gathers within itself the collective interest of the farmers-interest which must remain invisible to individuals as such unless they reach a certain level.

15. The WV system, within the limits of its competence, depends for its successful working on the two-fold link it has with the farmers: the fact that the WV are elected by the farmers themselves and that they depend on the farmers for their remuneration. Introducing regular elections of WV is therefore one step that would go a long way towards strengthening the institution.

16. The institution's failure to develop among the farmers a collective identity may be remedied by reviving the Village Councils of the early Irrigation Ordinances (1856, 1861, 1867). Instead of the WV being an Assistant of the CO he may thus be made an Assistant of a Council of Farmers.

17. The inadequacies of the WV in his outward functions bring out the importance of <sup>having</sup> some institutional linkage between water management at the tertiary level and system management so that the urgencies which seem to keep the tertiary institution on its toes would be conveyed to a responsive main system management. The institution of the WV seems incapable of developing such a linkage. Institutions such as Farmer Organizations while being in charge of tertiary water management are, by virtue of their linkages with higher level organizations of wider scope, also capable of accepting participatory roles in main system management. By reviving the Village Councils an approach can thus be made towards some of the capabilities of the Farmer Organization programme while maintaining a traditional institution for water management.

Figure 1



## 1. INTRODUCTION

This study examines the roles, functions and methods of operation of the Wattei Vidhane, the contemporary version of a traditional irrigation or water "headman" in the Tamil-speaking tracts within the Gal Oya Left Bank (GOLB) and also parts of the River Division. The area of study includes all the tracts coming under the administration of seven Agrarian Service Centres, namely, Vellaveli, Palukamam, Kockadicholai, Mandoor, Chavalakadai, Sammanthurai and Malwatte (Figure 1). Some of these lie within the Batticaloa District, while others are in the Amparai District. The irrigation works of the Vellaveli, Palukamam and Kockadicholai divisions are under the purview of the Deputy Director of Irrigation, Batticaloa, while the other divisions are the responsibility of the Deputy Director of Irrigation, Amparai.

### 1.1 The Wattei Vidhane system - a Brief historical note.

Some of the lands falling within the Gal Oya system have been irrigated even before the introduction of the Gal Oya Scheme by waters from village tanks and from the river systems of the Andella Oya, Navakiri Aru and Pattipolai Aru. As is to be expected in areas cultivated for long under irrigation, here too there existed from ancient times institutional arrangements for the management of water. The traditional system of water management in the Tamil-speaking areas was under the supervision of an official called the Wattei Vidhane (WV)<sup>1</sup> who had as his functions, the management of irrigation water, the clearing and maintenance of channels, and other cultivation-related tasks such as the enforcement of fencing obligations, exclusion of stray cattle, etc.

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1. Wattei refers to a Kandam or tract which usually has an extent of 300-500 acres. Vidhane means headman.

The WV system which probably had suffered through neglect during early British times in the Batticaloa district too, was revived and formalized by the British through the irrigation rules promulgated in 1861 under the Irrigation Ordinance of 1856. Under these rules the WV was to be elected annually by the cultivators of the area at a meeting convened by the Assistant Government Agent. The rules detailed the duties, powers and responsibilities of the WV. Besides other cultivation-related tasks, the WV was entrusted with the distribution and control of the issue of water, the repair and maintenance of dams, sluices and channels, and the apportioning of water. The WV had under him one or more assistants (adigaris) who helped him in the enforcement of the rules. The farmers who failed to conform were reported to the Village Council. The WV as well as his adigari were remunerated by the other cultivators in proportion to the extent each of them cultivated. This system seems to have continued without alteration until 1958.

The Paddy Lands Act of 1958 introduced Cultivation Committees elected from among the farmers which henceforth were to perform, among others, those functions performed by the WV. The Agrarian Services Act of 1979, however, has revived the institution of the WV.<sup>1</sup> Even during the years between 1958 and 1979, the role seems to have survived informally. Although there were important changes in their positions, particularly in the mode of remuneration, overall there seems to have been little difference in the way in which they themselves or the farmers now perceive their role. One important feature

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1. The guidelines published by the Department of Agrarian Services for the formulation of rules to be made at the seasonal meetings (convened under 42(1) of the Act) speak of 'Farmer Representatives' and define these as including Vel Vidhanes, Tank Secretaries or holders of other offices selected under 42(10). In the area of study the persons so selected are known to the farmers as Wattei Vidhane and to the Agrarian Services Department, officially, as Farmer Representatives.

of the position after 1979 is that the WV are now subordinate to a government official of the Agrarian Services Department called the Cultivation Officer (CO). The CO is now officially in charge of the functions previously assigned to the WV. Our study however indicates that in reality the WV, though with reduced official authority, continues to perform the same functions as before and that farmers tend to abide by the decisions taken by the WV, looking to him for support and help.

#### 1.2 Scope and Purpose.

In the context of the large-scale financial investments in the sphere of irrigation, it has been realised that it is also necessary to develop efficient systems to manage and utilize the water made available through all this investment. It has also been realised that the irrigation works constructed at such great expenditure cannot be maintained adequately if their operation and maintenance are confined to those activities undertaken by the official sector alone. Unless the users of these irrigation facilities, i.e., the cultivators themselves, are somehow drawn into a commitment to look after at least those sections of the irrigation facilities that directly serve them, it would be difficult if not impossible, to prevent the gradual decay and ruin of facilities provided at such great expense. The government in collaboration with various interested agencies has in recent years undertaken and approved programmes to promote farmer participation in water management and maintenance work. These programmes undertaken in many large as well as small irrigation and settlement schemes are still for the most part in an experimental stage.

The years following the arrival of Sir Henry Ward as Governor to Ceylon in 1855 were, in the attention devoted to the development of irrigation, very similar to the present times. Sir Henry Ward and his enthusiastic band of Agents and their assistants in many of the paddy-growing districts in the island realised, as it is being realised now, that the money spent on the provision of irrigation facilities would be money wasted

unless steps were taken to prevent once again the negligence which had hitherto during the British period attended the maintenance work of the available irrigation facilities. Among the measures which were taken after the deliberations of this period was the revival of the institution of the Irrigation Headman as a local superintendent to mobilise the users of irrigation facilities, to maintain these facilities and to enforce the rules and customs developed since ancient times to ensure efficient and equitable use of these facilities including the available water. While certain administrative as well as statutory developments during the past several years seem to have led to the attenuation or abandonment of this institution in most parts of the island, the Tamil-speaking areas of the present Batticaloa and Amparai districts seem to have somehow provided conditions conducive to its preservation.

In the context of the attempts mentioned earlier to experiment with and develop new institutional forms for farmer participation in water management and irrigation facilities maintenance, it is useful to study the working of this ancient institution as it survives in these two districts. We seek in this study, therefore, to examine the roles and functions of the WV,<sup>1</sup> the ways in which they mobilize and supervise farmer participation in the repair and maintenance tasks that arise from time to time within their tracts and the manner in which they conduct the distribution of water and perform other cultivation-related tasks. An attempt is also made to inquire into the ways in which they interact with farmers within the tract and with the concerned officials and agencies outside it. As a result of these inquiries an assessment is made of the strengths and weaknesses of the institution as it operates at present and suggestions are made about some ways in which it may be modified if it is to be accepted as a viable form in the modern context. Even if it is not found to be fully acceptable

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1. Wattei Vidhane and WV are used, in this work to refer in the plural as well.

as a modern institution, this study of its working can provide a useful model for comparison with the other forms of water management which are now being experimented elsewhere.

### 1.3 The Study Area.

The study area includes the tracts coming under seven Agrarian Services Centre divisions. This area according to the data supplied by the Agrarian Services Centres has a total of 68,240 acres under paddy cultivation. The number of WV serving in this area is 169, with about 400 acres each to oversee. Under the present statutory arrangements, they are under the supervision of 76 COs who in turn work under the direction of 7 Divisional Officers.

Paddy cultivation during Maha is rainfed and is supplemented when it is needed by irrigation water where it is available. Some of the tracts in the area, mainly those in what is known as the River Division, are low-lying and cannot be cultivated during Maha due to regular flooding. Yala cultivation, where it is done, is exclusively through irrigation. There are also some tracts lying within these systems which are composed of private lands and do not come under the Gal Oya settlement system. They are irrigated by water courses fed during Yala by drainage water from the colony units above them.<sup>1</sup>

Irrigation water is available in quantities adequate for confident Yala cultivation only in the tracts of the River Division. Most of the tracts under the GOLB system in the study area can be described as tail-end tracts and none of them gets water adequate and reliable enough to ensure confident Yala cultivation. (Yala 1984 however was an exceptional year. The unusually heavy rains during 1983/84 Maha produced storage of an unprecedently large quantity of water in the Senanayake Samudra reservoir so that it has been possible to issue water in 1984

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1. Colony units are discussed on the next page.

when this study was underway, even to tail-end tracts which have not had water during Yala for more than 10 years). Yields therefore vary from more than 100 bushels per acre in the River Division tracts to about 30 in the GOLB Colony Tracts.

Almost all the farmers in the study area are Tamil-speaking people, classified either as Tamils or Muslims. The population in individual tracts is usually entirely Muslim or entirely Tamil with just a few tracts being mixed.

Another distinction to be noted in the study area is that between tracts which include lands cleared under the Gal Oya Scheme and settled with "colonists" from the villages nearby and those which were cultivated even before the Gal Oya Scheme. The former are called "colony units" or "colony tracts" in the study. Most of the colonists were originally allocated four acres of paddy land in addition to an acre or two of unirrigated highland. But many of the original allotments have been fragmented and now the size of individual holdings varies from one to four acres. In these units there are many farmers who now cultivate what is known as "reservation" lands, i.e. lands which are "reserved" rather than being allocated to settlers as holdings. They were in low-lying areas not suitable for irrigation in both Maha and Yala seasons. These farmers depend on drainage water from the colony units and also often resort to illicit tapping from the channels in the units above them.

Having been settled with farmers from nearby villages, these tracts are demographically fairly homogenous; 95 per cent of the farmers in each colony tract are usually found to have come from not more than two or three villages. The lands in these units are on the whole owner-cultivated and the cultivators are mostly resident in the unit. The people are dependent for their income on Maha cultivation, the only season feasible for agriculture in most of these tracts. Most colony residents do not have any other source of income. Many of them hire themselves out from time to time as agricultural labourers in other parts of the districts or as casual labourers

in construction and maintenance work undertaken nearby.

The lands which were cultivated before the Gal Oya Scheme (purana lands) are referred to in the study as "private tracts". These can be divided for the purposes of our study into two categories: those which are within the River Division and those which do not come within the Gal Oya settlement system. The former category of tracts originally fell within the Pattipalai Aru Scheme and were later integrated into the Gal Oya River Division. The lands outside the Gal Oya system were cultivated earlier only during Maha and this cultivation was rainfed. They depended for supplementary irrigation on water from the Andella Oya, the Navakiri Aru or its tributaries. Now all these tracts attempt some Yala cultivation with the drainage waters from the GOLB units above. In these tracts the size of the holding varies quite widely. We came across holdings as small as 1 1/2 acres and others as large as 24 acres. Many of the holdings however are over five acres, but less than 10 acres in extent. Most of the landowners are non-resident; some of them come to the tract only during the season. Others either give the land on seasonal lease or cultivate the land through employees. In some of these tracts there are blocks held undivided by families which have owned them from early times and whose members take turns in cultivating them. But this is rare.

#### 1.4 Wattei Vidhane Tracts.

It is confusing to attempt to find a clear basis for the way in which the area of each WV has been determined. The basis is certainly not hydrological. Nor is it based on any consideration of size. There are tracts with a single WV which contain more than 900 acres and there are others which are less than 200 acres in extent. And the nomenclature is also confusing. There are 'villages' with more than one 'kandam' in them, each 'kandam' having a WV and there are 'kandams' with more than one WV. What are called 'villages' are mainly units under the Gal Oya Scheme. The expression 'kandam' derives from

earlier days when certain physical features determined the boundaries of a group of fields. The inclusion of private lands within the boundaries of the Gal Oya Scheme is probably responsible for some of the confusion here.

When colonists were settled under the Gal Oya Scheme, the units formed by lands which were newly cleared were divided into a number of allotments for settlers and were given unit numbers by which they are still known, e.g. Unit 1, or "Muthalām Kirāmam". Though these units do not vary much in size, they do not always have the same number of WV. There are units with one, two or even three WV, each doing a portion of the unit, e.g. Unit 11 with 710 acres has two WV, and Unit 12 with 721 acres has three WV. The two WV in Unit 11 have 340 and 370 acres respectively. The three WV in Unit 12 have 239, 240 and 242 acres respectively.

There are other units which have in them newly-cleared lands as well as old private lands. These go by unit or village numbers but have separate WV for the colony and the private lands, e.g. Unit 13 has 245 acres of colony land under one WV and 505 acres of private land under another WV.

There are also tracts which are made up exclusively of private lands. These go by a kandam name and have only one WV each. These are generally clusters of contiguous fields with natural boundaries and for this reason they vary widely in extent, e.g. Muthalaimadukkandam in Kockadicholai has an extent of 1,110 acres while Puthukkarachchi in Palukāmam has an extent of only 115 acres. Though the WV for Puthukkaraichchi oversees only this very small kandam, a WV may look after more than one of these small kandams.

With regard to extent, out of 28 WV whom we asked about what they considered the ideal size for a tract, twelve said that a tract should be between 500 to 600 acres in extent. Six others thought that it may be between 300 to 500 acres while two WV thought that a tract should not be more than 300 acres in extent. Eight of the 28 WV actually thought that the tract

should be more than 600 acres in extent. But most of the WV seem to prefer an extent that would give them an adequate Suthanthiram, while at the same time they do not want tracts so large that it would make their work too difficult. 84 per cent of the farmers who were asked about the ideal extent for a WV said that it should not be less than 300 acres for that would mean inadequate Suthanthiram and this, the farmers explained, would not be good because the WV would then be tempted to look for other sources of remuneration and thus be distracted from his duties as a WV.

#### 1.5 Data Sources

The field data for this study were gathered by the following means:

1. Field observation during Yala 1984 in 24 WV tracts.  
The investigators appointed for this purpose stayed in the tracts throughout the season.
2. Responses of 28 WV to structured Questionnaires administered by investigators.
3. Responses of 60 farmers to Questionnaires similarly administered.
4. Responses from 40 Cultivation Officers to whom Questionnaires were posted.

See also Appendix III

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1. Suthanthiram denotes the quarter bushel of paddy farmers pay the WV as remuneration for every acre they cultivate.

## 2. THE WATTEI VIDHANE AND THEIR BACKGROUND

### 2.1 Property and Family Status.

There is a perception held by many that the Irrigation Headmen (known by different names in different parts of the country, e.g. Vel Vidhane, Diyabalana, Wattei Vidhane, etc.) belonged exclusively to the relatively affluent and landowning class and that they derived their authority, and therefore their effectiveness, by holding a fairly high socio-economic position in the feudal hierarchy in the village. And it is believed that it was this perception which led legislators in 1958 to abolish the institution and to replace it with the elected Cultivation Committee.

When we inquired into the background of old WV in the private land tracts in the study area, it was apparent that there is some truth in this view, at any rate certainly so with regard to the past. The old WV had significantly larger holdings compared to others in the tract. We came across many WV whose fathers, grand-fathers or grand-uncles held the same position in the tract before them and it was evident that these families owned sizeable portions of the tract and that these portions had in many cases come down undivided for many generations until recently.<sup>1</sup>

At present however the position is different. Though many of the WV in the private tracts do hold some land, the

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1. In Maruthayadimunmarikkandam, for instance, the present WV's family owned for generations a block of 54 acres. This part of the tract was originally known by the name by which the whole kandam has now come to be known and remained with the family undivided until very recently. The family of the present WV in Thikkōdai too held large portions of the tract. He himself had 40 acres until 1948. He owns none now, having handed over all his lands to his children.

extent of their landholding cannot in any way be said to be the source of their power (See Table 2.1).

Table 2.1

Extent of land holding of Wattei Vidhane  
(in acres)

	0-4	5-8	> 8	(N)
Colony tracts	25	2	1	28
Private tracts	10	4	10	24
(N)	35	6	11	52

In almost every one of these tracts there were others, and in many tracts <sup>more</sup> many others, who owned land than the WV.<sup>1</sup>

While the extent of land held now is thus not the decisive factor, belonging to a family of importance, particularly a family whose members had previously held these positions, seems to be very relevant. Out of 24 private tract WV we interviewed, 19 were from such families. Either the father or some other very close relative had been a WV in the same tract. Such family associations within the tract seem to make members of the family feel that they ought to hold this position in the tract ("we should not let it go") and they tend to do this in some cases even when they do not

1. In one tract, for instance, the WV owns six acres, but of the eight farmers we interviewed five owned extents ranging from 12 to 18 acres. In another tract the WV had no land at present and was now only a lease-holder. Of eight farmers interviewed in this tract, four had more than 15 acres each, the largest holding being 24 acres.

find any of the duties associated with the position to their taste.

The farmers in the tract also are inclined to accept more readily the candidacy of members of these families. But at the same time there is no definite evidence to show that when such persons function efficiently as WV, they owe this success to any authority they derive from their family background. Farmers speak more of the 'goodness' of their WV, his conscientiousness, his devotion to duty, immediate availability, etc. and attribute the willingness of the members of the tract to obey him to these qualities and to the nature of his position which they describe in such terms as "the common person" (pothu manithan), "the man with the duty" (kadammi karan), etc. Belonging to any special kind of family was one of the least-mentioned of the qualifications listed by farmers who were questioned about the features they desired to see in their WV. In this, farmers in private lands were no different from farmers in colony lands.

When one looks into the background of those who serve as WV in colony tracts, they are of course not distinguished by the extent of their landholding from other cultivators in the tract. But while one may not speak of any family holding any position of special importance in this sense in these tracts, we found a significant number of WV claiming family connections with their position as one of their special qualifications. Six out of 13 colony WV interviewed claimed that they got their positions because some close relative was WV before them. And two of them claimed that members of their family had been traditionally WV in purana lands and seemed to think that this was the reason for members of their family having been chosen as WV in the colony tract too. But in the colony tracts almost all WV seem to have demonstrated even before they took over the position, their capacity for social and public welfare work. Almost without exception they have held such position as Committee Member of the Rural Development Society, Member of the Temple Trustee Board, Member of the Mosque Committee, Member

of the Co-operative Society Committee, etc. Some who had not been involved in such social or public welfare activities had been engaged as assistants to previous WV or had even acted as WV (See Table 2.4).

## 2.2 Kinship and Village Groups.

All WV in colony tracts have another qualification, that of coming from the same village as the one from which the majority, or the largest group of the cultivators also come. This in fact seems a necessary qualification for election to the position of WV in most tracts. And many a WV explained his optimism about continuing to hold the position by saying that there was no one from his village to compete with him. Likely rivals from other 'lesser' villages did not appear to present any serious threat.

In private tracts the homogeneity is of course much greater. The lands in these tracts seem to have belonged, at least originally, exclusively to people from the same village and often to people who were also connected by kinship ties. Though not entirely, to a very large extent this situation continues even today, and the WV is almost always a relative as well as a co-villager to most of the cultivators in the private tract. In the rare case where this is not so, the WV is a nominee of the dominant kinship group.

## 2.3 Education.

The WV are in general not very educated. Out of 52 WV, there were only four who had come up to the G.C.E. (Ordinary Level). One had done a one-year Diploma at the Karadiyan Aru Research Station. But the majority had not gone beyond the fifth standard. There was one who could just manage to write his name but was otherwise illiterate.

Table 2.3

Level of Education

Grade

	0-5	6-8	> 8	(N)
Colony tracts	13	7	8	28
Purana tracts	14	5	5	24
(N)	27	12	13	52

There seems to be no difference in this respect between colony tracts and private tracts. Recent appointments do not show any different trend. Of 3 persons elected in 1984, one had come up to the sixth standard while the other two had reached only the fifth standard. However when farmers were questioned about the qualities they thought important in WV, education ranked very high and 60 per cent of the farmers considered it the most important qualification. During our interviews we did not come across complaints about WV on the ground that they were uneducated except in the case of the one individual who was illiterate. For many a WV who had passed only the fifth standard or even less, when farmers were in the mood to extol him, they included his literate skills in the list of his virtues.

Eighty per cent of the COs listed education as a qualification necessary for WV. If WV are educated enough to help COs in the filling of forms and in compiling <sup>1</sup>PLR particulars, this is useful to the CO and it probably did not occur to the other 20 per cent that they had to mention education.

1. Paddy Lands Register.

#### 2.4 Age.

Until recently, the average age of WV at the time of their first appointment was around 40 years. The WV who had been appointed when they were younger had in all cases served some years of 'apprenticeship' under their father or some other relative who had been serving as WV. Of the three persons appointed in 1984 the youngest was 35, but he too had served as the assistant of the previous WV for some time before his appointment. Of a WV who was 37 when he was first elected, some farmers said that they chose him because he was young and energetic. Out of 52 WV, 13 are over sixty years old and they are distributed without distinction between colony and private lands.

In private tracts we did not come across a single case of a WV having lost his job. They either retire or die or give up prematurely for some reason. In colony units there are those who have lost the position in an election, sought re-election and perhaps still hope to come back.

#### 2.5 Farmer perception of qualities desirable in WV.

Of the qualification mentioned in the previous section, the farmers interviewed seem to think least about family connections. Only seven out of 60 farmers said that they considered the family background of WV as being of any importance, though 17 out of 28 WV interviewed seem to think that they were chosen at least partly because they possessed this special qualification. Education, as already stated, was the qualification most mentioned by farmers.

However, it is not easy to determine whether farmers mean by education anything more than mere literacy. It has been pointed out that the only complaint we came across in respect of education was made with regard to a WV who was illiterate. And there was no such complaint with regard to any of the large majority of WV who had not gone beyond the fifth standard. Farmer interaction with WV does not call for any written work. But it is

possible that farmers are beginning to see that their WV are now called upon more and more to interact with officers and agencies outside the tract and for this reason farmers might wish to see their WV better equipped. A significant number of farmers did mention capacity to deal with officials as an important quality for WV.

Farmers naturally place a very high premium on the WV being accessible to them. Next to education in their rating come financial stability, residence in the tract and ownership of land in the tract, in that order, as qualifications desirable in a WV. Even financial stability and ownership of land in the tract are important according to many farmers only because they free the WV from distraction and give him a permanent interest in the tract. Farmers, even when answering a question about desirable size for a tract, explained their answers entirely in terms of WV accessibility. Not only did they not want the tract to be too big for the WV to be able to handle comfortably but they also did not want tracts to be too small so as to make the WV's reward inadequate because that they said would make the WV look for other sources of income and thus distract him.

Of the WV studied, 42 were resident in the tract at least during the cultivation season or were within 15 minutes by bicycle. Ten WV were neither resident nor within easy access. All of them were roundly criticized by the farmers. All petitions against WV refer to their absence from the tract as one of the main grounds for complaint. It is worth noting here that we came across eight cases of WV who had resigned because they felt that their involvement with other activities did not leave them enough time to do their work as WV.<sup>1</sup>

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1. There is a case of one WV who was very successful and popular when he resigned in order to devote more time to his own land and to settle family obligations. Having settled his children's affairs and in the course of this having also disposed of his land, he has now come back as WV, once again a very popular and respected figure.

Table 2.4

Background to Wattei Vidhane (information gathered during field-observation study)

Unit	Age	Ethnic-city	Extent of Land	Education	Date of Appointment	Other Sources of income	Family Connections and/or Experience
Unit 35 1st Division	60	Tamil	Owned 5 acres in the unit	5th standard	From 1956-1965; Since 1977 to-date	Cattle	Father WV and Wife's father WV.
Unit 14	62	Tamil	All his land now divided among his children	S.S.C.	From 1953-1959; Since 1969 to-date	-	Secretary R.D.S. (21 years); President R.D.S.; President Temple Trustee Board; President Parent-Teachers' Association
Unit 5	36	Muslim	4 acres paddy land, 1 acre highland	6th standard	Since 1984	-	1971-1983 Peon attached to the Co-operative Society.
Unit 5 2nd Division	40	Muslim	4 acres	5th standard	Since 1984	-	Acted as WV for 6 months prior to appointment. Committee Member of the Mosque
Unit 38	56	Tamil	3 acres, 1/2 acre highland	3rd standard	From 1958-1970 Since 1980 to-date	Cattle	-

(Continued)

Unit	Age	Ethni-city	Extent of Land	Education	Date of Appointment	Other Sources of income	Family and/or Connections	experience
Unit 13	52	Tamil	Owns 4 acres	5th standard	Since 1979	-	Acted as WV for 2 years.	
Unit 37	54	Tamil	2 acres	S.S.C. Agricult- ure Diploma from Kara- diya Aru Research Station.	Since 1975	-	-	

Private Land

Unit	Age	Ethni-city	Extent of Land	Education	Date of Appointment	Other Sources of income	
Aliyar-vattai	51	Tamil	6 acres	4th standard	Since 1980, but WV in another tract for 10 years.	-	Brother WV in this tract for 15 years (1965-80). Father WV prior to 1965.
Vella-velli	45	Tamil	7 acres	4th standard	1965-1970 acted for father as WV since 1970.	-	Father WV for 35 years.

(Continued)

Unit	Age	Ethnicity	Extent of Land	Education	Date of Appointment	Other Sources of income	Family Connections and/or experience
Maruthaiadi munmari	63	Tamil	10 acres	6th standard	Since 1968	Cattle	Father and Grandfather WV in the same tract. Grandfather owned major portion of the tract during his time.
Tikkodai	61	Tamil	11 acres	4th standard	Since 1948	-	Father WV; Grandfather Village Headman.
Malcompitty	65	Muslim	14 acres	7th standard	Since 1966	-	Member of Samanthurai ASC Cultivation Committee. Member Muslim League. (Father and Grandfather WV in the same tract).
Irrakat-nuwattai	58	Tamil	4 acres	4th standard	Since 1981	Cattle	Member R.D.S.

(Continued)

Unit	Age	Ethnicity	Extent of Land	Education	Date of Appointment	Other Sources of income	Family Connections and/or experience
Nathanai Melthotam	65	Tamil	All land now divided among his children.	2nd standard	Since 1963	-	Father WV; Grandfather Village Headman.
Chalambai	62	Muslim	Owns no land	2nd standard	Since 1975	-	Acted for WV for 6 months.
Villa-vettuwan	42	Tamil	4 acres	6th standard	Since 1980	Runs a Canteen in the Tile Factory.	-

Other qualities of importance noted by farmers were capacity for getting the co-operation of the farmers, ability to meet higher officers, experience, being energetic, active and ability to command the respect of farmers, in that order.

Table 2.5

Farmer Perception of Qualities Necessary

in a WV

(N = 60)

The WV ought to be -

1. Educated	55
2. Financially sound	30
3. Resident in the tract	25
4. Owner of land in the Wattei	21
5. Capable of getting the co-operation of farmers	20
6. Able to meet higher officials	18
7. A person with experience	16
8. An active person	15
9. Able to command respect from other farmers	13
10. From a good family	11

Figures in Column 2 represent percentage of responses in which qualities in Column 1 were mentioned.

Percentages sum to more than 100 due to multiple responses.

### 3. ELECTION AND REMOVAL

#### 3.1 Election of Wattei Vidhane.

The Agrarian Services Act of 1979, Sections 42(10) and (11) and regulations 26-34 of December 1979 provide for the election of "assistants" to the Cultivation Officer. These are known as WV in the study area. Sections 42 (10) and (11) are as follows:

- 42 (10). At a meeting convened under the provisions of this section the owner cultivators or occupiers of agricultural land may select from among themselves persons to assist the Cultivation Officers in matters relating to the protection of minor irrigation works and for the conservation of water supplied there-from and any other matters relating to cultivation as may arise from time to time and any person so selected shall be entitled to such remuneration as may be prescribed.
- 42 (11). Any person so selected shall, have subject to the control and direction of the Commissioner or any person authorized in that behalf by the Commissioner, the power to order any owner or occupier of agricultural land to take steps as he may deem necessary regarding the collective responsibilities of such owners or occupiers in regard to irrigation and cultivation practices and in respect of minor irrigation works and the conservation of water supplied there-from.

Neither the Act nor Regulations 26-34 under the Act which detail the procedure of selection under 42 (10) specify anywhere the period for which the persons who are so selected shall hold office.<sup>1</sup>

For the tracts in this area the election under Regulations 26-34 of December 1979 were held in 1980. Divisional Officers of Agrarian Services have been in all cases the 'the persons authorized by the Commissioner' for the purposes of the Regulations governing these elections. The elections were held in the Divisional Officer's office and were presided over by him. According to Regulation 29, the elections will have to be by secret ballot but instances were mentioned where this was not followed. A show of hands was the procedure adopted in some cases. In other instance, letters from cultivators who did not attend the meeting were taken into reckoning for the election though this too has not been provided for in the Regulations. We met for instance during the course of our study, one WV who had not been to his tract even once during the season. This person had gone to the election meeting with letters of consent from the majority of the cultivators in his tract and was thereupon elected without contest.

After 1980 there have been no elections, except in some of the tracts where vacancies had occurred. Those elected in 1980 therefore continue in most of the tracts without any re-election. It should however be noted that in the study area, many of the WV were elected without contest. Of 52 WV we interviewed only 24 had had to face contests. Contests were more frequent in colony tracts and less in private tracts.

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1. This is said to be an unintended omission and amendments have been prepared to set a fixed term after which there shall be a new election.

Table 2.1

WV Election (52 tracts)

	Contested	Not contested	(N)
Colony tracts	20	8	28
Purana tracts	6	18	24
(N)	26	26	52

This may have been due to the relatively greater homogeneity of the population in the private tracts with respect to the village of origin, kinship, etc. In some of the tracts where there had been contests, the campaigning had been vigorous and the use of various kinds of pressures including monetary incentives was reported. Attendance of voters at elections was high and in some cases it was as much as 90 per cent. There was very little talk of elections being conducted on political lines. In fact, there was mention of the support given to the winner by sympathisers of a political party only in one of the tracts looked at by us.

There were however many reports of interference in the election by COs and Divisional Officers. In some cases there was also talk of the election having been rigged by these officials. In three cases, the candidate said that the COs and Divisional Officers had got together in favour of his rivals and got the names of some of his supporters removed from the Paddy Lands Register. Some cultivators in these tracts too said that their names had been so removed. In the case of two of these tracts the majority obtained by the winners was slender and the grievance therefore may have some basis. In one case, farmers said that the Cultivation Officer had openly canvassed votes for his candidate and had gone around making promises that

longstanding drainage problems would be solved and that a housing project for which he was Secretary and which was now at a standstill would be completed if his candidate won.

It is of course fairly widely believed that the COs and even Divisional Officers are political appointees and if there is any truth in this, their involvement in WV elections could mean something. But on the other hand, the fact remains that farmers and WV interviewed by us saw these as personal interferences and did not attach any political meaning to them.

Despite all the references to such election-time practices, there was surprisingly little talk of permanent polarisation in the tract due to these election-time divisions. Some of the candidates who had lost, continue to be bitter and it is they who for the most part recall these events. But as far as the farmers themselves are concerned, there were many who were satisfied with the WV though they had voted against him. On the other hand, there were several farmers who had voted for the WV but had now decided not to support him next time.

Our questionnaire to COs elicited many responses to the effect that one of the weaknesses of the WV system was that WV got their positions through elections and that as a consequence they did not have the co-operation or respect of all the cultivators. But neither the field-observation study nor the interviews with farmers supports this opinion. While there were enough complaints about WV inefficiency, only six per cent of the cultivators interviewed answered, when queried, that the WV had on any occasion been unfair to them.

In the field-observation study, only one farmer said that the WV had on one occasion refused water to a cultivator because she was the sister of the person who had contested against him in the WV election. The only other election-related incident we came across was where a WV had explained to a farmer who complained about the person who had contested the WV using a

6 inch pipe and thus affecting the water flow to those below, that since there was displeasure between them (the WV and the defeated candidate) he would not remove the pipe and that it would be better to report the matter to the CO and get him to intercede. In this particular case, the election had been quite recent, due to a vacancy and the contest had been close.

### 3.2 Removal of Wattei Vidhane.

It has already been pointed out that neither the Agrarian Services Act of 1979 nor the Regulations promulgated under it specify the period for which the persons selected by the cultivators to assist the CO would hold office. Most of the WV serving in the study area were elected in 1980 and they continue to function even now in their tracts. The WV as well as farmers believe that the WV's term of office is three years and farmers speak of elections to come and of how they would vote in the future. That these elections are already more than two years overdue if their belief is correct, they presumably ascribe to delays in holding elections, familiar from other spheres. No one, not even WV or Cultivation Officers seem to know that the WV may be there for life as far as the present statutory position goes.

But in the study area, three WV are said to have been removed since 1980. In one instance, farmers gave several written complaints to the CO that cattle belonging to two brothers of the WV were damaging crops regularly and that the WV, whose attention had been repeatedly drawn to this, was doing nothing about it. Eventually the Divisional Officer summoned the cultivators and the WV for an inquiry and the WV is said to have been dismissed from his position on the charge being proved. This WV had got himself nominated when an

election was held to fill the vacancy created by his dismissal.<sup>1</sup> He got 20 votes while the person who won got 40.

In the second case it is said that the WV was removed by the Divisional Officer on receipt of petitions from farmers that the WV was never seen in the tract during the cultivation seasons. In a third case, it was reported that the WV was removed after an inquiry into a petition that he was blatantly nepotist and partial in water distribution.

There had been a few other petitions requesting that the WV be removed. According to Cultivation Officers, during the past two years 12 written petitions had been sent by farmers in the study area. The grounds often cited were either inefficiency and neglect of duty or partiality in water distribution. One petition had the surprising complaint that the WV had extorted double the Suthanthiram due to him from some farmers. A summary of the complaints in these 12 petitions is given below:

Petition 1: Comes to the tract very rarely; partial in water distribution; favours relatives and friends. Has himself encroached on reservation and other public land. In this case the Divisional Officer warned the WV and let him continue.

Petition 2: Partial to his numerous relatives in the tract and expects arrack and toddy from others; extorts double the usual rate of Suthanthiram. Gets bribes from private landholders and issues them water.

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1. Though in these cases we were told that the Divisional Officer 'dismissed' the WV, it appears that the WV seem to have been persuaded to resign. Whether the DO are authorised to dismiss WV is not clear but it is so believed by everyone concerned,

There was not enough evidence according to the Divisional Officer and he was therefore warned and allowed to continue.

Petition 3: Does not come regularly to the tract and is absent during water issue. Does not attend to any problem. The petition was signed by 72 persons in the tract which has 160 families. Warned that he would be dismissed if he continued to neglect duties.

Petitions 4,  
5 and 6: Do not come regularly to the tract and neglect all duties.

Petitions 7  
and 8: Too old and inactive, rarely in the tract. The WV undertook at the inquiry to be more diligent in their duties.

Petitions 9  
and 10: Negligent of duties.  
At the inquiry the complainants were outnumbered by persons who gave evidence supporting the WV.

Petition 11: Neglects duties because of his preoccupation with his cattle and dairy business.  
At the inquiry the WV communicated his decision to give up his position as WV.

Petition 12: Neglects duties because he works as a labourer.  
At the inquiry the WV said that he had decided to resign.

Most farmers seemed aware of the possibility that WV could be removed by a petition to the Divisional Officer. Seven per cent of the farmers were doubtful that this would be done and three per cent felt that WV could not be removed. Eight per cent of the farmers had sent or signed petitions requesting removal of WV. Some farmers were skeptical of the fairness of the inquiries. In two cases, it was said by the farmers, that

the Divisional Officers had postponed the date for the inquiry without proper information to the farmers and then dismissed the petitions on the ground that the petitioners did not turn up at the inquiry. It was however also admitted by many farmers that there were instances where petitions were sent but when the inquiry was scheduled none of the signatories turned up except perhaps the prime mover of the petition. In one case the WV against whom the petition was made had gone from house-to-house and used various methods of persuasion and appealed to them in many ways so that only six persons turned up at the inquiry into a petition which had been signed by 82 persons.

Our questionnaire data show that 21 per cent of the farmers feel that WV are not satisfactory. However, petitions have been sent only against 12 WV which is only eight per cent of the total number of WV in the study area. The 21 per cent dissatisfaction is reasonably significant as there was another category of respondents who were only moderately satisfied with the WV (20 per cent). The discrepancy between clear dissatisfaction with WV and moves to have them removed could be explained in several ways. The strongest explanation probably is the belief, mentioned earlier, not currently backed by law, that there would soon be elections and that they could exercise their choice then to discontinue the present person. This is strongly supported by our observation as well as questionnaire responses from many to the effect that they had decided not to vote for the present man next time. When such a prospect is in view the need to remove the WV by other means would not appeal unless great personal hurt or benefit was involved.

In all cases where there were petitions, the WV when asked why there were petitions against them, responded that the petitions were the work of persons who were out to get their jobs. In at least six of the 12 cases, we had reason to accept the WV's explanation.

#### 4. THE DUTIES AND FUNCTIONS OF WV

##### 4.1 Water distribution.

Water distribution is the primary concern of the WV in all the tracts except in those low-lying private tracts, which are outside the Gal Oya Settlement Scheme. Allocating and distributing water to fields is the WV's chief task. There are some exceptional tracts where there is no system of field channels and the water once channelled from the river, flows from field to field. This changes the nature of WV tasks and we will discuss such tracts first.

Though during Yala only part of such tracts is cultivated because the water is inadequate to cultivate the entire tract, there is really no complaint of water inadequacy leading to water disputes or requiring the intervention of the WV as distributor. This is because in these tracts, over the years the question of how much water will be available and how much land could be cultivated has got more or less settled. As one of the farmers put it:

"If the field above mine has had its water, then I will get my water. If he has not had his water I will not get mine and there is nothing that anyone can do about it."

The WV assists the farmers in doing the needful to bring the water from the source to the fields but he has no function of apportioning the water among them.

Unlike in colony lands or the private lands in the River Division where attempts can be made to bring more water when it is inadequate, here no such remedy is available. Being outside the Gal Oya system these lands are not authorized for Yala cultivation. If the fields at the farther end do not get

adequate water during a season, to the farmer it is a misfortune about which nothing can be done. The WV cannot plead with the farmer above on any ground except perhaps on grounds of charity and the farmer above will not be inclined to be charitable unless he has had the minimum water necessary. Over the years farmers have usually arrived at an understanding about the extent of land that could be cultivated with the water likely to be available during Yala. There would, of course, be the inevitable discrepancies between expectation and reality, and the farmers at the fringe do get into difficulties with regard to water. In some cases the farmers have tried desperate measures such as trying to augment the water supply by illicit tapping from the colony units. Others appeal to WV to persuade the farmers in the fields above them to be more charitable. But the point to remember is that if a farmer at the fringe does not succeed by any of these means, he does not blame anyone, certainly not the WV.

If one leaves out the few tracts which are situated thus, in all other tracts water distribution remains the WV's chief duty. It is his duty alone and no other officer assists him in this task. Though the COs have on occasion intervened at the request of farmers and WV in water distribution disputes, all including the COs themselves agreed that the WV is essential if water distribution work is to proceed smoothly. Out of 40 COs who responded to our questionnaire, 31 said that if the WV was absent, water distribution will be seriously affected. This estimate of the COs is significant because they feel that they themselves have water distribution responsibilities and that they were the final arbiters for water distribution problems too.

COs were able to give us details of a total of 124 visits they had made to the tracts either at the request of farmers or at the request of WV. Out of these 124 visits of the COs only 13 had been to settle water distribution problems.

Table 4.11

Problems taken to Cultivation Officers by  
WV and Farmers (Yala 1984)

Nature of Problems	Number of Times
Water to tract inadequate	10
Irregularity in water distribution	13
Damage to channel	9
Provision of drainage and irrigation channels	38
Damage by cattle to crops	24
Land disputes	30

These were all cases where the tail-enders were prevented from getting adequate water by head-enders blocking it. Of the 13 visits, four had been on requests made by the WV to the CO because it was thought that the farmers concerned would be more amendable to the CO's authority. Of the other nine cases, three were taken to the CO only because this particular CO happens to reside within the tract. In two of the other cases, the farmers went to the CO because they felt that the WV did not take effective action. In the other 4 cases the farmers went to the CO because they felt that the WV was likely to be partial either because there was some dispute between them and the WV or because the farmers against whom they were making the complaints were close relatives of the WV.

It is fair therefore to conclude that the burden of water distribution work in the tract falls almost entirely on the WV. In our interviews with farmers, they mentioned 14 instances in which they had gone to the WV for water distribution-related problems. Eleven of these cases the WV were able to resolve to their satisfaction and only on two occasions did they have to

request the intervention of COs. In one case though they were not satisfied with the WV's action, they did not think that they would get satisfaction from any higher officer either.

Table 4.12

Farmer Contact with Officials - Yala 1984

(Number of times)

	WV	CO & DO	TA	Irrigators and WS	IE
To report inadequacy of water supply to tract.	16	6	10	4	2
To report problems in water distribution.	14	2	-	-	-
To request provision of drainage and irrigation channel	10	7	3	-	-
To request repair of damaged channel	10	3	4	-	2
To request pipe outlets	7	2	5	-	-
To request construct- ion or repair of bunds	7	4	2	-	-
To report cattle damage	42	8	-	-	-

(N = 60)

It should be noted however that in each of these 14 cases it was the farmer who had taken the initiative in reporting a distribution problems to the WV. Considering that 60 farmers were questioned about water distribution problems over a whole

season that there were only 14 cases taken to the WV may give the impression that the WV's role in water distribution is very slight. A moment's consideration would show however that the situation is just the opposite. Field-observation during times of water issue as well as interview responses of both farmers and WV show that water distribution was one task to which any WV, if he was not an absolute write-off, attended without the need of prompting. Over the years the routine of water distribution has become established and the WV is almost always present in the tract when water is issued. The relatively small number of reports mentioned above is therefore explained by the high level of WV activity rather than its absence.

This figure and the importance of water distribution-related work in the totality of the WV's activity could be understood better when set against the almost 100 per cent response from farmers, WV, and COs that the supervision of water distribution is the main contribution of the WV. To make another comparison, the farmers this season reported to the WV, trespass and damage by cattle 42 times, which is three times as frequent as they have reported water distribution-related problems. Once again this is only because water distribution matters are promptly attended to by the WV on his own initiative.

The 28 WV whom we interviewed had been to other officials on some matter or other altogether 107 times. But there were only a total of three occasions when the WV had gone to any officer for assistance in water distribution-related problems. On all three occasions it was the CO to whom they went. On two of these occasions the WV could not settle the disputes because farmers from other tracts were involved.

Table 4.13

WV Contact with Officials - Yala 1984 (N = 28)

(Number of Times)

Purpose of Contact	CO	DO	TA	IE	(N)
Water to tract inadequate	7	2	16	9	34
Water distribution	3	-	-	-	3
Provision of drainage and irrigation channel	9	1	-	2	12
Damage to channel and bunds	-	3	5	9	17
Request for pipe outlets	1	3	8	3	15
Cattle damage	4	3	-	-	7
Land disputes	10	9	-	-	19
(N)	34	21	29	23	107

#### 4.1.1 The operation of water distribution.

Water distribution, as far as the WV is concerned, is that aspect of his work between the receipt of the water into the tract and its delivery to the individual fields. Water distribution therefore includes apportioning of the water available to the tracts to the respective channels and eventually to the individual fields. Depending on the availability of water and the extent cultivated in the tract, the WV has to decide on the amount of water for each field channel.

In making these decisions the WV draws from his experience and intimate knowledge of the conditions of the individual fields. Some fields are low-lying, while others are elevated. Some fields are more sandy than others and tend to draw more

water. Taking into account these facts and the position of the fields relative to the sources of the water, that is whether they are at the head or tail end, the WV sets his schedule of water issues. Some times there are farmers who have both their paddy land as well as their highland in the same field channel and it may be that both are situated at a place where they could receive water easily. When water is inadequate and the tail enders do not get enough, this will result in complaints and the WV will have to ensure that equity prevails.

Some fields are not levelled properly. Levelling is costly and in field channels where the water supply is never adequate this negligence is not altogether inexcusable. When water is issued the WV has to decide whether or not to make allowances for the fields in this condition and his decisions may not always be popular with other farmers. Having all these considerations in mind the WV gets to work blocking the inlets of those who would get the water later and releasing it for those who have priority.

In the area studied, invariably almost all the field channels lack gates, sluices pipe outlets, etc. It is hoped that these tracts will be furnished with these after rehabilitation. But just now the WV has to manage without these facilities and he uses a variety of materials: sticks, leaves, straw, gunnies, stones and earth. The farmers who would be the immediate beneficiaries help him in this operation. Wherever an operation of this kind takes place, naturally some are beneficiaries and the others are not. If water is abundant however, no serious friction will arise from this. But when it is always in short supply every one is anxious and the role of the WV becomes crucial.

It is essential that all the farmers see the WV as one who is absolutely impartial and functions according to a system calculated to distribute the benefits to all equitably. And it is important that the WV is present on the spot to carry

through this operation without open conflict. Many farmers therefore see this as the most important function of the WV. The WV is the "common person", 'Everyone accepts what the common person does'. Most farmers seem to judge the WV's usefulness or otherwise by this criterion. A WV earns his Suthanthiram by his availability to do this one job. Farmers condemn WV who are not available during water issue and are willing to give special rewards to ensure his presence during this time. This is particularly so in the case of farmers whose fields get water only by blocking outlets above. While this is <sup>a</sup> necessary operation, when the water is not really enough the farmers above are always in some anxiety. They are tempted to remove the blocks before the tailenders have had enough. And the tailenders will then have to resist the headenders and there would be displeasure and even open quarrelling. This type of situation arises all the time during water issue and the presence of the WV as an impartial operator is then the only safeguard against such tensions and anxiety.

In tracts where the WV do not function properly, the headenders generally dominate the situation and the tailenders are badly affected. In two of the tracts in the study area where the WV definitely had not attended to their duty, the farmers at the tailend were very bitter and said that they had been let down. The WV was not there when needed most. They would not vote for him next time.

During our field-observation study of the WV's work in 15 colony units, farmers in two tracts complained that the WV were not doing water distribution work satisfactorily. In these two tracts the farmers had sought the aid of the WV during times of water issue in vain. These WV were absent from the tract most of the time. One of them had suggested, "If there was water coming down the channel, farmers could distribute it themselves". The farmers had tried to see the CO. The CO could not come in time as he was far away. Once confronted the CO said that it was the duty of the WV and that

he would instruct the WV accordingly. One of the farmers said, "It is not worth the time and the money spent in trying to contact the CO".

#### 4.1.2 Water rotation.

A principle which seems to have been accepted with regard to water distribution from ancient times is that the tailenders on a channel would normally be given water first and those nearer the head later. Bailey<sup>1</sup> in his account on the Sirita or general custom in respect to irrigation in the Badulla District reported as follows:

"The agata fields (the fields at the end of the channel first were ploughed/in order to ensure the supply of water while there was abundance of it in the supplying stream, and the rest upwards in regular order".

"During the dry season when the supply of water began to fail the fields were irrigated by rotation commencing from the moolata fields (fields nearer to the source of the channel). The rotatory period was regulated by the volume of the water in the supplying stream".

The principle adopted here is obviously both efficient and equitable and seems to have been adopted generally with regard to irrigation in the study area also.

In units 5, 12& 37, the system of giving water to the tailenders first and then to the headenders was being strictly followed by the WV. At least this was observed being done this season when water was adequate. But in these units, it was reported to us that when there was a shortage of water during the previous Yala, the WV began issuing water from the head-end. At the end of the first issue, it was found that the water stopped, before the tailenders could get their supply.

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1. Bailey, J. - Report on Irrigation in Ward, 1864.

When the next issue commenced, the WV therefore issued water first to those who had not got it during the first issue and only then to the others. This it would be seen is in accordance with what is said in Bailey's account.

It has already been mentioned that most of the tracts in the study area do not get an adequate water supply. Issuing water to the tailend first is therefore out of the question. Yet we found that in many of the tracts the WV insisted on the custom of giving water to the tailenders first if they had not received any during the previous issue. This was observed in Units 13 & 38 and Kakachiwattei. We could also observe during the course of the study that farmers in tailends tended to complain against the WV that he was issuing water to the headenders first and that he was thus unjustly violating the customary rule of issuing water first to the tailenders. But these complaints often came from farmers in tracts where water in the channel is inadequate to cultivate the whole tract and the WV for this reason has become an unpopular person among these farmers. In one case, this has been given as the main ground in a petition to remove the WV. But it is doubtful whether in these areas of inadequate water supply (Units 38, 13, 40, D1, D2) anyone can succeed in issuing water first to the tailenders. Nor would it clearly be the right thing to do judging by the second part of the rule reported by Bailey. It seems that the farmers, naturally frustrated owing to the failure of water, are here merely expressing a principle perceived only vaguely and to their advantage. What is reported here by these farmer as an irregularity in water distribution is in reality a failure in water supply. The WV becomes the available scapegoat in situations of water scarcity.

The difficulty here could be seen in a clearer light if we compare it with what happens in the purana tracts. In these tracts the water is limited during Yala. No one promises water. Each farmer decides whether he is going to cultivate his field or not. In most of these tracts there is no definite field

channel system and whatever water is available has to go from field to field beginning at the headend. There is no system of water distribution as such and hence no possibility of any complaint by the person at the tailend if he does not get enough water. He learns his lesson and probably does not attempt cultivation next season. In this manner, the extent of the fields that could be cultivated for Yala gets established over the years.<sup>1</sup>

On the other hand, in the colony units which were approved this time for cultivation, all the lands lying in the field channel areas to which water was promised were cultivated (Sinnawattai, Kakachiwattei, Unit 40). The farmers therefore expected to have enough water. The WV were directly involved as the channel through which the promise was made. They were therefore viewed as the agents of the powers above which had failed to deliver the goods. But it is also true that the farmer's conception of the WV as an agent of the State and the consequent bitterness is not confined to the years when he has made special promises as he did this Yala. Even otherwise some of the blame for the scarcity of water attaches to him.

#### 4.1.3 Conflicts in water distribution.

During our study it was observed that most of the complaints from farmers regarding water distribution arise from the conflict between headenders and tailenders.

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1. It may of course happen as it did this Yala, that more water is expected and more land is cultivated. Colony units which had hitherto not received water for Yala were this time promised water. More drainage water was therefore expected in the purana lands below and more acres were cultivated. But eventually the colony units did not receive the water in the promised quantities. The drainage water to the purana land was as a result not as much as they expected and those who cultivated extra land this year were in danger. Many were saved by providential out of season rains during this Yala.

Head versus tail.

One of the sources of conflict is the anxiety of the headenders who seem to think, with some justice, that when water is limited their needs should be secured first and the needs of others only if water is left over. The tailenders think perhaps with even more justice, that it is only equitable that all should have a share in a resource that is common to all. The water in their view does not belong to the headenders as the tailenders too are part of the system. When water is inadequate the WV therefore has to see that there is a practicable system which is just and equitable. Equity abstractly dictates that the water is shared among all. But it is not practicable to give any water to the tailenders if the headender is not assured of a minimum supply. And in practice, the minimum supply should not only be available but the headender should also be able to see that he would get it. Therefore it falls upon the WV to assure the headender that he will get his minimum. If the headender does not have confidence in the WV, he suspects that the WV is sacrificing him for the sake of an empty equity if not for something worse. And when he has a choice he tries to intervene as soon as the WV's back is turned. He meddles with the channel blocks and stops the water flow to the tailenders. Invariably he will do this in the night when the WV is not there.

The tailenders have similar anxieties. Inspite of the WV promising them water, if they do not see that there is sufficient water in the channel, they too meddle with the channel blocks in the night. Thus this situation is a fertile source of conflict and the WV's presence right through the water issue period is the only way of ensuring order. In his presence, matters will proceed as ordered by him and any complaints arising in the process will be settled by the WV himself. However, once the WV leaves the place, trouble starts again. In the study area a large number of incidents of this kind were reported. Though there was not a single case reported where a farmer did not obey the instructions of the WV

in his presence. There was thus no instance of defiance to his face. If the WV said that a block should be restored it was immediately restored. Or if the WV himself restored it there was no attempt at resistance. If the WV ordered the release of water, farmers complied promptly.

But it is also a fact that in many places no sooner did the WV leave the place than someone interfered with the water flow again. This underlines the reason behind the anxiety of most farmers that the WV should be present during water issue time. Some farmers who were affected by this kind of episode where blocks are removed as soon as the WV's back was turned, were inclined to attribute this to the WV's lack of personal authority. They tended to suggest that had the WV been a person of stature there would be no such incidents. But this is questionable. In the first place we have in the course of our study found that incidents of this kind have occurred in all the tracts where water was uncertain, including those in which the WV's were held in high esteem. The stakes here are very high as far as the farmers are concerned and for many of them their subsistence depends upon this cultivation. It is doubtful therefore whether anyone will be able to make his instructions stick under these conditions. The farmer will, by any method fair or foul, see that his crops will not die. The WV is an authority figure in the sense that he is, however remotely, an agent of the law. The farmer does not want to risk being taken to the police or being hauled before the courts for having defied and quarelled with an agent of the law. It is this fear which inclines the farmers to obey him in his presence and to go back to their own ways in his absence. The image of the WV with personal authority whose word alone will bring everyone to virtuous obedience seems today the product of wishful thinking and has no real content. Most of the farmers interviewed felt that the WV, though he is no longer as powerful as he used to be, is still capable of initiating legal proceeding against a farmer by acting through the CO.

#### 4.1.4 Access to water.

Many fields in the study area do not have direct access to the field channel. In these cases the water has to flow from field to field starting from the one which has access to the channel. This is an arrangement which seems to operate only when every one is feeling friendly. Very often things do not work so well. The farmers below complain that the farmer above does not release the water at all or does not release it on time. The farmer above is worried for many reasons. All his fertilizer is getting washed away into the field below; soil is getting eroded; or it is simply that he does not think that he has had enough water himself. At this stage the farmer below cries for a channel that will give him independent access to water. The farmer above is certainly not willing to oblige with a channel through his land. In the course of our study we found that the WV was invariably successful, by persuading the farmer above, in sorting out the immediate problem of getting water released to the farmers below. But the more permanent solution of providing access to each field is not within his ability. In most cases the farmers have to be content with his pledge that he will draw the attention of the CO or the irrigation authorities to the need for a separate channel.

Another type of difficulty for WV in distribution work is that created by farmers who replace the approved 3 inch pipe with bigger pipes in order to get more water and this leads to complaints by farmers below. We found that in two of the six cases that we came across this season when farmers failed to comply with the WV's instruction to close their pipes, the WV himself removed the pipes. There was some resistance from the farmers but the WV went ahead and removed the pipe. In another case, he did not do anything beyond telling the farmer many times to put back the correct pipe. Though the farmer did not comply even after repeated instruction, the WV did not do anything further. Though this WV was himself a good worker he was content in this case with

merely reporting what he had done to the farmer below who had originally made this complaint. In the other three cases when the offenders did not respond after repeated requests from the WV, the WV reported the matter to the CO and the CO promised to take action, but he had not done anything after that.

Another problem similar to this is the practice of some farmers to place the inlet pipes somewhat lower in the field channel so that they would continue to get water even when it is properly the turn of the tailenders to receive water. We came across three cases of this kind. The WV asked the farmers to replace the pipes at the correct height, but the farmers had not complied. The WV had reported the matter to the CO and in one case to the Technical Assistant. But no action has been taken by these officials in any of these cases. When we asked one of the WV why no action was taken, he said the proper thing for him to do was to pull out the pipes. But he was not attempting it because it would lead to serious displeasure.

#### 4.2 Bringing water to the tract.

##### 4.2.1 Private tracts outside the Gal Oya System.

In the private lands which are not watered by the GOLB System or by the River Division, irrigation is by seasonal rivers which are fed during Yala by drainage waters from the colonies above.

The work of the WV with regard to the procurement of water in these tracts is confined to installing a dam or anicut across the river to raise its head so that it flows into the tract. In some tracts there are channels through which the water comes into the tract and in these cases the WV sees that these channels are cleared in time to receive the water. In many other tracts there are no channels and the water flows straight into an adjacent field from which it goes to others.

The erection of the dam or anicut is one of the WV's most important functions in these tracts. In some tracts the flow is blocked by laying planks across the river and to do this the WV requires hardly any assistance. Where this is the method employed farmers are not called upon to assist the WV. In others a certain amount of earth work is necessary and the farmers are required to contribute their labour on the day appointed for the purpose. The WV decides the day and sends messages summoning all the farmers. They are also required sometimes to make cash contributions towards the cost of hiring any equipment such as a tractor if it is necessary for the work. Any farmer who is unable to be present to contribute his labour is required to compensate by making a further monetary contribution. This money is utilized by the WV to pay the extra men he might have hired in place of the absentees. The work of erecting the dams has to be done each season and since they are earthen and tend to get washed away, even more than once during the season, when the flow in the river is heavy.

Apart from this, the WV in these private lands have no water-related functions. As has been narrated elsewhere, in the absence of detailed field channels, there is no room for systems of apportioning water. When farmers find the water inadequate, as happened even in this Yala, farmers desperate to get water resort to illicit tapping of channels in the colony units above at certain times. But the WV of the purana tracts do not have, at any rate officially anything to do with these raids.

These private lands were originally cultivated only during Maha with rainwater supplemented by water from the seasonal rivers. It was only after the Gal Oya Scheme came into existence that drainage water from the colony units flowing into these "rivers" made Yala cultivation possible in some parts of the tracts. Though not officially approved, the dependence of these farmers on these drainage waters is informally acknowledged by officialdom.

It has now become customary for farmers in these tracts, when their crops are really threatened by lack of water to appeal through the WV to anyone to whom they can go on grounds of compassion: WV of colony units are approached to release a little water their way; Irrigators are contacted and different methods of persuasion tried; Irrigation Engineers are appealed to; deputations go to the Deputy Director of Irrigation. This season, according to the farmers in one tract, their WV had successfully appealed to the Government Agent, Batticaloa to intercede with the Irrigation Engineer, Paddirippu and got more water released to the field channels above their tracts. Though the WV is thus involved in attempts to help his farmers in their plight it is clearly recognized that it is not his job to do so.

What the WV in these private tracts does to obtain water, namely the construction of a dam across the river, seems to have been the only traditional function of the WV with respect to the procurement of water to the tract. It is of course his responsibility to see to it that all structures on which the tract depends for its supply of water are kept in good order. For this purpose he could mobilize the labour of all the cultivators in the tract. In very early times the larger works on which a number of tracts deriving water from the same river depended were kept in repair by Rajakariya (labour service) mobilized by the administration at higher levels. The local Headmen had to muster their share of the labour which had to be contributed towards these works. After the abolition of the Rajakariya system, these large works fell into neglect and were ruined. As a consequence each tract was now left to its own devices and was reduced to the annual construction of its own dams. The position at this stage is what is described by Birch<sup>1</sup> as follows, in support of his plea for "some more

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1. Birch, J.W. - Report on the Irrigation of the Fields Dependent on the Pattipola Aru in the District of Batticaloa, 1856. Printed as Appendix in Ward 1864, p. 193.

permanent system than the temporary earthen dams which now regulate the supply of water".

"No sooner the inhabitants of one pattoo put up the dam than those of the neighbouring pattoo cut it open and erected another to operate in another way. The cultivators of one wattei or enclosure built a dam in one night and the next night it was destroyed; and all the waters led off to another Wattai. This state of things appears to have prevailed more or less since the abolition of compulsory labour until when the dams of the river were always kept in good repair by the cultivators. Since that period however no attention or comparatively very little appears to have been paid to them and those which had some few characteristics of permanency about them, not being annually repaired, gradually fell into decay and have now almost entirely and in some cases totally disappeared; while all the works on the river are now of a purely temporary nature very badly executed and seldom outlive the first burst of the rains".

According to Birch, the abolition of compulsory labour prevented calling out people, and dams which were kept in perfect repair until 1833 were now only sporadically and temporarily repaired by a few enterprising cultivators. These scant attempts however were not equal to the task and they rapidly fell into complete decay and were soon useless for the retention of any water.

Once the possibility is removed of any large-scale mobilisation of labour of the kind needed to undertake works common to areas much larger than a single wattei, the cultivators or WV of any single tract are able to do little. In seasons of drought, there are no supplies of water in reserve and the crops of those furthest from the river perish while even the more fortunate cultivators up the stream get very scant supply. Birch reports frequent journeys made to

Puliantivo<sup>1</sup> to make complaints.

"Several men had often to travel many miles from their tracts to effect some necessary repair and during this time their crops were unguarded and the fences were often destroyed by cattle and pigs".

The account given above of the plight of cultivators in the absence of proper systems to feed water into the tract, gives us a perspective to understand the tasks of the WV in the procurement of water specially in those parts of our study area where the water supply is inadequate. These private lands today are not in any proper sense attached to any system of irrigation. Though efforts are now being made through rehabilitation to integrate them into the GOLB network, they are still outside it. They are now dependent on seasonal water courses and temporary anicuts and dams laid across them.

Before the Gal Oya scheme came into existence most of the purana lands were connected with one or another of the reservoirs within the Pattipolai Aru scheme or with the village tanks connected to the Navakiri network. At that time it was open to the WV of a tract in which a shortage of water was experienced to contact the irrigation officer or the "guardian" in charge of the respective tank or reservoir and get him to release water. But the lands discussed here are those which were not absorbed when the lands under these two schemes were integrated into the Gal Oya network. They remain at the margins of this network and now the WV's efforts are confined to laying the anicut across his water course. Or perhaps to make his traditional pilgrimage to Puliyantivo.

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1. 'Puliantivo' is the old name for Batticaloa where the Government Agent had his office.

#### 4.2.2 Private tracts of the River Division.

The other category of private tracts in our study area are those which were integrated as the River Division of the Gal Oya Scheme. In these tracts too, the WV as in the private tracts discussed above has to perform at the beginning of each season the function of erecting anicuts or dams across the river to get the water flowing into the tract. But on the other hand, since these tracts are connected to the Gal Oya System and the Senanayake Samudra Reservoir, he shares with the WV in the colony units described below all the hopes of seeking remedies though the ID officials responsible for water issue. But being the only tracts with adequate water in the whole of our study area, these River Division WV are therefore as a matter of fact spared the frustrations of the WV in the colony units.

#### 4.2.3 Colony lands.

In the case of the colony lands, the situation is very different, though as far as the study area is concerned not much better. Unlike the private lands described above, these are all tied to the GOLB system. The distributary channels to the tracts get water, or at least may expect to get water from the main channels which are in turn connected to the reservoir. And corresponding to the guardian of the tank gates under the Pattipolai Aru scheme, we now have Irrigators and a whole hierarchy above, from the Work Supervisor to the Deputy Director, Amparai, and the Deputy Director, Batticaloa. Ideally, water would be delivered to the tract by the Irrigator, and the WV as such would have no work to do in procuring the water to the tract. The Irrigator should on the appointed days for the appointed time open the sluices which deliver the water to the particular tracts, letting the WV take over from there with his work of distribution. But it may and does happen often that the water does not come to the tract at the promised time or for the promised duration. It then becomes the WV's task to contact the Irrigator and if the difficulty is due to

factors beyond the Irrigator's control to contact the officers above, such as the Technical Assistant (TA) or even the Irrigation Engineer (IE).

While all this is happening the WV would have already received complaints from the farmers in his tract. If his efforts at contacting the Irrigators and the others bring results within a reasonable time, all is well in the tract. Very often, particularly in the study area, things do not happen this way. Water often does not come, and one has to accept promises instead. Farmers may see that the WV has done all that he could and that their problems are due to failure somewhere else.

In some tracts we studied, this is how most of the farmers perceived such situations. For instance in one of the tracts even though the farmers had this season an additional reason to blame the WV because he had been instrumental in conveying to them the promise that water would be issued for Yala and eventually hardly any water came, farmers did not blame the WV at all. The farmers said "the WV has worked hard to get water for us for the past two and a half months" and "if our fields are even wet it's because of his efforts".

The general impression the farmers have of the WV seems the important thing. Over time the farmers are able to see whether their WV is devoted to his duties or is a shirker. In some tracts when the impression of the farmers is that the WV is not pulling his weight, when water fails to come, he is blamed. The farmers presume that if the WV had tried hard enough he could have brought them water somehow. In some cases when we probed into it and tried to show the farmers that the objective conditions being what they are the WV could not have improved matters in any way, they merely kept repeating that some other WV in some other tract had succeeded in bringing water. Or that the previous WV in an earlier year had succeeded by talking to some officers under similar conditions.

A third kind of response was to acknowledge that the WV had done his best but that the best the WV could do was not good enough; if they had a better WV, one who could deal with these officers better, then they could have got water. In one of the tracts we studied, the farmers seemed to think that their troubles were due to the fact that the WV was a fool and not educated enough. And the farmers responses to our questionnaire show that they place great importance on the WV being an educated person. It would seem that in the eyes of the farmers, the quality which would equip him to deal with the official outside the tract is of much more value to the WV than those qualities which were traditionally considered important for the purpose of dealing with delinquents and defaulters within the tract.

Sometimes when water does not come to the tract on time, the fault does not lie with the Irrigator but with the farmers in the tract above. In such situations the WV has to go with the Irrigator and persuade the farmers in the tract above to shut their field channels and allow the water to flow down. Since invariably certain structures are missing it becomes the task of the WV to take his farmers along with him to shut the field channels and on occasion if necessary to remain there to see that the blocks are not removed. They also have to take with them their blocking materials such as gunnies, stones, etc.

In times of water inadequacy it is always a tricky business to get the farmers in some other unit to acquiesce in the closing of their field channel, and often tempers get frayed. The WV therefore finds it useful to have with him the Irrigator who shall represent government authority and confirm that the time is overdue for the tract below to receive the water. Though this Yala the water available was supposed to be more than during previous years, many of the WV whom we observed had to go through this operation (Units 35, 38, D1, D2).

In our study we found that the procuring of water to the tract was the purpose for which WV sought the assistance of officials the most number of times. This is also the most frustrating of the tasks which they are called upon to perform. The task of distributing water becomes difficult only when coupled in areas of water shortage, with the job of trying to procure water. The WV here, it may be said, are called upon to function as Farmer Representatives and to communicate the need of the farmers in their tract to officials outside.

Their discomfort in fulfilling this role however does not arise because the WV are in any sense unsuitable as representatives. The need is urgent, obvious and felt by all. Farmers are ever willing to back up their WV in his attempts to contact officials above. Though not all WV had attempted it, quite a few of them had taken with them farmers, in one case as many as 20, to meet irrigation officials.

Nor did we notice any reluctance on the part of the WV to confront officials for this purpose. Though farmers in some tracts felt that their WV did not have sufficient stature to negotiate with higher officials responsible for water issue this impression does not seem to have any basis in fact. The willingness or readiness of WV to contact officials above does not seem to be correlated in any way with any variation in WV qualifications. Every WV interviewed from tracts without adequate water had without exception met higher officials. So it would seem that the failure of WV to obtain satisfaction for their farmers in this respect cannot be explained by any deficiency on their part in representing farmer needs to authorities. The explanation has to be found in the chronic water shortage in these areas and perhaps in some cases in official attitudes.

Though the list of duties of WV does not indicate that they have to work at the task of getting water for the tract the majority of farmers as well as the WV themselves consider that it is the responsibility of WV to go to the irrigation officials in time of water scarcity.

While a large number of farmers complained about the inadequacy of water in their tracts and some of them expressed dissatisfaction with their WV on this account, few had gone to the CO for assistance in this matter. When farmers were asked what action could be taken if there was a scarcity of water to the tract, most of them answered that they should complain to the WV while others said representation should be made to the Irrigator or the Technical Assistant; only a few mentioned the Irrigation Engineer. Most of them seem to be aware of the CO as a person to whom they could go for certain matters, e.g. damage by stray cattle. But none of them mentioned the CO as an officer from whom they could get assistance in times of water shortage though we found that some had tried getting help from the CO. Though the 1979 Act speaks of the Farmer Representative as a person selected to assist the CO, in the minds of the farmers, the line of responsibility for water procurement seems to run directly from the WV to the Irrigation Department officials. The COs, whom we interviewed were all quite clear in their minds that the WV were there only to assist them and had no ultimate authority in matters connected with irrigation and cultivation in the tract. But none of them acknowledge assisting the farmers in procuring water as one of their duties.

It may be said that in this, the most frustrating of his tasks and the one for which he feels least equipped, the WV neither has the support of the CO who is officially his principal, nor does he have the willing ear of the Irrigation official with whom he has no official standing.

#### 4.3 Fencing and damage by cattle and other animals.

From ancient times it was the responsibility of WV to see that the crop in the tract was protected from damage by the village cattle as well as by wild animals, mostly wild boar. At the commencement of each season, two measures were taken by the WV for this purpose. When the cultivators decided on the dates for the preparation of the field, ploughing, sowing, etc.,

a date was also fixed for removing the cattle away from the area of cultivation. From this date all cattle in the village were usually driven away to some pasture or jungle land some distance from the tract and were looked after either by the owners taking turns or by a cowherd appointed and paid by the owners. And the cattle would be permitted to be brought back into the tract only after the WV announced the end of the season. The other important measure was the maintenance of a fence round the tract. The proclamation, in 1861, of the rules governing cultivation in the irrigation division of Nadocādōe, in the Batticaloa District set out that:

"The fences round the whole wattei shall be measured and apportioned to each cultivator for the season in equal lengths without any regard to whether the fences adjoin his field or not and each cultivator shall erect a watch hut in the centre of his portion of fence and shall be bound to keep both fence and watch hut in repair, to keep a regular watch and to accompany the Wattei Vidhane in their rounds at night with chule torch lights till the Wattei Vidhane announces that the whole has been reaped and stored".

And after the reaping is over the WV "shall give orders to remove the fences and cause the fence sticks to be heaped in such places as he may appoint" and no one shall remove them without the consent of the WV so that they may lie in readiness till fencing time next season.

According to Birch, it was also the custom in the Batticaloa District during ancient times to flog the men who did not tie properly his portion of the fence and if any animals got in at night the watcher through whose line they broke in was flogged too. Following their wish to "harmonize the native rules and customs with the principles and procedures of English Law", flogging was officially abandoned when the customary rules were revived by the British. But some old farmers and WV interviewed by us still remember this form of punishment since in practice it survived until recently.

The Agrarian Services Act under which the WV of today serve once again, following the pattern set for these enactments in 1856, enables the cultivators of agricultural lands to meet and to formulate new rules with respect to cultivation as well as enforcing established customs affecting such cultivation. And the WV as the person selected by the cultivators from among themselves to assist in all "matters relating to cultivation as may arise from time to time" continues to have among his functions even today the task of excluding from the tracts during cultivation time all animals except those which may be brought for the purpose of cultivation such as the oxen for ploughing.

But during our study it was found that neither the rule regarding the erection and maintenance of fences nor that of the removal of cattle at the beginning of the season is being followed with anything resembling the vigour with which they were followed during earlier days. In many of the tracts these two measures are no longer considered as being both necessary but as alternatives: if the cattle are removed the fences need not be erected and if the fence is in good order the cattle continue to be in the village. Certain material considerations and not mere indolence seem to be behind this change. For one thing, the fences were necessary earlier primarily not in order to keep the cattle out but to keep out the wild animals, the wild boars and elephants. The watch huts and the chule torches also served this purpose and in some tracts there was also the need to employ and remunerate a hunter or veddaikkaran for the purpose of frightening away or shooting wild animals. With the receding of the jungle from the vicinity of the tracts, this has become therefore less and less important except in the case of some of the private land tracts which are at the edge of the colonies and border the jungle. Once the threat of wild animals is reduced or removed, the fence does become redundant if the cattle are removed. On the other hand, the encroachment of cultivators onto pasture lands and the absence of jungle land nearby for

grazing make it difficult to find places to which the cattle can be removed during the cultivation season.

Some of the owners of cattle seized for straying into paddy fields complained that they had not been assigned pasture lands but even when Cultivation Meetings stipulate places to which the cattle ought to be removed during the season most owners are reluctant for a variety of reasons. The places are either very far away, insecure or unsuitable as grazing land. As a result most of the cattle remain penned in the highlands adjoining the tracts themselves. The cattle, very often only very casually guarded, break out into the tempting paddy fields close by.

Under the Agrarian Services Act and the relevant regulations, the Assistant Commissioner was required to authorize the WV or Representatives or any other "person in charge of an irrigation work to seize and detain an animal found trespassing or causing damage to such irrigation work". Having detained an animal it is the duty of the WV or Farmer Representative to report the seizure and detention to the Cultivation Officer who will thereafter assess the damage and report to the Division/<sup>al</sup> Officer who will give notice to the owner to make the necessary payment and take the cattle back.

The Farmer Representatives were not authorized by the 1979 Act to seize cattle trespassing into agricultural lands as such since the authorization mentioned above was only in respect to damage to irrigation works. With regard to agricultural lands, other than in his own land in which he is entitled to seize and detain trespassing cattle in any case, the Farmer Representative's powers and duties derive from his position as an Assistant to the Cultivation Officer. The CO is empowered by the Regulation to seize trespassing cattle and the Farmer Representative can do so therefore in his capacity as a person selected by the farmers to assist the CO in any matter relating to cultivation.

In the course of the study, we did not come across in this season even a single instance of WV seizing cattle on account of damage to any irrigation work. Without exception all cases were cases of trespass and damage to agricultural land and it was the perception of both WV as well as farmers that this was a matter which ultimately rested with the CO. The COs to whom we spoke were also all very jealously possessive in talking of this duty and said that the 'powers' in respect of cattle were all in their hands and did not rest any more with the WV. But while the perception ran thus the practice was very different.

The first thing to note with regard to this divergence between the formal position and practice is that the WV is immediately available in the tract while the CO is relatively remote and is inaccessible. He works elsewhere in an office, on an average resides at least about six miles away from his tracts and is invariably in charge of three or four tracts. The second point is that the WV, particularly the older ones, note with misgiving their limited powers at present compared with the 'earlier days' when they had the authority to 'settle' disputes or to proceed against the owners in the Rural Courts without having to go through any other official.

Even the newer WV, i.e., those who have assumed duties only after the newer Acts, probably because of the milieu in which they function share in this collective image of the WV of earlier days. Indeed they are, as much as the older ones, referred to as WV and not as Farmer Representative. It is therefore not surprising that both farmers as well as WV would still prefer to settle matters within the tract rather than go through the procedure of reporting to the COs.

Keeping cattle tied in any case is not an entirely easy task. The cattle have to be looked after and fed and the longer they are kept the higher is the cost. Recovering 'tieing costs' as these are called would become that much more difficult and it would make the recoverable damages that much

less. And the cattle owner is very likely to complain that his animals had not been fed, looked after properly, etc. During this season there was for instance a case in which four cattle were tied by a farmer and one of them died while another had broken a leg before the owner could claim them back. In another instance, cattle belonging to a particularly nasty but influential person were tied by a farmer whose fields had been repeatedly damaged by the same herd. On the third such occasion, after the WV had warned the owner twice with no result, the farmer, on the WV's advice, tied one of the animals and went in search of the CO. The CO was not available either in his office or in his residence. The farmer then went in search of the Divisional Officer who was eventually found in his residence. This official then instructed the farmer to bring the animal to his office. After such experiences there is naturally a reluctance on the part of WV as well as farmers to involve themselves in the delay entailed by the procedure of sending word to the CO and waiting for him to appear. And in the second example cited above it is interesting to note that the farmer who had to undergo three whole days of tramping between one official's residence and another's office, with consequent neglect of his cultivation, was bitter and disappointed with his WV for not having sorted out the problems instead of sending him elsewhere.

It was found that a total of 42 cases of damage by cattle had been reported to WV by the 60 farmers interviewed by us (Table 4.12). This figure excludes cases of trespass and damage which the farmers had sorted out on their own. Of these forty-two cases, only four had been reported by WV to the COs. In two of these cases the owner of the cattle did not agree to pay the damages as assessed by the WV; in the third case one of the animals had died during detention and the owner claimed the cost of the animal. A fourth case was described by one of the Investigators who did field observation and has been reported in our profile of the WV concerned. In this case the damages involved were too large

for the WV to handle. They were originally assessed by him and the affected farmers at 5,000 rupees. And the owner of the cattle was an outsider to the tract and an extremely powerful person in the division. In the end, after the CO too had come into the case, this owner decided that he would pay only a thousand rupees and did not wait to listen to anything contrary by anyone present including the CO. Of the 38 cases which the WV settled without referring to the CO, in sixteen cases the WV assessed and obtained for the farmers damages from the owners of the cattle while in the other cases he obtained only tieing costs for the affected farmers.

From the farmers' point of view, it may be concluded, that it is infinitely more preferable that the WV should attend to their problems with respect to damage by cattle. It would seem that the farmers as well as the WV themselves feel the lack of muscle in the present day WV. The WV feel this even more keenly and seem inclined to approach the problem in ways which would not show up this deficiency. As a rule they prefer to avoid haggling about damages which would provoke the owners of cattle into challenging the WV's judgement and to take up the matter with the proper authorities, namely the COs. Where the damages are obviously extensive, the matter is directly reported to the CO. Where it is such that the owner could be expected to pay without fuss the WV handle it themselves and probably take some effort to keep it within these levels. In every case of damages awarded by WV, the amount was less than Rupees 300/-. We could notice among the farmers a dissatisfaction with the WV for their tendency not to press for damages in any significant sum. But the grievance, though voiced by many, was obviously not in any individual case serious enough for them to insist that the matter be reported above.

Though according to the Act, the only duty with respect to cattle damage for which the present-day WV or Farmer Representatives are authorized is damage to irrigation work, very surprisingly, not a single one of the WV interviewed

reported having seized any cattle on this account. Nor did any of the CO who responded to our questionnaire mention such reports from any WV under them. Even during field observation, no such case was seen. It is extremely unlikely that no damage took place in all the tracts during the whole of this season to irrigation channels, bunds, ditches, etc., due to cattle. It is well known that such damage is fairly extensive. Cattle are often being tied on bunds and walk down channels to drink water and considerable damage is caused by these movements. Some attempt is being made to minimise this damage after rehabilitation by providing special facilities for cattle. The WV obviously do not attend to these duties and confine themselves to look into damages reported to them by the farmers.

#### 4.4 Channel clearing.

From ancient times it has been the responsibility of the farmers to maintain the channels and dams which service them. This would include the construction, repair, maintenance, de-silting and clearing of not only the channels and other structures which lie within the tract but also those which though lying outside it were necessary for the irrigation of the tract. The Irrigation Headmen or WV were in charge of the supervision of all these tasks and the joint labour of the cultivators was rendered at the call of the WV. The Nado<sup>c</sup>ad<sup>oe</sup> Proclamation of 1861 had the following among its rules:

Rule 2: The WV shall have the entire supervision of all works of irrigation and shall enforce the following rules and bring all breaches of the same before the Village Council and the Adigaris shall assist them in the collection of people and supervision of works and these officers shall be liable for all neglect of duty proved to the satisfaction of the Village Councils as far as breach of rules.

Rule 4: The owners and cultivators of all lands shall clear and repair the water courses and vaycaals adjoining their respective fields and all jointly shall repair the

general canal (Pachal and Vadechal) throughout its length by their joint labour in proportion.

Rule 5 : If any dam in any river in this Division be necessary for the irrigation of any tract of land it shall be put up and kept in repair by the joint labour of all the owners and cultivators of the lands dependent on it for irrigation.

The work was done therefore in two ways: it was either apportioned among the cultivators, each of them being responsible for his portion or it was done by the joint labour of all. The principle followed here is indicated in Rule 4 and 5. Work on the portion of the channel or water course adjoining a field would be done by the cultivator of the field who is clearly its beneficiary whereas work on structures, which were not so clearly assignable to individuals but were of common benefit, was done by joint labour. Thus work on a Pachal or irrigation channel leading from the dam across the river up to the very first field as well as the work on the dam itself would be done jointly, whereas work on the channel thereafter would be apportioned. And as Rule 6 says: "Should not all the labour be required at one time it is to be called in rotation".

Failure on the part of any cultivator either to do the work assigned to him or to report for joint labour on some common work had to be reported to the Village Council and the Irrigation Ordinances of 1861 and 1867 empowered the Council to impose fines on the defaulters. As Roberts point out imposing fines on persons who had little cash would not have been of much use and the practice reported by Bailey from the Badulla District "that no person was allowed the use of water if he had failed to take his share in the annual and necessary repairs of the dam and channel" seems to have been adopted in Batticaloa too.

At the commencement of each season, at least two weeks before the first issue of water the WV informs the farmers either himself or through his assistant or by messages sent by

other farmers that channel clearing has to be completed by a stipulated date before water issue. Often there is no need to measure out the portions which each farmer has to do since there is no occasion to change the arrangement of the previous year. But in cases where the portions have to be indicated once again the WV himself does this. Though portions of the channel are measured out to individuals and there was no single day stipulated but only a last date, several cases were reported to us where farmers had got together on a particular day and done the clearing together.

Of the 28 WV interviewed, 18 said that in their tracts channel clearing had been done in this manner. There were however reports from farmers as well as from WV that some had not turned up on these days. Of these some had completed their portions after complaints from farmers, usually communicated through WV. But there were definitely others who did not clear their portions. In such cases WV response seems to vary widely. In Units 5, 12, Sinnawattai, Kakachiwattai and Koyilporaitivu, defaulting farmers had been threatened by the WV with deprivation of their share of water and these warnings had the desired result. But there were many tracts, e.g., 13, 14, 15 and 38, where WV had not taken any action against defaulters. Farmers in these tracts complained that their WV were inefficient in this respect. Indeed channel clearing seems to be an aspect with regard to which WV are not functioning very efficiently. 42 out of 60 farmers interviewed said that in their tracts this job was not being done properly. They explained that the inability of the WV was due to his not having punishing powers. But of the WV, only a few mentioned having difficulties in this respect. Out of 28 WV interviewed, only 4 said that there was any default in their tracts in channel clearing and two of them said that they had got the work done and collected the cost from the defaulters.

It appears that a combination of two factors is necessary to ensure that a WV attends successfully to this duty. It seems necessary that the tract gets adequate water and also

that the farmers perceive that their neglect of channel clearing would affect their water supply. If these conditions obtain, then the WV's call is responded to. But in tracts where water never comes regularly and the farmers are reduced over the years to relying on rain there is little response to the WV's call for channel clearing. And the supplementary issues during Maha, if they do come, come along channels which are barely fit to convey them. The virtual absence of water in these irrigation channels has over the years led in these tracts to a degeneration of discipline which is most evident in the case of channel clearing. Unless there is a visible benefit, the farmers are reluctant to do this work. This year when water was promised for Yala cultivation in tracts to which it had not been given for nearly ten years, few responded willingly to the call to clear the channels. And unfortunately their reluctance was vindicated in some of the tracts, when the promised water was not delivered or any rate not in the promised quantities.

The dependence of regular channel clearing on perceived benefits may be illustrated by the following cases. In Unit 4, Division 1 and Unit 35, the WV are considered inefficient by most farmers and it was reported by farmers that the WV had not even apportioned channel clearing work for several years now. But the farmers have on their own been attending to this work regularly. In Unit 14 the WV is acknowledged by all to be very conscientious and efficient. But even he had great difficulty this season in persuading the farmers to clear the channels. The former tracts get water regularly while the latter does not.

#### 4.5 Drainage channels.

There were a large number of complaints from farmers this season that the drainage facilities to their fields were not adequate. Drainage channels were not in good condition and drainage waters were being released into fields below and the cultivators of these fields complained. In other cases drainage water, unable to flow down neglected channels, was

spreading back into fields. The WV, who had obviously been receiving these same complaints during previous seasons too, found temporary and not altogether adequate measures to solve the immediate problem. For permanent solution the farmers were advised to contact the COs.

But the problems with regard to drainage could be seen in most tracts to be the result of prolonged negligence by the farmers and even more of negligence by the WV himself over the years. Drainage channels allowed to become silted up or to get choked with weeds have now become incapable of their function. In many other cases, drainage channels had been allowed to be encroached into by farmers who were now cultivating them, once again reflecting gross negligence on the part of the WV.

Traditional farming communities have always recognized very clearly the importance of drainage. The Nādocadoe proclamation for instance specifically refers to the obligation to clear Vedechal vaycaal i.e., drainage channels. While, therefore, the neglect of drainage facilities would always indicate selfish behaviour on the part of the farmers, WV are even more culpable in that these are common facilities and it is up to them to have taken the initiative in keeping them in good order. That they have failed in this duty brings out what is probably the institution's crucial weakness, namely, its inability in mobilizing farmer co-operation when the farmers are unable to see the benefit for themselves of doing their share of the work.

The importance attached to vadechal or drainage facilities in traditional tracts arose from a well recognized and interlocking dependence that was established among the farmers of lands lying in a cluster in the Wattei. If the owner of the field above did not clear his part of a channel the farmers below would not get their pachel or irrigation water. If the farmer below did not clear his part of a channel, the farmer above would find his vadechal backing up into his field.

On the other hand, in many of the colony lands the situation at the beginning seems to have been such that waters could drain in some direction or other even if the vadechal vaycaal was neglected. And they were neglected as long as they did not affect the farmers responsible for the neglect. The WV have not insisted on this duty, and years of such neglect has led to the present situation with regard to drainage channels. Now however the lands into which the water could flow are also being cultivated and the need for drainage has become acute.

The neglect of the drainage channels, the continuous complaints from farmers who now want their drainage facilities to function and the apparent helplessness of the WV to offer a lasting solution - all these help to expose the WV's inability to operate as a leader in the sense of being capable of getting others to follow him in working towards a goal that lies in the future.

He has not been able to persuade them about the importance of maintaining a work which is ultimately essential to them though not obviously so immediately; he has not been able to mobilize them to take preventive action when either, one of them or an outsider encroached into adjoining lands which would affect them all adversely though perhaps none of them directly immediately; and now he is unable to mobilize them to undertake jointly the restoration of a facility which is essential to them and for the neglect of which they are responsible. Now he is only able to direct them to other officials.

## 5. FINANCIAL TRANSACTIONS

### 5.1 The Remuneration of WV - Suthanthiram.

Birth says in his report of 1856 on the irrigation customs in this area, that it was customary for the cultivators to pay their WV as remuneration for his duties a certain amount of paddy per amunam of land <sup>and</sup> he suggests that this custom which had by this time fallen into disuse be renewed and that the rate of payment be fixed at 1 marecal per amunam of land (roughly 1/4 of a bushel for 2 1/2 acres). Ward in his minute on the Draft Ordinance of 1856 thought that they should receive some small remuneration "to be provided by the District, in grain or money".

The Irrigation Ordinance of 1861 which referred for the first time to the appointment of Irrigation Headmen made no provision regarding their remuneration but the Ordinance of 1867 provided that it shall be lawful for the Committee of Proprietors who elect WV, or in the absence of such Committee, for the Government Agent "to award payment to Irrigation Headmen for their services as such either in kind from the produce from the division for which each such Headman shall be appointed or in money and the proprietors of paddy lands within such District or Division shall be liable to make such payment and in case of default the same shall be recovered from them" if necessary by seizure and sale of property belonging to the defaulter. In the Government Agent's Administrative Report of 1869 for the District of Batticaloa the suggestion was made that all the WV who are now "paid by paddy in kind should be paid instead out of a fund made up of an acreage tax collected at the rate of 6d an acre for the upkeep of the irrigation works of Irakamam, Amparai and Viraiyadi".

Though the idea of payment to WV in cash as well as the idea of freeing the individual cultivator from this obligation and making the payment from some common fund in the District seem to have appeared now and then, the custom of WV getting his remuneration or Suthanthiram<sup>1</sup> as it was, and still is referred to, was in force until the Paddy Lands Act of 1958. Rule 3 of the Nadocadoe Proclamation stipulated Suthanthiram payment as follows:

"The Wattei Vidhane shall be entitled to receive from the cultivator of each amunam of paddy two marecal, . . . and this paddy shall be delivered to the Wattei Vidhane before any is removed from the threshing floors".

Until the Paddy Lands Act of 1958 which 'abolished' the obligation of cultivators to make any payments to Headmen, Suthanthiram was paid to WV in the study area at the rate of 1 marecal or 1/4 bushel per acre for irrigated lands and 1/8 of a bushel only for manawari or rainfed acres evidently because the WV had little water distribution work in rainfed cultivation.

The Paddy Lands Act of 1958 abolished Suthanthiram payments and transferred the function of the WV to Cultivation Committees whose members were elected by the cultivators. The chief reason behind this change is said to have been the perception on the part of the legislators that the WV system tended to confine the holders of this post to the landowning class and that it was therefore likely to endanger their own project of securing and promoting the interests of the tenant cultivators.

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1. The Proclamation of Irrigation Rules for Grawa Pattoo in the Hambantota District stipulates the payment of Howandram.

In the study area however, this end does not seem to have been achieved, at least not entirely. The Cultivation Committees were empowered to appoint agents to assist them in carrying out the supervisory functions at field level, and in the study area many of these appointees were actually the very same persons who had served as WV in their tracts before the Act came into operation and, even more interestingly, they continued to be called WV and were perceived as such by the cultivators themselves. Even those who had not been WV before, but were appointed for the first time under the new act were called WV and they report that they were "appointed Wattei Vidhane by the Cultivation Committee". But the mode of their remuneration was now drastically different: instead of the Suthanthiram received from the cultivators, they were now allowed to keep a portion of the acreage tax of six rupees which they had to collect from the cultivators on behalf of the Committees. At the prevailing price of paddy this however worked out to more or less the same amount as they had received as Suthanthiram.

It has been mentioned already that the Agrarian Services Act of 1979 does not specify the manner or quantum of payment to the persons elected to assist the COs who now were put in ultimate charge of the duties of the earlier WV. But in the study area, once again, these elected assistants are seen to be none other than the WV. The same persons were elected<sup>1</sup> and they are called the same and once again Suthanthiram is paid at the old rate/<sup>of</sup> a quarter bushel per acre. We did not however come across the practice of collecting less from solely manawari cultivators, though when rains fail or there is crop loss due to floods the WV do not seem to insist on the Suthanthiram.

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1. Even now, of the 52 WV we interviewed, 5 are persons who had been WV before 1958. And 28 of them have been WV from 1975 onwards.

Ninety-three per cent of the farmers interviewed said that they give the WV's Suthanthiram regularly. Of those who had not, four per cent had not given it for reasons such as failure of crop or some other difficulty. Only three per cent of the farmers said that they would not give Suthanthiram because the WV had not worked for it. It may however be noted that as much as 25 per cent of the farmers thought that their WV were unsatisfactory and that they did not deserve the Suthanthiram. But despite feeling this way, they continue to pay.

Several factors are at work here. The institution of WV has been around for as long as they can remember and they believe that something is due to the WV for holding that position. When asked why he was paying Suthanthiram to WV whom he judged useless, one farmer explained 'It is his due for his office'. In the case of some WV, the farmers seem to pay out of sympathy for the holder. Refusing Suthanthiram to the WV would in any case be a complex and serious act against tradition and many of them do not have the heart for it.

There is, besides, the belief held by 78 per cent of the farmers that the WV can take legal action against those who do not pay Suthanthiram. The WV can report the matter to the ASC and the Division Officers will sue them, according to these farmers. The statutory position does not seem to justify this belief and CO whom we asked about this said that if the WV want to, they will have to file action themselves and not through the ASC. Farmers as well as WV were always able to recall a case where a farmer refused to pay the WV and the WV took the farmer to Court where he was ordered to pay. The details of this case are always vague and when pressed they would admit that it was a long time ago, perhaps before 1958. One of the WV interviewed said that: "If anyone refuses to give Suthanthiram I know the ways by which I can make him give it". This particular WV has indeed got one farmer, who refused, to pay the Suthanthiram by reporting the matter to the ASC and getting the Divisional Officer to intercede. (This WV is known to have influence in the

ASC and much of it is supposed to have been used to his advantage when he was recently elected). The Divisional Officer's intervention could only have been informal but the bluff has worked and one such incident goes a long way to keep the myth alive.

On the other hand there were many WV to whom Suthanthiram is given willingly and so readily that they need not go even to the threshing floor to collect it. The farmers deliver it at their places. In the case of WV of whom the farmers think that they are devoted to their duties, farmers are very enthusiastic about paying Suthanthiram (See WV Profile 6).

But Suthanthiram does become a sore point in the case of those WV who are considered shirkers by the farmers. In many tracts the farmers said that their WV was highly visible during water issue time and the farmers seemed to be implying that the WV were doing this in order to earn their Suthanthiram by associating themselves with water issues.

Though Suthanthiram has actually not been refused, the inefficient WV obviously do not find collecting it a pleasant task. Farmers said about many WV "our WV never neglects it". Many WV complained (18 per cent of the WV that were interviewed) that they had difficulties in collecting Suthanthiram, evidently wanting to impress upon us that theirs was an ill rewarded job. But closer inquiry revealed that the percentage of Suthanthiram defaulters even in the case of the worst WV was very small - less than four per cent.<sup>1</sup> If one leaves out those who did not give Suthanthiram because of crop failure, the defaulters as such were mainly casual lease holders who leave the tract soon after harvest. There were also a

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1. In tracts 4, 13, 35 and 38. The WV in these tracts are extremely unpopular. Even then the number of those who refused to pay Suthanthiram was less than four per cent.

small number who really refused to pay Suthanthiram in certain tracts on the ground that they did their cultivation with drainage water and that the WV had nothing to do with it. One cultivator said that he had refused to give Suthanthiram because due to the inefficiency of the WV he had had to pay money to the Irrigator in order to get water.

It is worth pointing out however that while collecting Suthanthiram is an unpleasant business for "bad" WV, the rate of actual default is no higher in their case than in the case of "good" WV. The latter too, for one reason or another, a few do not pay. Some of these WV seem to accept it philosophically and do not mention these cases.

We came across a few WV who said that the Suthanthiram was not important to them, that they were doing the job <sup>it was</sup> because/traditionally theirs and because it added to their status in the community. One WV said that he was not able to collect his Suthanthiram from many farmers who regularly neglected to pay it, but that he would continue to be WV to the end of his life because of the honour attached to the job whether he got Suthanthiram or not. But this WV, again, does get most of his Suthanthiram (See WV Profile 3).

In the course of our study we came across only one WV who does not collect Suthanthiram at all. Nor is he interested in performing his duties as a WV. He says that he holds the job because "it belongs to his family (See WV Profile 5).

#### 5.2 The prevalence of bribery.

Twenty per cent of the COs and a similar proportion of farmers said that WV were in the habit of accepting bribes to give water, to exempt farmers from fencing obligations, to under assess damage by cattle, to let people off repair and maintenance duties and for other reasons. But 67 per cent of the farmers said that their WV were not guilty of such practices; 10 per cent said that they did not know while three per cent said that they had heard rumours but had no personal knowledge.

However as far as we could ascertain whatever bribery that was there was for the most part limited to the WV accepting arrack or toddy from cultivators. Cash bribes seemed to figure only in cases where the WV delivered water to private lands outside the tract and the largest number of reports of WV taking bribes was made with respect to this offence. Next in order came bribes to give cultivators water either out of turn or more than their due share. Next came the practice of settling cattle damage cases without obtaining adequate compensation from the offender. Accepting bribes for neglecting to pull up those who defaulted in fencing, channel clearing or other maintenance work was reported less than all these.

Taking money as bribe was mentioned almost exclusively in connection with the offence of giving water to private lands outside the tract. With regard to other matters it appeared that receiving 'drinks' and not cash was the popular offence. This seems understandable for the WV is genuinely one among equals in the tract and he would find it difficult to live or work in the tract if he went after bribes in an obvious way. (Accepting drinks is after all a rather ambiguous offence. As one farmer put it in referring to his habit of offering arrack to the WV when he issues water to his land: "So that we may be happy, I buy some arrack and both of us drink it on these occasions"). But getting money from someone outside the tract is different and probably less offensive in the eyes of the farmers in the tract.

In many of the reports of WV receiving 'drinks', the Irrigator was also implicated. The WV and Irrigator drank together before someone was given the favour of extra water.

Farmers however seem to have a very sharp eye for any questionable practice. Even a farmer offering tea or cigarettes to the WV or Irrigator does not generally escape their notice and they see the soliciting and promise of favours in these transactions. Many of the farmers who said that their WV accept bribes seem to refer only to minor transactions

of this kind.

What every one would clearly recognize as bribery was however alleged in connection not with WV but with COs. The COs are the ultimate arbiters in reality here in cases which are reported to them such as damage of crops by cattle. Two cases were mentioned to us in which extensive damage by cattle was reported to the CO by WV and farmers, and the CO had let the owners of the cattle go after making minute payments which were not at all commensurate with the damages caused by the cattle. The farmers felt sure that in these cases the Cultivation Officer had been bribed by the cattle owners in advance. In one case the farmers had seized forty-four buffaloes which had caused extensive damage in five fields. They and the WV had assessed the damage at 5,000 rupees; tieing and feeding charges also were due. The matter was reported to the CO. He came at the same time as the owner who was a powerful man in the area and said nothing when the owner said he would pay only a 1,000/- rupees. In fact the owner said that he would leave the money with the CO. The farmers felt sure in this case that the CO was not acting honestly.

Seventy per cent of the farmers denied the suggestion that the WV favoured his friends and relations in water distribution. In fact only 10 per cent agreed with the suggestion. The question whether WV took water for their own fields to the detriment of others, was answered in the negative by 92 per cent of the farmers. The other eight per cent said that their WV were guilty of this practice.

Bribery and nepotism do not seem to be either widespread or virulent enough to discredit the institution of WV though they certainly are not unheard of. The WV work in a community of persons who are known to them for years and are dependent on that same community for their tenure as well as for their remuneration. These circumstances would inhibit any blatant practice of these forms of corruption. The many reports of WV drinking with farmers and doing them favours are really a

function of the high visibility of the WV's behaviour in this respect, and not indices to any extensive corruption. In these communities, drinking itself is a misdemeanour and always attracts widespread adverse comment. One should perhaps set against these reports such facts as the high response favouring the continuation of the present WV and the 82 per cent response from farmers that their WV did not treat them unfairly.

## 6. CONTACT WITH OFFICIALS

### 6.1 Cultivation Officers.

It has been mentioned that the supervisory function of the WV over water distribution and other cultivation-related tasks is assigned by the Agrarian Services Act of 1979 to the COs and that the WV functions only as a person elected by the farmers to assist the COs in their duties. This statutory position makes the WV dependent on and subservient to officials outside the tract in a way in which he was traditionally not. In the early days though the WV was required by law to report to the Government Agent cases in which he took action against those who violated the ancient customs, in practice he could act with freedom within the tract. The Government Agent was far away, and in any case the WV was allowed always to take prompt action wherever necessary and was required to report it only subsequently. Moreover the Government Agents and their Assistants were such demigods in the eyes of every one that the WV's connection with them could only enhance his stature in the tract.

Senior and old WV whom we interviewed took great pride in telling us that they were issued letters of appointment by the Government Agent himself in the olden days. All the WV whom we interviewed complained about the reduction of their powers and the farmers are equally aware of the present reduced status of the WV. Judging from the responses we got from the COs it would appear that the COs were also doing a fairly good job of actively undermining the position of the WV. Seventy eight per cent of the COs questioned by us said that the WV would be redundant except for the fact that because of too much work, they - the Cultivation Officers - are unable to attend to those duties.

Most of them were willing to admit that water distribution work in the tract would suffer if the WV were not there, but once again only because it was not possible for the COs to attend to those details. While less than five per cent of the farmers complained about partiality on the part of the WV, more than 30 per cent of the COs said that since the WV owed their positions to success at elections, they were beholden to those who supported them and consequently partial in the performance of their duties. The implication apparently is that the COs being non-elected are superior to the WV.

The COs also emphasized that the WV has no real powers; they can only implement the CO's decisions. As a matter of fact, in actual practice, the reduction in the powers of the WV has not substantially altered their position in the tract. It is of course true that there is now another official to whom the farmers could go if they cared to, bypassing their WV. In practice however this rarely happens. Ninety-nine percent of the farmers said that the WV was the person on whom they relied primarily to solve their cultivation-related problems (See Table 6.1). When questioned whether there was any person other than the WV to whom they could turn for such help 44 per cent said that the CO could help, but 35 per cent said that there was no one other than the WV to whom they could go for any help. Thus, it would appear that though the WV's position is officially reduced in relation to the CO, he is still the most important functionary in the Wattei.

Apart from the tenacity of the traditional perception of the WV's importance, one factor which is at least partially responsible for the WV's continuing importance in the tract is the scarcity of the CO as far as the farmers are concerned. Many farmers whom we talked to had only heard that there was such an official but had never laid their eyes on him. In only two of the tracts we studied, where the CO happens to be resident, did we come across COs regularly visiting tracts or

Table 6.1

Wattei Vidhane and other officials - farmer reliance  
 Percentages  
 (N = 60)

	WV	CO	DO	ID Officials	Others	None
1. The person on whom we rely most for our irrigation and cultivation-related problems -	93	2	2	-	3	-
2. The official to whom we can go, besides the WV -	-	44	12	-	9	35

meeting farmers. In all cases where COs were involved in work connected with the tract, messages had been sent to them or they had been met either in their office or in their residence well outside the tract. Even these meetings between COs and farmers took place to a large extent either through the WV or on his advice.

As far as the WV are concerned though many of them think that they have lost their powers to the COs, the majority of WV interviewed (76 per cent) denied that the COs are a hindrance to the performance of their duties. Some (28 per cent of the WV interviewed) even said that they took their difficult problems to the COs.

An examination of the cases where the WV needed the assistance of the CO or advised the farmers to go to the CO brings out an important aspect of the WV's present position. WV go to see the CO the least number of times with respect to problems arising in connection with the distribution of water or with the apportioning of fencing and channel clearing duties. But they refer all land disputes to the CO. Complaints with regard to water inadequacy are directed to the CO as well, but to a much larger extent, to Irrigation Department officials. Drainage problems and repair of irrigation facilities which requires any major work are also often referred to the CO. Certain percentages of the cases of damage to crop by cattle is also reported to the CO.

Land disputes were traditionally also not within the purview of the WV but after such changes as the Paddy Lands Act, recognition of tenants rights and maintenance of the Paddy Lands Register, the Agrarian Services Centre has come to occupy an important position in relation to these matters and it is natural that the WV should refer these matters to the officials in the Agrarian Service Centre though in inquiries into land disputes the decisive evidence has to be given by the WV. Water inadequacy and restoration and construction of irrigation and drainage facilities are matters that the WV cannot handle within the tract. All these problems require action by some

outside agency and it is rarely that the WV is able to succeed in his appeals for such action. Under these circumstances WV are willing to turn to anyone for help, though even the appeals to the CO rarely produce any better result.

The general position seems to be that the WV is able to solve problems which fall exclusively within the tract and depend for their solution only on his influence and powers of persuasion with the farmers provided that the farmers are able to see that the work required of them is of immediate benefit to them. But when it becomes necessary to deal with outsiders and to obtain their help, the WV seems not very effective and would be grateful for any assistance including that of the CO.

The case of cattle disputes brings out clearly this feature of the WV's role. When stray cattle damage crops they have to be seized by the farmer and reported to the CO who will assess and award damages against the owner of the cattle. As far as the regulations go, the WV has no role to play in the settlement of cattle damage cases. But as a matter of fact we found almost all the cattle disputes were settled by the WV except those where the cattle belonged to powerful or influential outsiders. Thus, here too even though the subject is one in which the WV has no official standing, he attends to it if it could be sorted out within the tract.

The 28 WV we interviewed had gone to the Cultivation Officers only four times to convey cattle damage cases reported to them by the farmers. This works out to much less than even one visit by the WV on average to the CO regarding this matter. But this certainly does not mean that farmers have not taken cattle damage cases to the WV. The 60 farmers whom we interviewed reported having gone 42 times to the WV. This would mean most of the cattle damage problems in the study area are dealt with by the WV, while as mentioned before, the settling of cattle damage problem is not the concern of the WV at all according to the present regulations. It is most of the time a 'local' matter where the persons involved are from within the

tract and it suits every one to have this matter settled within the tract. Hence the CO and the Divisional Officer who are by regulation responsible for this matter are left out of it for the most part. But if the WV finds himself with an offending party who is from outside the tract and furthermore if the offender is too 'big' for him to handle, the WV is glad to take the matter to the CO.

In conclusion it may be said that in the basic internal work of water distribution and enforcement of channel clearing and fencing obligations, the WV does not require the assistance of the CO or any other officer. The CO's presence if at all may reduce to some extent the effectiveness of the WV with the defaulters and delinquents if they are keenly aware of the WV's inability to take action directly and except through the CO. But an overwhelming majority of farmers are willing to be led by the WV in these matters.

#### 6.2 Irrigation Department Officials.

In the course of their work WV find themselves having to contact ID officials for various purposes. More than for any other purpose, they contact ID officials, beginning from Irrigators and going as far as the DD, to report when water to their tract is inadequate and to request that more be issued. Provision of inlet pipes where they are missing, construction or repair of channels and bunds, provision of irrigation and drainage channels where they have not been provided but are felt by cultivators as being necessary, are some of the other purposes for which WV often seek the assistance of I.D. officials.

When water is inadequate, WV readily go to the Irrigators with whom most WV seem to have an easy relationship. When water is inadequate or delayed or even when it is necessary to come to arrangements with the WV in a tract above, the Irrigator's help is sought by WV as well as by farmers and it seems that he is available most of the time. The Irrigator is an accessible person at this level. The Irrigator's

accessibility to the WV and to the farmers is sometimes the cause of complaints too. In many of the allegations of irregularities such as special issue of water to some cultivator or issue of water to private cultivators below the tract, the WV and the Irrigator were said to be acting in <sup>to</sup> collusion. And many WV claimed that they had given 'parties' <sup>to</sup> the Irrigator and got him to release more water when their tracts desperately needed it. These parties were however usually very minor affairs rarely involving more than a bottle of the cheapest arrack available.

WV also meet Technical Assistants and Irrigation Engineers. The 28 WV interviewed had gone this season 29 times to the TA and 23 times to the IE. When they were asked whether they are able to see these officials without difficulty, 18 of the 28 said that it was easy to meet the TA and 15 of them said that it was easy to see the IE also. Those who said that it was difficult to see these officials attribute the difficulty to the time and distances involved and not to any unwillingness on the part of these officials to see them or to give them a hearing. For instance, in Palaiyadi Wattei in the Vellaveli ASC division, where a TA office is located, it was observed that the WV in this division went frequently to the TA's office.

The TAs for other divisions were either in Amparai or Paddiruppu and therefore were more difficult to have access. It may be said, in conclusion, that the WV are not in any sense incapable of contacting officials for their purposes but many of them can ill afford the time and money necessary to make these trips.

## 7. DISCUSSION AND CONCLUSIONS

As perceived by farmers and WV themselves, the WV's functions in the tract are the following:

1. Procurement and distribution of water.
2. Attending to cases of damage to crops by cattle.
3. Allocation and supervision of the maintenance of irrigation and drainage channels within the tract and the fence around it.
4. Attending to all cultivation-related problems arising within the tract. These may be of many kinds and may not really be all within the WV's competence. Farmers may take boundary disputes or they may place before him their need for a path.

In the body of this report we have described at length the activities of the WV with regard to these duties. Here we would make a few general remarks which may be relevant to an assessment of the institution. It would be useful for this purpose to see the WV's duties as orienting him in two opposite directions - one inwards, towards the farmers in the tract, and the other outwards, towards public officials and agencies.

### 7.1 Inward and outward functions.

The distribution of water, the allocation of channel clearing and fencing duties, the maintenance of channel bunds within the tract and the settlement of cases of damage to crop by cattle are inward functions in dealing with which the WV acts entirely within the tract. In dealing with these problems the WV interacts almost wholly with his cultivators and it may be said that all good WV are able to fulfill this

part of their duties satisfactorily. When farmers were questioned about the performance of their WV, 79 per cent of them judged their WV satisfactory or moderately satisfactory in respect of these duties. Apart from confirmed shirkers, other WV attracted criticism only in areas where an inward duty became complicated by its dependence on an 'outward' function. To explain: in an area of incessant water shortage, the work of water distribution cannot remain unconnected with such shortage. Equity becomes an elusive ideal when farmers struggling for subsistence-level incomes are desperate to save their crops. The WV's instructions which aim at securing a fair distribution of water become contemptibly irrelevant in the face of his impotence to do anything meaningful to increase the water supply to crops wilting before farmers' eyes.

In the study area, in the majority of the tracts water <sup>WV's</sup> is never adequately available and the inward function of water distribution is always complicated by the outward function of water procurement in which he invariably fails. If despite this, 79 per cent of the WV are judged satisfactory by the farmers, it is because the farmers are favourably impressed by the WV's execution of his inward duty and are also satisfied that he tries as much as he can to procure the water even when he does not succeed in his efforts.

We found that the farmers were satisfied that the WV were fair in water distribution, that most of the farmers listened to the WV's instructions, that conflicts in the tract regarding water distribution never reached disturbing levels, and that the WV was rarely, if ever, unreasonable towards them. 65 per cent of the farmers want their WV to continue.

With regard to the settlement of cases of cattle damage, it has been remarked elsewhere that from the WV's point of view what was originally a purely inward function has now been converted by recent regulation into a matter which has to be taken to the CO, an outsider. And we also observed that inside the tract this conversion has suited neither the WV nor the

farmer. The WV continues to deal with the matter within the tract unless the problem itself involves an 'outsider', i.e., if the offending party is an outsider too powerful for the WV to handle, then he is ready to seek outside assistance and not otherwise. While few farmers seemed happy with the procedure of reporting these cases to the CO and the Divisional Officer, there is a certain degree of dissatisfaction that WV tend to under-estimate damages in their eagerness to 'settle' the disputes. Some WV explained this by emphasizing that it was important to settle these problems amicably, that what A's cattle did to B today, B's cattle will probably do to A tomorrow and that therefore there was no point in taking a hard attitude. This explanation has much sense as well as some truth in it. We found in fact many cases where the WV had settled a dispute without collecting the damages which were assessed, but with the warning that if there was a repetition of the offence, the damages assessed will have to be paid in addition to any new charges. But apart from the desirability of amicable settlements, there seems to be another motive for the WV in handing out these mild judgements: If the settlement is not amicable, the matters will have to go to the CO and this the WV likes to avoid. Farmers, seem to feel the same aversion if they have already had the experience of having had to go to these officials.

It is clear that with regard to cattle damage cases, nothing has been gained by handing over the powers of the WV to the CO. It merely erodes the WV's capacity to give satisfaction to the farmer or to do justice and places him below persons who are difficult to have access to and in the last analysis less likely to be more just than the WV himself.

While we have said that WV are competent and comfortable in the performance of their inward functions, it is important to point out that there is a large area within the scope of these inward functions in which they clearly are failures. All WV have shown themselves incapable of getting maintenance work done within the tract when such work does not promise reward or

its neglect does not threaten immediate harm. The clearest demonstration of this failure is given by the condition of the drainage facilities and in many cases even of the irrigation channels in the tract. Years of shoddy work, sufficient for the immediate present but inadequate in the long run, have gone unnoticed and both WV and farmers seem incapable of even seeing that it was well within their capacity to have avoided the present ruinous situation. As a result an inward function is being seen by them now as something requiring outside help. In relation to the tasks in the tract farmers regard themselves as individuals who attend to their own needs; the WV is there to sort out conflicts between the interests of these individuals. Neither the WV nor the farmer has a vision of the collective welfare of the tract and such a vision seems essential if remedies are to be introduced for ills which lie in the future. It is not as though the WV and farmers are incapable of getting together to do collective work in the tract - they do this often. Irrigation channels are cleared often in this way and anicuts are laid across rivers always by joint labour. But all these are works which are immediately necessary for the current cultivation.

In general it seems that the WV are capable of attending to conflicts that arise between farmers over the use of the common facilities in the tract including water. They are also capable of seeing to it that individuals do not neglect their share in common works which are perceived as being necessary for themselves too. But when farmers are unable to see direct benefit or harm in an activity or in its omission, the WV seem incapable of remedying the defect or even incapable of perceiving it themselves. This seems to be explainable in no other way than by accepting it as the level of understanding at which the institution operates.

It is as a consequence that an inward task grows over the years into something that is seen as calling for outside intervention; farmers complain and expect the WV to procure outside help. It may appear that introducing on a regular

basis 'a higher intelligence' from outside to supply the deficiency would help, i.e., the WV and the farmers could be pushed by an outside official, say, the CO, to see what they do not appreciate on their own, e.g., the need for regular maintenance work of at least minimum quality and to thus eliminate the need for periodic capital improvements. Or alternatively, attempts should be made to raise somehow the level of understanding available within the tract itself.

But it is observed that outside agencies do not as a rule succeed in their interventions. The method of penalties or rewards on which they necessarily have to rely are remote and fail to compel compliance as regularly as one expects. In fact it was this realization which led the legislators in the 19th century to locate the powers of enforcement within the tract.

It seems therefore that an attempt has to be made at increasing the understanding of irrigation requirements within the tract itself. The results produced by the work done by farmer organisations elsewhere seem to offer hope in this direction.

#### 7.2 Collective and Individual Interests.

The deficiency of understanding that we have spoken about is surely closely connected with another aspect of the role and perceptions associated with the WV in the tract. The WV operates, in the words of the farmers themselves, as a common functionary - a public utility - but he is a common functionary acting for individual farmers. He helps or fails to help individuals. When a farmer disobeys, it is to the disadvantage of other individual farmers. What the farmers mean, when they say that the WV is "a common person", is that he is a person devoid of the particular self-interests of the individual farmers, not that he is an embodiment of their collective interests. The WV as an elected functionary of the cultivators is therefore able to see at present the needs of every farmer needs - which the farmer himself sees. But he has not and cannot evolve into an

institution which gathers within itself the collective interests of the farmers - interests which must remain invisible to individuals as such, until they reach a certain level.

Farmers were questioned whether, instead of having WV, they could not manage the water distribution work by forming themselves into a group in each field channel. Two-thirds of them answered that such groups cannot work satisfactorily. But nearly all of them felt that if the groups had proper leaders, then it would be possible to look after the work involved. They seem innured at this stage to the idea of being instructed and supervised by someone formally empowered to do so. The idea of sustained collective action seems unfamiliar to them. This absence of a collective consciousness which characterizes the operation of the institution of the WV not only explains the failure to perceive the need for certain works until they grow to individually perceptible dimensions, but it also surfaces at the level of enforcement of tasks already perceived to be necessary. We may mention here the recurrent phenomenon of farmers obeying WV in his presence but reverting to their original course of action as soon as his back is turned. They would for instance remove a block across the channel they had introduced during the night when the WV asks them to remove it, but put it back as soon as he has gone. If the cultivator concerned could see the WV as representing a really collective whole of which he himself is a constitutive part and if moreover he sees himself both as subscriber and beneficiary of this collective function, it is less likely that he would resort to the strategems which he now uses to escape the attention of one whom he sees merely as an agent of individuals.

When the Ordinance of 1856 stipulated that the customs and rules would be listed and adopted as binding upon themselves by a gathering of the cultivators in a district, there were hopes along these lines. The penalties prescribed, Ward thought "cannot be said to be too severe if demanded by the people themselves"; a rule "would inspire no distrust among the natives because its adoption would be voluntary". And the members of

the Committee appointed to report on the bill said "once the opinion of the village can be brought to bear, publicly, on those who do not conform to their own beneficial customs, there will seldom be occasion for anything like severity of punishment". We may refer here to certain changes in practice which have taken place since Ward's time without however venturing to suggest that they alone are responsible for the absence of the collective spirit spoken of above. In the first place, all the early Ordinances provided for the proprietors who drew up the rules and adopted them as binding upon themselves to meet in response to a request conveyed to the Government Agent or his agent by 10 of them in order to reconsider or revise the old rules or to adopt new ones. Such meetings, if they had occurred regularly, could have helped to evolve among the proprietors a sense of belonging to a living group. However, such local legislative processes fell into disuse over time.<sup>1</sup>

In the second place, the provision that infringement of the rules and customs shall be inquired into, publicly, by the Village Councils, within view as it were of all the proprietors in the tract, would have had the effect of demonstrating and reconfirming the commitment of the proprietors to the rules and customs they had adopted. The inquiring Village Councils were constituted by men selected from amongst the proprietors, and the inquiries were to be held in the village in which the offence was committed. This too changed eventually, as adjudication and enforcement became professionalized and more remote. The Rural Courts which

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1. It is interesting to record here that the Act of 1979 too provides by its Section 42(1) that the cultivators in an area shall meet for the purpose of drawing up rules relating to cultivation, irrigation, etc., at the direction of the Commissioner or his agent. But as a matter of fact, the meetings were not convened and the Commissioner himself sent out a list of rules which were to be endorsed by respective Assistant Commissioners as having been accepted by the cultivators and occupiers in the district, after going through the due procedural forms.

functioned until some time ago were not the same in this respect.

Thirdly, when the system of appointing Irrigation Headmen was first mooted, Ward thought that they should be elected for a term of one year and come up for re-election at the end of it. The Nadocadoe Proclamation too stated that in the district the proprietors in each of the sub-divisions shall appoint a person for the office of WV at a meeting convened at the commencement of the Munmari cultivation in July of each year. The 1861 Ordinance provided that they shall hold office for three years. But for some reason, it was later decided that the appointment should be for life and it was provided thus in the Ordinance of 1867. The 1979 Act too sets no limit on the term of office for WV, though it is said this was an oversight and will be changed by amendment. If these changes had not occurred, it is possible that the cultivators would have had a livelier sense of participation in the internal administration of the tract and something approximating a collective spirit might have had a chance of emerging among them with regard to their own rules and customs, so that the WV were more genuinely agents of the community of cultivators rather than actors in their own right.

### 7.3 Authority or functionary?

We found during the course of our study no justification for the suggestion sometimes made that the basis of whatever effectiveness the WV have is the personal authority the holders of this office derive from residual feudal positions, from their ownership of extensive lands, or from their belonging to some otherwise dominant group or class. Especially in the colony units this does not seem to be true of the persons functioning now as WV as far as the study area is concerned. Whatever might have been the case earlier, the holders of this office now are ordinary men and are essentially the equals of the other cultivators in the tract. Except in some rare case, they are dependent on the Suthanthiram and attend to their

duties in order to earn it. Therefore, if they are also able, to a large extent, to enforce their instructions it is because they and the farmers share in a common perception of the rightness of the principles by which they operate.

Despite all what is said in the previous sections regarding the absence of a collective spirit, it is also a fact that farmers as well as WV have an adequately clear grasp of what is fair and unfair. This enables both farmer and WV to perceive the correctness or incorrectness of instruction and response. In our study we never came across instances where farmers either disobeyed WV because his decisions were thought wrong or complained that the WV was incapable of handing out correct decisions. It may therefore be said that whatever authority the WV has, if it be called authority, it devolves on him by virtue of his being a functionary who polices arrangements which are generally accepted to be necessary.

#### 7.4 Two recommendations.

##### (1) Regular elections.

The WV system, within the limits of its competence, depends for its successful working on the two-fold link it has with the farmers: the fact that the WV are elected by the farmers themselves, and that they depend on the farmers for their remuneration. Despite the changes after the introduction of the Paddy Lands Act, the manner of remuneration still continues as a way of ensuring that the WV try to work to the satisfaction of the farmers. But it is extremely regrettable that a system of regular elections, which would have held the line of responsibility taut, has not been implemented. In our view introducing regular elections of WV is one step that would go a long way towards strengthening the institution.

(2) Village Councils.

An important limitation of the institution of WV appears to be its failure to develop among the farmers a collective identity which would reduce the incidence of delinquency and also facilitate the management and control of the few intrasigent individuals who may be found in any community. More important, it would promote among the farmers a capacity to perceive the importance of tasks needing to be carried out in the tract which as individuals they are unable to appreciate. The development of a collective identity would also add power to the voice of the WV as the representative of the tract in his dealings with those outside agencies and officials whose assistance he has to seek. If the WV system is to be retained, steps have to be taken therefore to see that the WV is gradually transformed into a representative of farmers who themselves become in some sense partners in a collective consciousness and do not remain as isolated individuals, each caring only for his own visible benefits. This move towards the achievement of the ideals of the Farmer Organization approach, it seems to us, may be made within the institution of the WV, by reviving the Village Councils of the early Irrigation Ordinance (1856, 1861, 1867). These Councils may be formed in each tract by electing each season, representatives of the farmers on every field channel, and may meet as often as necessary to receive reports from the WV, to support him in taking action against offenders as well as to hear reports, if any, against the WV. Instead of the farmers electing the WV as a person to assist the CO in his mythical engagements in the tract, the WV may be made an assistant of a Council of Farmers.

The regular meetings of such a Council which should be public as it was also envisaged in 1856, and the election of its members each season thus making room for maximum participation, may lead to the development of some collective consciousness in the tract and take the farmers out of the isolation of their individual concerns.

#### APPENDIX I

The following "profiles" of selected WV were put together from information obtained through free response interviews with WV, farmers and other officials in addition to the limited field observation that was possible. Apart from giving an idea of the ways in which the WV cope with problems and interact with farmers, they also indicate the variety of 'types' that come up under the varied conditions found in the study area. The selection presented here is therefore not intended to be a representative sample. Details which would identify the persons have been omitted.

##### WV 1.

Tamil - Colony Area - Inadequate water supply.

Rain and Supplementary Irrigation from GOLB System.

Total extent: 245 acres.

Maha: 245 acres.

Yala: Normally none but cultivated in Yala 1984.

WV: 45 years. Cannot read or write except to sign his name.

Tamil - owns 4 acres of colony land in the tract. Has no other source of income.

He was elected WV in 1980. He got 13 out of the 23 votes cast and has served continuously since then. There has been no election after that.

This WV is in charge of 7 field channels but most of the lands cultivated are on three of these. The WV personally attends to the distribution of water in these three channels. Water was allowed to flow for 6 hours to 4 fields at the same time. This duration, he said, he had decided on the basis of the

water available and his knowledge of the lands cultivated. He himself, with the assistance of the farmers, diverts the flow at the end of that time. This however he does only for the first issue and not after that because, he explained, "they will follow the method used in the first week during the later weeks. My presence is not necessary then". But he is always present in the tract and all the farmers interviewed confirmed that the WV could be found walking about along the channels during water issues. "During water issues only," a farmer added. The insinuation seemed to be, here as in several other places, that the WV make it a point to associate themselves with water availability.

For the other channels, where the extent cultivated is relatively small, "I do not have to do the distribution. They can share it among themselves".

There was a petition against him that he had misappropriated government land that was previously the tankbed of 2 village tanks. These lands are now supposed to be cultivated by his sons. He is also said to have taken another 7 acres of government land. There were other complaints too in the petition, but these two seem to be 'common knowledge'. Some of the other complaints were that he has breached irrigation bunds to serve his own water needs and that he has accepted bribes from owners of private land and issued water to them while lands in the colony were being affected due to shortage of water.

These things are supposed to have happened during earlier seasons but all seven farmers interviewed reported the illicit issue of water to private lands. They have heard about the bribes but do not really know about it. The petition had been signed by 50 farmers but on the date fixed for the inquiry, none turned up. At the inquiry it was decided that the evidence for the complaint was not adequate. The DO who had conducted this inquiry confirmed this to us.

Of the 7 farmers interviewed, 5 had voted for him. These 5 and one of the other two are certain that they would vote against him, at the next election. All seven of them reported that he is weak and is too easily cowed by threats. The one farmer who says that he would, despite all this, vote for the WV explains that he had gone to the WV for assistance in two matters, and the WV helped him in one of them. This was a water dispute with the cultivator of some reservation land adjoining his plot and this cultivation blocked the water flow to his land. The WV came to his field and sorted out his problem. The other was a land problem and in this the farmer also saw that the WV could not really have helped. "Therefore I am obliged to him. I have to vote for him at the next election too". The chief signatory to the petition had approached this farmer too to sign the petition but he had refused on this ground.

Though all the farmers including the person who feels obliged to vote for him say that he is useless and that he does not look after his duties including even water distribution, none of them has gone to any higher officer, not even to the CO, to seek help, apart of course from signing the petition to the DO. On the other hand, all of them have gone to the WV with various problems on more than one occasion - problems such as inadequate water to the paddy field, damage by cattle, damaged pipes, etc. They are not satisfied with the action taken by the WV. One of them reported that when he was dissatisfied with the action of the WV on a complaint regarding damage by cattle, he took up the matter with the owner of the cattle and came to a settlement. He did not think it was worthwhile to spend time to seek out the CO. When asked whether they give Suthanthiram, they all said 'yes' and two of them added "the WV never neglects that".

The WV says that the farmers are all happy with him. The petition was mainly the work of the chief petitioner who is according to him out to grab his job. "The people are satisfied with me". He has no problem with water distribution.

He claims that he has some difficulty in getting the farmers to clean the channel lengths allocated to them. On occasions he has had to spend his money and employ people to clean the channels. He is not always able to recover these monies though he has reported the matter to the ASC. He goes to ASC meetings and he also sees the Irrigator, when necessary, to get water. Apart from this, he does not go to any of the officials. Most matters he prefers to, and is able to, settle amicably by talking to the farmers. "All the farmers listen to me".

He has no difficulty in collecting the Suthanthiram from the farmers. "I send my sons to collect it and the farmers give it readily". But during the last season when most crops were damaged by floods, he did not ask for it.

WV 2.

Tamil - Private Area - Inadequate water supply.

Total extent: 247 acres.

Maha: 247 acres.

Yala: Only a part of the tract.

Irrigation: GOLB and Drainage Water.

WV: 58 years. 4th Standard. Owner-cultivator of 4 acres in the tract. Has cattle and sells milk to the Milk Board. He was chosen unanimously in 1980 when the previous WV resigned "because he did not have time to attend to the duties attached to the position". Before becoming WV he was a Committee Member of the RDS.

Farmers in this tract have three major problems. This tract is located at the tailend of two GOLB channels. Even this Yala, though water was promised and the farmers were persuaded to clear one channel, water did not come at all. Farmers whose fields lie at the tailend of the other channel get water only if the colonists at the head would agree to close for a time the inlets to their fields. Though the colony lands at the head do not lie within the tract and

therefore are really outside the range of this WV, the farmers feel that it is his duty to persuade the colonists to close their inlets and enable them at the tailend to get more water.

The second problem, according to some even more serious than the first, is the damage done to the low-lying lands in this tract by drainage water from the tracts situated above. This has been a long standing cause of complaint and no remedy has been found.

The third problem arises from the negligence, which seems particularly bad in the tract, of owners of cattle and the consequent damage to crops.

Nine farmers were interviewed and all of them complained that the WV is never available when he is needed. According to them, he does not perform any of his water distribution functions nor is he available to settle cattle trespass disputes. Farmer (1) who is a tailender has to negotiate with the headenders on his own because the WV is never available to do this job. Farmers (2) and (3) have similar complaints about the WV. They, because of this, have had to write to ID officials, petitioning for regular water. Farmers (5) and (6) have this season suffered damage by cattle. They looked for the WV but he was not available and they had to settle the matter themselves. Farmers (7) and (8) have fields which get flooded regularly. They have also complained to the WV for several seasons now and he has not done anything to help. The farmers think that a proper drainage channel will solve this problem permanently.

Farmers (5) and (6) say that the WV's time is taken up by his dairy business and in the transport of milk - hence his unavailability to hear farmers' complaints. One of them said that the WV goes to town to sell milk in the morning and returns in the evening and that by then he is usually drunk.

Farmer (8) says that many of the cattle that cause the damage are the WV's own and this he says is the reason why the WV is not in a position to check cattle damage in the tract.

Farmers also complained that the WV has not done anything about obtaining compensations for the damage to their crops due to the heavy rains last Maha.

The WV agrees that there have been both tailend irrigation problems as well as drainage problems even before the time he assumed office. He himself has lands in the tailend which get flooded. He thinks that it cannot be helped and that these lands will continue to have these problems. He has however tried making representations to the irrigation officials but nothing has happened. Regarding cattle he says that he informs the farmers well in time to remove the cattle when the cultivation starts. There are a few who do not obey and the damage is due to them. He has complained about the owners of these cattle to the ASC.

About the farmers who complain that he has not got compensation for damages to crop during last Maha, the WV said that none of these farmers were insured and that "they do not listen when I tell them that no compensation is due to them. Because of this I forwarded the particulars to the ASC. But the officials there have told me that nothing can be done".

The WV brought up the topic of his daily trip to town and he sees some advantage in that - he is thereby able to meet the officials and to visit the ASC.

WV 3.

Tamil - Private Area - Inadequate Water Supply.

Total extent: 765 acres.

Maha: 635 acres.

Yala: 130 acres.

Yala: 130 acres

105 families

Irrigation: Village tanks and river anicuts.

WV: 46 years. 3rd Standard. WV since 1970. Father was a WV for 45 years. The father was ill during the last 5 years of his service and the present WV had then acted for the father. In 1970, he was appointed by the Cultivation Committee which had advertised the post. There were a few applicants and he was selected. He thinks he was selected because he was the only one with any experience. In 1980 there was a contest. The other candidate was from the same village, caste, social status, etc. but did not have WV experience.

He maintains a complete record of all his activities and the details of problems of farmers which he has helped to sort out. When farmers arrive at a settlement in his presence, he lets them leave only after he obtains their signature in his record book. During Yala 1984, one of the problems he settled and recorded was as follows: A farmer died after leaving instructions that the income from this harvest should be used to settle his debts and the balance used for tiling his daughter's house. There was dispute between the daughter's husband, i.e. the son-in-law, and the son who claimed rights to the land. The problem was brought to him and he got the parties to agree that the harvest this time would be disposed of as wished by the deceased but thereafter the son would be entitled to cultivate the land. The WV is evidently very happy with his activities. He sees himself in the role of a village magistrate or even more.

Water problems are generally not reported to him and none was reported this season. He has no record of disputes regarding water this season.

Cattle disputes are there. This season there were four reports. None of them had to be taken to the CO. He has established a cattle shed next to his house. Stray cattle which do damage are tied in this shed. On each of the four

reports, he summoned the parties concerned and settled the problem. The farmers had to pay the 'tieing charges' but were otherwise discharged after warning that in case of a second offence they will have to pay for the damages of the first offence also. He says that by handling it in this way he is avoiding the delays involved in seeking the help of the CO.

This season there was a damaged anicut and he was able to get ASC approval and funding for repairs which he got done. During the past years, there were 6 instances where anicuts were repaired on his initiative.

He has also sent a petition to the DO complaining that the CO above him is not satisfactory. The CO expressed similar sentiments about him in the questionnaire he answered for us. The WV's house looked very poor and he has 6 children. He also appeared to be spending much time on WV work. He cultivates 6 acres which he got from his wife and has no other income except the Suthanthiram which he gets as WV. He mentioned that there are farmers whose fields lie far away and from them it was difficult to collect Suthanthiram if they neglect to give it. When we asked why he continued as WV he answered as follows:

"In society this job gives me a status. I go often to see higher officials and I receive letters from them. Also officials visit me. When I am with the officials, to the farmers I also look like an official. All this makes me happy. I will hold the job as long as I live even if farmers do not give Suthanthiram."

WV 4

Muslim - Private Area - Adequate Water Supply

Total extent of the Tract: 600 acres.

Maha: 503 acres.

Yala: 503 acres

Irrigated by the River and Anicut System.

Elected uncontested in 1975  
WV: Age 62. 3rd Standard, and in every election thereafter.  
He cultivates 12 acres in the tract, part of it on lease.  
No other source of income.

This WV keeps an Assistant called the Adigari to whom he gives a third of the Suthanthiram he gets. This assistant's chief duty seems to be to go round at harvest time and collect the Suthanthiram. The 16 farmers interviewed were all agreed that the WV does his work. They all like him. "He looks after tasks which are common to all of us. What he does, no one else can do. He is essential to all of us" (Farmer 1). "The WV is essential. Other officials try to do the work without setting a foot in the field. The WV knows everything about our fields. He can advise us on cultivation" (Farmer 6). Farmers here do not have any problems with regard to water or its distribution. There is enough water. The principal duty of the WV is to have planks set up across the river so that water flows down the channel to the fields. The WV describes his work thus: "If it is decided at the cultivation meeting at the beginning of the season that sowing should be completed before, say, the 1st of May, at the end of April I will set the planks and issue the water. Three or four days before sowing I will remove the planks and instruct all the farmers to clean the channel within a week. Fifteen days after the sowing I will commence water issue once again. When farmers do not clean the channel I have employed labour and paid them at the rate of Rupees 17.50 per portion and collected the amount from the farmers who defaulted in clearing. There is no serious water problem here. The farmers come to me to request that I should set the planks. I do it at the appropriate time. About the date of setting the planks as well as about allocation of portions for channel cleaning, I send messages to the farmers through my Adigari. He is a young relative of mine. I get 100 bushels and he 50 bushels".

While there is no irrigation problem, there is a drainage problem here. Of the 16 farmers interviewed, two had made complaints to the WV on this account. One problem was sorted out immediately and about the other, the WV was unable to do

anything. The farmers seem to have drawn from their own resources to sort out their drainage problems or they remain unsolved.

The farmers have not made any attempt to contact any other official. "It would be a waste of time and the money spent on travelling up to them" (Farmer 4).

The WV says that he will always be elected in the future too - for several reasons:

- (i) He comes from the village from which well over half the proprietors in the tract come. Even more relevant is the fact that the rest of the holdings are equally divided between two other villages thus giving him a very comfortable majority.
- (ii) Most of the landowners are rich and have other interests. Many have handed over their lands on lease hold. Since he is a full-time farmer and is from their village they are happy to have him.
- (iii) He succeeded a WV who was very inefficient and whom the farmers got rid of before electing him. He has done his work well.

Of the 16 farmers interviewed, only 5 were owner-cultivators, 9 were lease-holders and the other two were cultivating for the owner.

There is a long standing need in the tract for a roadway. In its absence most of the transport of the inputs is done by people carrying loads on their heads. The WV has made representations to various officials including the GA and the MP but nothing has happened.

When the main anicut which provides water to this tract was broken during the floods in 1983, the WV was able to organize the repair through Shramadana. Three years ago the WV had also organized the farmers to get together for construction to guard against flooding.

WV 5

Tamil - Private Area - Inadequate Water Supply.

Total Extent Cultivated: 294 acres.

Maha: 294 acres.

Yala: Part of the tract only.

Irrigation: River anicut and drainage water.

WV: 63 years. 6th Standard. He has 6 acres in the tract, and has a large buffalo herd. WV since 1968. His father and grandfather before him were WV's in the Kandam. None of them has ever been contested. 75 per cent of the land-holders in the tract are relatives. He is confident that he would continue forever as WV (despite the fact that he is easily the lousiest WV we have come across). He has not collected Suthanthiram for the past 10 years. He explains that after the arrival of the CO, the WV has no real powers and cannot perform his duties effectively. Farmers know this. Besides farmers also have to pay an acreage tax now.. They would therefore not pay the Suthanthiram willingly and knowing this, he does not like to collect Suthanthiram from the farmers. He says that he continues to hold the post because it belongs to his family and it is his due honour. On election days he appears with letters of consent from farmers who do not come for the elections.

Since the WV now has no powers, he says unhappily, he has to work only through persuasion. But the CO too, though he has all the official powers, "has to come to me before making any decision in land disputes and drainage problems. Because I have a thorough knowledge of the land".

This WV is not resident in the tract and lives in his village 6 miles away. He never visits the tract. For instance, this Yala he has not been there even once. A few farmers who do not seem to care, say that he is "a man who can perform his duties from home even without coming into the field - such is his ability". But there are others who have only contempt for this absentee style. The WV says that as Yala cultivation in his tract is not approved, it is not possible for him to take

any official action. But even in Maha he does not go.

and

Twenty-three farmers were interviewed/only three of them are resident in the tract. Most of the farmers are not resident here and cultivation is done either by employees or lease-holders. Only nine of the interviewees were owner-cultivators. The rest were either employees or lease-holders. The proprietors whom the WV represents are not really aware of what is happening in the tract. The employees and lease-holders who were interviewed have never seen the WV and some do not know who he is...

Maha is rainfed and supplemented by irrigation from anicuts across the river. Yala is dependent on drainage water from the units above. Anicuts are laid across the river and water is channeled to the adjacent fields; then it flows from field to field. Many of the farmers said that if there were a channel system a WV would have been necessary to regulate the turns, e.g. to give water to the tailenders first and then to the head. As it is, here one can get water only when the field above is full. Then one does get water. If there is no water in the system, no one can do anything about it. Therefore we can manage our water distribution without a WV, some farmers say.

The cultivators have a few more complaints. There is no proper system of drainage for the fields in the lower end and many of the low-lying fields tend to get clogged with drainage water from the GOLB.

The anicut across the river is often washed away and has to be rebuilt almost every season more than once. A permanent structure would remove this problem. They also think that some kind of construction should be done to prevent flooding which also happens often. All the cultivators refer to these difficulties. Some of them think that an active WV could do something about these, but most of the farmers feel that no WV can do anything about these problems except to bring them to the attention of the Irrigation Department.

Apart from those problems, the difficulties which arise each season during the course of cultivation the farmers are able to handle: when the anicut is washed away they get together and repair it; when a channel needs clearing they decide on a day and clear it collectively. The WV, they say, is not necessary for those. "This is our work, if we do not do it, it is we who would suffer. Therefore we can do it".

Even cases of damage by cattle they sort out on their own. They tie up the cattle and get the owner to pay. Damages are assessed by them without the help of any official. The CO cannot be asked to arbitrate since Yala cultivation has not been approved by the Kanna meeting. Therefore no legal remedy of any kind is possible. But the farmers say that even during Maha, no official comes to their tract. Everything is looked after by them.

One farmer said that their WV continues to be elected because his relatives form the majority in this tract. "He is like a dog in the manger. He would not do anything, nor would he allow others to come for the job".

Among the proprietors are some educated people: an engineer, two retired teachers, an Agricultural Extension Officer and a Fisheries Inspector. When they were asked about the WV, all of them expressed dissatisfaction. They felt that this WV survives because the proprietors of the tract are mostly people with other interests and other sources of income. They are, therefore, not inclined to take any initiative. On the other hand, the employees and lease-holders also do not have any abiding interest. Water is available and the yield is high. There is no one to take over the job from the WV. Among the big proprietors there is no one interested; a small land holder is not 'big enough'.

#### WV 6

Tamil - Private Area - Inadequate Water Supply.

Total Extent Cultivated: 480 acres.

Maha: 480 acres.

Yala: 140 acres.

Irrigation: By river anicut and drainage water.

WV: 61 years. 4th Standard. WV since 1948. Father was WV before him. The Grandfather was Grama Vidhane for the area. The family resides in the village 6 miles away. But he has a camp in the tract in which he lives during the cultivation period. He has never been contested and everyone says that he will not be contested as long as he seeks office. Extremely conscientious and devoted to his duties.

The tract is low-lying. It is watered during Maha by rain and a stream. An anicut is laid across the stream each season and water is channeled into the adjacent fields. Thereafter there is no elaborate field channel system and water flows from field to field. Consequently there is no such thing as the WV apportioning the water. When he has had enough, the farmer near the river is expected to release the water at a reasonable time. Sometimes, very rarely, this leads to conflict and this too mostly during Yala the water in the stream is limited to what flows into it from the colony units above through surface drains and sub-surfaces flows in the form of springs. The extent cultivated is therefore only a part of the whole tract. When, due to the shortage of water, a farmer delays releasing the water to the field below, the WV has to intervene. But this does not happen often. This Yala there were only two minor complaints and the WV was able to sort them out easily.

The WV in these tracts therefore does not have an original duty of apportioning water. He has to intervene only when there is a dispute and disputes are infrequent, partly because, we were told, the farmers are all from the same village and have been cultivating these fields for a long time. When the drainage water flowing into the river is too little, it is sometimes augmented by illicit tapping from field channels in the colony units above. The WV of course has nothing to do with these nocturnal adventures.

His principal task with regard to water seems to be the mobilization of the farmers to construct the anicut across the stream. This has to be done every season. The anicut is earthen and when the flow is heavy it tends to get washed away. Therefore it may have to be constructed even more than once during some seasons. All the farmers have to take part in the work and those who do not turn up have to pay the WV in proportion to the number of acres they cultivate. This season he charged Rupees 10/- per acre <sup>from</sup> those who did not come. In addition he hired a tractor and the rent of Rupees 400/- also was collected by him from the farmers.

The other important duty of this WV is the erection of the fence because in this tract there is danger of damage by wild animals, mostly wild boar. Here too the WV measures the portion of the fence each farmer has to put up and if one of them defaults the WV gets it done and charges the farmer for the cost.

Cattle damage cases too are attended to by him and out of the five cases reported to him this season, none were referred to the CO. In four of the cases, he awarded damages, giving in one case damages as high as Rupees 2400/-.

The WV is highly respected and is credited with perfect knowledge regarding the lands in this tract and about paddy cultivation in general. He is also consulted by the cultivators on all personal problems. If the WV is involved in any work, none would disobey him - not that they are afraid of him but because he is sincere in doing his duty. "He is so respected that he does not have to come to our places to collect Suthanthiram. We deliver it at his place".

"For Yala cultivation the WV does not have to do anything because the cultivation is not approved. But we have to give him what is due to him. He is the person in charge of these duties, if we do not give what is his due God will not forgive us," says a farmer.

This year, he organized the construction of two roads, one 3/4 mile long and the other 1/2 mile long with Shramadana by the cultivators in the tract and materials given by the Highways Department.

WV 7

Muslim - Colony area - Adequate Water Supply

Total Extent of the tract: 375 acres

Maha: 375 acres

Yala: 375 acres

Irrigated by the GOLB.

WV: 38 years. 8th Standard. Owns four acres of colony land in the tract. No other source of income. Appointed WV in 1982.

He was Assistant for two years to the previous WV who has gone to the Middle East. The CO took an interest in his case and got him appointed as acting WV. Thereafter in April 1983 he was elected WV. He was contested by an older person who was WV for 23 years in this tract.

The election was keenly contested and a lot of money was spent during the election. The older WV who lost was interviewed and he blames the CO's influence during the election for his defeat. The CO, according to him, is a politically influential person in the area who told the farmers that if his candidate did not win, a housing scheme which had commenced in the area would not be completed. Many farmers in the area have a serious drainage problem. According to the defeated candidate, the CO had promised that if his man won, all the drainage problems will be solved. The loser also said that the present WV gave much liquor to the farmers during the election.

The WV got 75 votes and the loser 65. After winning, the WV told us that he gave a party to his political well-wishers including the MP. The sum he mentioned as the cost of the party seemed surprisingly large for a person of his standing. The old WV who lost, compared to the present WV,

is an altogether more impressive person. He was President of the Co-operative Society and a Committee member of the Rural Development Society. Now he is the Chairman of the Gramodaya Sabha and President of the Mosque Committee in which the present WV is a member. Earlier it was the practice to arrive at a consensus selection of the WV at a meeting in the large mosque and that was always how the old man was made WV. In 1981 and 1984 the election was by secret ballot and he lost on both occasions. It appears that the new system of selection was introduced with this very end in view.

The farmers who were interviewed said that the old WV was very corrupt and had to be bribed even to get water. He has, according to them, sold reservation lands to farmers. In water distribution, he was very corrupt. He looked after his relatives' lands and his own.

The new WV seems to function very well. The tract gets water once a week for 2-3 days. The WV pays attention to the number of acres on each channel, the elevation of the lands and the quantity of water in the channel and decides on the allocation of time for each field. Generally he gives each field 3-6 hours of water. He appears to follow a method consistently and is always present when turns are changed. In the case of those channels which can be given water only by blocking others or by raising the head by putting planks across the stream, the WV is always there to do these operations. When he arranges water issues he takes care to give water first to those who did not get sufficient water during the previous issue. It was reported that during the last season when there was a shortage of water, he had issued water to the tailenders first and only after that to the others.

Many farmers said that while they had to bribe the previous WV as well as government Irrigators, they do not have to do so now. Our investigator however had evidence to believe that the present WV was not above receiving something in return for sorting out certain problems. But this was not in connection with water distribution.

He has strictly supervised channel cleaning and on two occasions he had fined defaulters and with that money employed labour to do their portions.

The owner of some cattle who was tardy in removing them from the vicinity of the tract was reported to the police through the CO and he was made to remove the cattle.

Talking about Suthanthiram, the WV said that if one does his duty properly, there is no problem about getting Suthanthiram. "If anyone refuses to give Suthanthiram, I know ways by which I can make him give it". One of the farmers said that "If you do not give the Suthanthiram the WV will be against you". A farmer had refused to pay Suthanthiram last season saying that he had cultivated by using drainage <sup>water</sup> and that therefore he owed nothing to the WV. The matter was reported to the ASC and the farmer was asked to give money if he did not have the paddy.

WV 8

Tamil - Colony Area - Inadequate Water Supply

Total Extent Cultivated - 450 acres

Maha: 450 acres

Yala: 300 acres

Irrigation by GOLB

WV: 55 years. 3rd Standard. Owns 3 acres paddy and 1/2 acre highland in the tract. Resident in the tract. Has been WV from 1958 - 1970 continuously and from 1980 to-date.

The biggest incident in the tract this season was when buffaloes had entered the tract and damaged fields belonging to five farmers. The buffaloes were tied up. The WV went to the fields and found the damage extensive. He also came to know soon enough that the cattle were from the herd belonging to one of the powerful men in the area. This he felt was too big for him to handle and he reported the matter to the CO. The CO arrived at the same time as the owner of the cattle who

arrived in his jeep. He asked the WV what the damage was. The WV did not reply. "He seemed tongue-tied". One of the farmers was a little more forthright and he said that the damage and the tieing costs have been assessed 'by all of us' at Rupees 5,500/=. The owner of the cattle said that he would give Rupees 1,000/= and wanted the cattle released. At this the farmers' spokesmen lost his temper, saying that they did not want even 5 cents of the big man's money, untied all the cattle and released them. The big man's assistants herded them away. Others asked the farmer who released them why he had done so and he said "We do not want this fellow's charity, let him alone prosper". At this point the WV said that Rupees 1,000/= was not enough even to cover tieing costs. The big man said that he would leave Rupees 1,300/= with the CO and that everyone could collect his share from the CO, and he went away. The farmers were all unhappy and annoyed with the man who released the cattle. They did not blame the WV but some of them felt that he should have been more forceful. But the CO, they all felt was the culprit. "He has taken a bribe from the big man. If not he would have got for us fair damages".

There were besides this, other complaints to the WV about cattle. The damage involved was small - less than Rupees 100/= in each case, and he was able to settle to the satisfaction of both parties. He did not refer these cases to the C.O.

All 20 farmers interviewed had gone to the WV at some time or other this season on account of water problems. Five of them seemed satisfied with the action taken by the WV. The cases are somewhat similar. In each case some farmer above had blocked the water for his own use. The WV intervened in each case and was able to remove the block and give them their share of the water. The other 15 farmers were not happy at all with the WV. They complain that the WV helps the owners of fields at the head but not those at the tail. The fields at the tail should have received water first according to these farmers. They say that the WV receives arrack from the head

enders and issues them water first. As a result they who are at the tailend never get enough water. Some of them feel that they should seek remedy from the CO. But one of them had in fact already spoken to the CO who has said that he would speak to the WV, but appears to have done nothing.

Another farmer whose land lies at the very end of a channel said that the WV follows no system at all in issuing water down their channel. The water simply flows down the channel for 1 1/2 days and in the process flows to their respective fields. This farmer's field, being at the very end of the channel, would rarely get adequate water by this method. On the other hand, if all the inlets above his field are shut he would get adequate water within 1 1/2 hours, without any loss to the others. The farmer has persuaded the WV to do this for the past few seasons. The WV stays with him for these 1 1/2 hours during which time inlets to all other fields are blocked and his field alone receives water. "For our enjoyment I buy some arrack and both of us drink it on these occasions", he said. This farmer feels there is nothing irregular about this - "After all, this is the proper system - the tailend should receive the water before headend". A farmer at the head was asked about this. He was indifferent. "It really does not matter", he said. He too agreed that a system of turns ought to be there. In any case, "if the WV does it, it is OK", he said. But five other farmers said that the WV should adopt some turn system universally. "Instead he does it only for those who buy him arrack". Another farmer (4) had gone to the WV about pipe outlets above his field channel. There are eight pipes and because they are sunk deep all the water flows through them. As a result he who is at the tail of the channel gets little water. The WV has reported the matter to the Irrigation officials who came and inspected the pipes. They promised to re-arrange the pipes but have never done anything about it. But about the WV, farmer (4) says he has no complaint.

Another farmer (7) has taken to the WV a problem about a drainage channel which his neighbour has encroached into by cultivation. The WV spoke to the person who encroached and explained to him the harm that would come to all concerned by this abuse of the drainage channel. The WV also marked out the boundaries of the channel. The encroacher however did not pay any heed. The WV thereupon made reports to the Colonization Officer, the CO and then to the DO. All of them spoke to the encroacher yet he has not withdrawn from the drainage channel. The farmer says that he has still not obtained a remedy but that he is satisfied with the WV. He thinks that the WV has done his best. There were however others who are inclined to point this out as another example of the WV's deficiency. "He lacks authority", they say.

This tract gets water from 10 field channels and the work of the WV can be fairly extensive. In fact there is a request to the DO by some farmers that the tract should be divided into two.

The WV therefore finds water distribution itself a difficult task apart from the difficulty of getting adequate water to the tract as a whole. In the absence of gates, in order to get the water to his tract for each issue, he has to go to several points on the channel outside this tract and block it with gunnies, sand bags, rocks, etc. This, those in the tracts above do not readily permit. Getting water is therefore, for each issue, a difficult and dicey business. But this part of the job the WV seems to have mastered. He seems to have established rapport with the Irrigator and the WV above. But some of the farmers think that this problem would be permanently solved if the WV could arrange with the Irrigation Department to put in gates instead of negotiating with Irrigators and other WV every season. This, they complain, their WV is unable to do because he is not an educated man and lacks the authority to deal with higher officials.

WV 9

Tamil - Private Area - Inadequate Water Supply

Total Extent: 685 acres

Maha: 685 acres

Yala: 400 acres

Irrigation by river anicuts and drainage water from the GOLB.

WV: 65 years. 6th Standard. Owns 12 acres in the tract. His grandfather was a WV in this tract and his father owned 40 acres. A brother was WV after the father from 1948 to 1978. In 1978 his son succeeded the uncle because he (the present WV) was WV in the adjoining kandam at the time of his brother's death. In 1980 the son could not contest because his name did not appear in the PLR. (This was not a requirement in 1978 when he was appointed by the Cultivation Committee). In 1980 the present WV won the election and became WV of this tract. He was resident in the tract till the cyclone of 1978. Now he lives in his wife's village seven miles away. He visits the tract thrice a week as a routine and more often if specifically requested by the farmers.

He said that he settled for cattle damage cases this season and one land dispute. He did not refer these matters to the CO but settled them on his own. He said that on four occasions on observing that the water in the channel was not sufficient he spoke to the Irrigator and got adequate issues.

Nineteen farmers were interviewed, and 15 of them had complaints. The WV is never available, they say. He is never there to distribute the water. They have to do it on their own and this causes difficulties. Channel cleaning work is also not allocated and is neglected. It is necessary every year in this tract to construct a bund 15-30 feet long across the river. This ought to be done jointly under the supervision of the WV. Even this the WV does not attend to. "Therefore we do not wait for him and we do it on our own.

Though the WV does not come, everyone else knows the need for this and they come and work".

Farmer (3) says that the WV gives water specially to his relations. He will not vote for this man next time though he voted for him last time. Farmer (5) says that because the WV is not there, the more powerful persons take advantage and take the water for themselves. "When I complain the WV says, 'When there is water in the channel, surely you can share it among yourselves'." Farmer (1) has his land on an elevation and requires the co-operation of other farmers if he is to get water. The WV should do this for him but never does. The farmer has to plead with the others to get water and this is always difficult.

Only four farmers had no complaint. "The WV gives adequate water", they said. Two of these are close relations of the WV.

The farmer who contested the WV in the last election says that the DO had helped the WV in the election by removing the names of his supporters from the PLR. Two of the farmers interviewed said that their names had been so removed. "When the WV comes to the tract, he stays with a relative who is not liked by the rest of the farmers in the tract and this also makes it difficult for the other farmers to meet him," said one farmer.

Last season farmer (4) and others in the channel did not get enough water. When the WV was told about this, he said that nothing could be done. Thereupon ten of the farmers sent a signed appeal to the Irrigation Department and they got water. They were bitter that the WV had thus ignored their need and appeal.

Six others had met on their own either the Irrigator, the Work Supervisor (WS), the Cultivation Officer or the DO. All six of them went to these officials because the WV did not attend to their problems. One of these was about the following complaint:

The WV had given support to a farmer (A) whose land lies below that of farmer (B). (A) had illicitly and without the consent of (B) got water through his land. Farmer (B) went direct to the DO regarding this because the WV was himself involved. When the WV learnt that the DO had come to inspect the field, he threatened to assault farmer (B).

Fourteen of the 19 farmers said that he pays no attention to clearing either the irrigation channel or the drainage channel. Two of the farmers claimed that they had cleaned on their own, stretches of the channel which others should have cleared but neglected.

WV 10

Tamil - Private Area - Inadequate Water Supply

Total Extent Cultivated: 470 acres

Maha: 470 acres

Yala: None.

Rainfed.

WV: 52 years. 5th Standard. Owns seven acres in the tract. Runs a canteen in the Tile Factory. WV since 1980. Got the same number of votes as his rival and won by the toss of a coin.

The tract being entirely rainfed, the WV has no water distribution duties. When asked what functions he performs, he said very grandly, "Water problems, land disputes, repairing of channels, cattle damage, prevention of diseases, and obtaining quality seed paddy". But none of the 25 farmers we spoke to remembers having gone to the WV with any water problem.

Some farmers have gone to him to report damage by cattle but he is often not available. They have therefore either no remedy at all in these cases or have to go to the ASC at Mandur to report to the CO. This is of course inconvenient and involves delay. They say that because the WV is doing another full-time job, he has no time for his WV duties. But if he is given arrack, there is some chance of his becoming active. Many farmers said that they do not go to the WV because they know

that they would not get any action from him. Even if it means delay and inconvenience, it is better to go to the ASC and meet some official there.

One farmer said that he got damages through the WV but he had to spend lavishly on arrack for the WV. Another farmer said that since this man became WV, cattle damage problems have increased. He does not insist on fencing nor does he get the cattle removed from the area when cultivation begins.

All farmers interviewed in this tract have met other officials for one reason or another. The WV does not exist for them. Some who voted for him said that they did so because he was younger than his rival and seemed more energetic. Now they are all sure that they do not want him any more. But they pay him Suthanthiram. "It is his due for his office", they say.

WV 11

Tamil - Colony Area - Inadequate Water Supply

Total Extent Cultivated: 350 acres

Maha: 350 acres

Yala: Normally none but in 1984 150 acres

Irrigated by the GOLB

WV: 66 years. Studied up to the S.S.C. Was appointed by the Gal Oya Board in 1953 at a monthly salary of Rupees 60/=. He worked for 6 years and during these years there was adequate water to cultivate both seasons. "And I was known as a very good WV". In 1959 he gave up the job because he wanted to devote more time to his own lands. In 1970 he became WV again, without any contest and continues to hold the office since then. He is a person of some importance in the area. He has been the Secretary of the Rural Development Society (R.D.S.) for 24 years. From 1984 he is the President of the R.D.S. He is the President of the Trustee Board of the local Temple; he is the Secretary of the Mandoor Parent-Teacher

Association; he is also an Honorary Motivator for Redd Barna. Many Shramadana functions have been done in the area under his leadership.

Being relatively more educated, he is consulted on all matters by the villagers. They come to him when they want anything written to any official. They also come to him for advice on their personal problems.

One of the problems regarding water which has come often to him this season also arises from the lack of pipe inlets to each field. The proprietors through whose lands water has to go to others are not always co-operative. They worry that their fertilizer would get washed away. Sometimes the complaint is that they do not release the water promptly enough. Six complaints of this nature have come to the WV and he has succeeded in giving relief to the complainant in each case by talking to the farmer concerned and persuading him to release the water. But the same problem would crop up again. Because of this the farmers feel that the problem needs permanent solution by furnishing individual inlet pipes. The WV has made requests to the Irrigation Department through the DO for each of these cases.

Another problem this season has been a breach in one of the channels. Water flows out of it and water to the fields is that much reduced. The WV reported the matter to the Irrigation Department. The IE who inspected the breach advised temporary repair by the farmers until the Department does a permanent job at the end of the season.

A third category of complaints was from farmers whose lands are on a slight elevation. Because of this they do not get water adequately from the channel. They would want to raise the head of the flow by some means in order to get the water to their fields. But the water this time was never enough for such an operation. The WV could not help them.

This tract has not been cultivated during Yala for more than ten years. The farmers who were permitted to cultivate this season were promised water for five days per issue on the rotation system. But they received, water for only three days per issue. Farmers, particularly the tail-enders, were very unhappy and complained to the WV. The WV could only report these cases to the Irrigator, who could not help either because he was instructed to issue water for only three days.

Channels in this tract are in very bad shape. They have not got any water during the past ten years, and there has not been any incentive for the farmers to clear the channels. Though the Department announced that there would be water in three channels this season, the farmers would not readily follow the WV's instructions to get the channels prepared because they were not all that hopeful about receiving water.

Thus in many respects the tract was not ready for cultivation by irrigation this Yala. The inlet pipes were not available, the channels were not clear, all the lands were not level and there was a breach. If things were somehow managed, the farmers attribute this to the dedication and persuasive powers of their WV. He has done his best according to them.

Since farmers on only three of the channels were given permission to cultivate this Yala, there was a certain amount of unhappiness among the other farmers. They felt that if the WV had organized things in advance, their channels too could have been cleared and their lands levelled and some pressure brought upon the Irrigation officials to give them also water. The WV finds it difficult to explain to the farmers that he is really helpless in this matter and that it was all a decision by the Irrigation officials.

This WV does not go collecting Suthanthiram. He accepts what is delivered to him.

WV 12

Tamil - Colony Area - Inadequate Water Supply

Total Extent: 576 acres

Maha: 576 acres

Yala: Only in 1984.

Irrigated by GOLB.

WV: 45 years. 8th Standard. Owns 4 acres of land.

Has served for the past 15 years as a WV. He has never been contested. He seems very popular in the tract. All twenty farmers interviewed were happy with him. They feel that no one else in the tract could do better than the WV, given the problems in their tract. Since this is one of the tracts which is located at the tailend, water is always a problem. He is according to them devoted to his duties and is energetic in work. He readily goes to higher officials if the need arises on complaints from the farmers.

After several years for the first time this year they were told they could have water to cultivate part of the tract for Yala. All 20 farmers interviewed complained that though they were told that they could cultivate 250 acres this Yala, and water was promised, they did not get adequate water. Nor did it ever come on time. All the farmers sought the help of the WV who went along with four of them and met the IE and other irrigation officials. The IE visited the tract and saw for himself the condition of the crops and issued water. But this was not enough. Though the farmers interviewed had all suffered due to this, none of them complained about the WV. It is difficult to get water for Yala in this tract. This they knew and they also know how hard he tried. "He has worked day and night these two and a half months. I got just enough water to wet my field. But even this I owe to the work of the WV". "We do not meet anyone other than the WV. No one else comes into our tract". Sixteen of the farmers said that there is no need to see others because the WV attends to all their needs. Another farmer reported that the WV had taken some of them along to the units above and persuaded the WV's

there to release some water for this tract.

Apart from the major problem of water shortage, there were a few internal problems which had been reported to him. There were one or two incidents of farmers at the head not releasing water in time for the farmers below and there was the occasional case of a farmer using a 6 inch pipe instead of the usual 3 inch pipe. Some of these problems the WV was able to sort out to the satisfaction of all and some others he could not. An instance where he succeeded occurred as follows: One of the issues this season came a day later than was scheduled. When the water did arrive all of them in the channel had been waiting with anxiety for some time and there was a rush for it. As the headenders helped themselves, the tailenders grew anxious that the water would stop before they got any. But the WV was there almost immediately. He redrew the turns and saw to it that all shared the water equally.

One of the cases where the WV could not help concerns a farmer who can get water only when the three others ahead of him in the channel had closed their inlets. Water this time was limited and so uncertain that they would not allow him to have water until they had had the minimum necessary for their own fields. This farmer appealed to the WV, but the WV (and as a matter of fact this farmer himself) could see that the water was not really enough even for the others. It was however said that some farmers had managed to get water without the WV's help by bribing the Irrigator and the Work Supervisor.

Another farmer had his water stolen in the night by private landowners below the tract. He complained to the WV but the WV said that he did not know who the culprit was and would not do anything.

One feature of his approach to his work is that he explains the difficulties to the farmers and seeks their co-operation in whatever action he takes. In every instance

where he went to see someone, whether it be the IE or the WV of a unit above, he took some of the farmers with him.

Despite the failures, the farmers (including the aggrieved parties in the problems he failed to sort out) had no complaints against him. The bona fides of the WV are so well established and everyone knows that he is no shirker.

APPENDIX II

IRRIGATION RULES FOR NADOCADOE

(Rules promulgated in 1861, relating to an irrigation system in the low-lying areas of the Eastern Province)

In the Name of Her Majesty VICTORIA, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

PROCLAMATION

By His Excellency Sir CHARLES JUSTIN MACCARTHY, Knight, Governor and Commander-in-Chief in and over the Island of Ceylon, with the Dependencies thereof.

CHARGES JUSTIN MACCARTHY

WHEREAS by "The Paddy Lands Irrigation Ordinance, 1856, "It is amongst other things enacted, that the Rules for regulating the observance of the Customs regarding the Irrigation and Cultivation of Paddy Lands, and the maintenance of the Water Rights of the Proprietors, shall, as such Rules have been drawn up in the manner directed by the said Ordinance, be transmitted by the Government Agent to the Governor, for the approval, amendment, or disallowance thereof, of the said Governor, with the advice of the Executive Council; and that, in case such Rules shall be approved or amended, notice thereof shall be given by Proclamation, and the said Rules, as approved or amended, shall be published in the Government Gazette, and shall thereupon become binding upon all proprietors of Paddy Lands in the District to which such Rules have reference, and shall be as legal, valid and effectual, as if the same had been inserted in the said Ordinance.

And whereas the Rules hereinafter set forth, have been drawn up in manner aforesaid, for regulating the observance of the Customs regarding the irrigation and cultivation of the paddy lands situated in Nadocadoe Division, in the District of Batticaloa, in the Eastern Province, and have been duly transmitted to the Governor for the purposes in the said Ordinance mentioned.

Now therefore, We the said Governor, with the advice of the Executive Council, do, by virtue of the powers in Us vested as aforesaid, hereby proclaim and make known, that the following Rules received by Us as aforesaid, shall be, and the same are hereby approved; and from and after the publication of this Our Proclamation will be binding upon all proprietors of paddy lands in the Nadocadoe Division aforesaid, that is to say:

Appointment of Superintendents: 1. BEFORE the Munmari cultivation in July of each year, the Assistant Government Agent shall convene a meeting of the proprietors of not less than 2 amonams of land in each of the sub-divisions appearing in the Schedule annexed to these Rules, and they shall proceed to elect (subject to the approval of the Assistant Agent) a person for the office of Wattei Vidhane, who shall have the superintendence of all matters connected with the cultivation of the respective sub-divisions, in which he shall be assisted by one or more Adigaries, as appearing in the abovementioned Schedule, who shall also be elected in the like manner and at the same time.

Duties of Superintendents: 2. THE Wattei Vidhanes shall have the entire supervision of all works of Irrigation and Paddy Cultivation within their limits, and shall enforce the following Rules, and bring all breaches of the

same before the Village Council; and the Adigaries shall assist him in the collection of people and supervision of works, and these Officers shall be liable for all neglect of duty proved to the satisfaction of the Village Council, as far as breach of Rules.

Payment of  
Superintendents:

3. THE Wattei Vidhane shall be entitled to receive from the cultivator of each amonam of paddy, two marcals; and 2 marcals shall further be paid as Adigaries' hire, to be divided between the Adigaries equally, when more than one; and this paddy shall be delivered to the Wattei Vidhane, before any is removed from the threshing floors.

Repair of  
water-courses:

4. THE owners and cultivators of all lands shall clear and repair the water-courses and vaycaals adjoining their respective fields, and all jointly shall repair the General Canal (pachel and vadechel) throughout its length, by their joint labour in proportion.

Repair of dams:

5. IF any dam on any river in this division be necessary for the irrigation of any tract of land, it shall be put up and kept in repair by the joint labour of all the owners and cultivators of the lands dependent on it for irrigation.

Labour to be  
taken in rotation:

6. THIS labour shall be rendered at the call of the Wattei Vidhanes, who shall prepare a roll of the owners and cultivators of all Munmarie lands, before the 1st of July of each year, and of all Calewellame lands before the 1st of September of each year;

and should not all the labour be required at one time, it is to be called out in rotation.

Liability of owners, &c., of new lands.

7. THE owners and cultivators of all new lands, which have been or may hereafter be purchased from the Crown in this division, shall become liable for their joint share of labour, when called on by the Wattei Vidhane of the sub-division, within whose limits their lands may be, as appearing in the Schedule.

Liability of persons not cultivating, to furnish labour.

8. NO person shall be exempted from contributing his fair quota of labour on the ground that his land for the season is not cultivated.

Right of new lands to water.

9. THE owners and cultivators of these new lands shall be entitled to receive water from any of the channels which may be most advantageous to their lands, and in all respects, shall enjoy all the rights and privileges that belong to the owners, &c., of the old lands at present under cultivation.

Distribution of water in a sub-division.

10. THE distribution of water to the various Watteis in each sub-division shall be regulated by the Wattei Vidhane.

In case of insufficiency of water in the Tanks, the Wattei Vidhane to determine the extent to be cultivated.

11. IN case of lands watered by the Tanks, it may sometimes occur that there is not sufficient water in the Tanks to cultivate more than a portion of the whole tract dependent on the Tank, and on such occasions the Wattei Vidhane shall decide how much land shall be cultivated, and that portion shall be chosen from the lands nearest to

the Tank; and the cultivators, generally, shall cultivate it, without reference to ownership, in the same proportion to the extent cultivated, as their whole lands would bear to the whole tract watered by the Tank.

Cutting gaps in dams prohibited.

12. NO gaps (vettoo vaan) in any permanent dam shall be allowed to be cut, but wooden pipes (cottu) shall be inserted in all necessary places by the Wattei Vidhane; the cost of insertion and up-keep of such pipes to be borne by the owners of all lands dependent on the outlet, jointly, at a rate proportioned to the extent of their land; and in the event of refusal, the person so refusing shall not only become liable for a breach of Rules, but the Wattei Vidhane shall sue him for the share of expense due by him.

Obstruction of channels.

13. NO person shall, for any purpose whatever, obstruct, encroach on, or lessen the width of any water-courses of vaycaals.

Alteration of dams.

14. NO new dam to divert water from any customary dam, shall be constructed, nor shall any upper dam be broken down to make up for a deficiency of water below, without the consent of the Village Council; but should fresh dams be necessary for the supply of water to any of the new lands alluded to in Rule 9, the Assistant Agent shall call a Village Council to decide the point, at any time when required by the owners of cultivators of those lands, on three days notice being given to him.

Division of water when insufficient.

15. IF owing to drought or any unexpected accident to a dam, the quantity of water available be found insufficient for the

season, a Village Council shall make a division to the various sub-divisions, by allowing the full volume of water to each sub-division for a given time; and such division shall be final, subject to appeal to the Assistant Agent.

Stopping water in transit.

16. IF any person shall wilfully prevent water flowing to the field below his own, the Wattei Vidhane shall proceed to the spot with witnesses, and open the gaps (Wakedde) himself.

Alteration of limitary ridges.

17. NO person shall in any way alter or injure any ridge (Varemboe) or boundary between fields in the same tract; and on information to that effect, the Wattei Vidhane shall, as soon as possible, proceed to the spot with witnesses, and restore every such alteration to its original state, provided that such restoration shall be effected within eight days, inclusive, from the time of the offence being committed.

Duration for cultivation.

18. THE cultivation in each Wattei shall be commenced on a given day, to be fixed by the Wattei Vidhane, and small owners or cultivators shall make up their ridges (Varemboes) at the same time, and leave proper gaps (Wakedde) for the conveyance of water to fields on the lower level.

Erection of fences.

19. THE fences round the whole Wattei shall be measured off and apportioned to each cultivator for the season in equal lengths, without any regard to whether the fence adjoin his field or not, and each cultivator shall erect a watch-hut (Pure) in the centre of his portion of fence, and

shall be bound to keep both fence and Puré in repair, to keep a regular watch, and to accompany the Superintendents in their rounds at night with cheule lights, till the Wattei Vidhane announces that the whole has been reaped and stored.

Reaping of crops ripened before the rest.

20. SHOULD a portion of any tract ripen before the rest, by the cultivation of Seenatee Paddy, or from any other cause, the cultivator of that portion shall, with the consent of the Wattei Vidhane, be allowed to reap and store the same, but he shall still continue to contribute his usual amount of assistance towards the protection of the Wattei, until the Wattei Vidhane announces that the whole Wattei has been reaped and stored.

Threshing floors.

21. THE threshing floors (Galewettees) shall be cleared and fenced by the joint labour of all concerned, who shall also take their turn to watch the same.

Cattle not allowed in the Wattei.

22. AFTER cultivation has once commenced, as fixed by the Rule 18, no cattle shall be admitted to the Wattei, except for the purpose of cultivation.

Removal of fence sticks after reaping.

23. AFTER the reaping is over, the Wattei Vidhane shall give orders to remove the fences, and cause the fence sticks to be heaped by the cultivators, in such places as he may appoint, and no one shall remove the fence-sticks without the consent of the Wattei Vidhane.

SCHEDULE OF SUB-DIVISIONS

<u>Division</u>	<u>Names of Watteis</u>	<u>Wattei Vidhanes</u>	<u>Adigaries</u>
Nadocadoe West	1. All fields west of Ambarevilloo and north of Pattipolle Aar.	1. W. Vidhane	1. Adigarie
Nadocadoe East	2. All fields east of Ambare and north of Pattipolle Aar.	1. W. Vidhane	1. Adigarie
Nadocadoe South	3. All fields south of Pattipolle Aar.	1. W. Vidhane	1. Adigarie

APPENDIX III

PROBLEMS ENCOUNTERED IN THE COLLECTION  
OF DATA

In doing field observations as well as in administering Questionnaires it was our intention originally to select WV tracts, WV and farmers so as to make the samples representative of what we thought could be decisive variables. The extent of water availability, the size of the holdings and the ethnicity of the tract (whether the farmers are predominantly Tamil or Muslim) were considered to be features worth attending.

The execution of our study however was hampered a great deal by events in the area which made field work always hazardous and at times impossible. That there would be a certain amount of difficulty we had expected but conditions were always changing and there was often growing optimism that field conditions would improve. But as it turned out, they became worse.

As a result it became impossible to collect data either from all the necessary places and persons or at all the times when we wanted. Our sample therefore is not representative of all the conditions in the study area and <sup>this</sup> has prevented us from commenting systematically on the possible effects of the variables we had in mind at the outset.

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