

Local & Munl. (1897) Department.

PRINTED.

G.O., No. 53 L

DATED 11-1-97

INDEXED.

DESPATCHED

[Despatch Abstract.]

Water Comg. to all Local Boards and Munl. Councils and the munl. Councils of Madras, G.O. R.D. agreeing with the Board of Revenue in considering that the practice of taking — from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government {1897} of Madras. LOCAL AND MUNICIPAL.

Proof for approval.

*Sticker off no
received 19/1/97*

Recd.

Enclosures

Regd.

1897.

Spare copies

G.O., No. 53 L., 11th January 1897.

JANUARY.

Water.

Communicating to all Local Boards and Municipal Councils and to the Municipal Commissioners of Madras Government Order, Revenue Department, agreeing with the Board of Revenue in considering that the practice of taking — from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following paper:—

G.O., No. 688, Revenue, dated 2nd December 1896.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 23rd October 1896, No. 289:—

Read—the following letter from M.R.Ry. Rao Bahadur K. RUSTUM SING Avargal, Head-quarters Deputy Collector, Gódávári, to the Collector of Gódávári, dated Cocanada, 1st June 1896, Ref. No. 769-H.D.C.:—

I have the honour to report that the Tahsildar of Peddápuram brought to my notice that the contractor of the Yeleswaram Local Fund road had taken water of the Lingamparti irrigation major tank for a distance of two miles through the side canals of the road and used it there for road purposes without any previous permission. As I thought that this would cause a diminution of water-supply for irrigation purposes, I sent the Tahsildar's reference in original to the Local Fund Engineer for favour of remarks in this office R. on C. No. 769-H.D.C., dated 14th April 1896.

2. The Engineer's replies, Nos. 17 and 23, dated 11th and 27th May 1896, are not to the point. He says that it has been the habit to take water like this from Government irrigation sources all over the district and no objection has ever been taken to this course. There will no doubt be much wastage of water when it is taken to unlimited distances. The contractors who have recourse to such a practice never care for any amount of wastage, and they look to their own interest. Further, I think the Local Fund Department have no right whatever to take water from the Government irrigation sources by direct flow for their road purposes. The Board have, I remember, recently decided (*vide* Board's Proceedings, dated 27th November 1895, No. 383, Revenue Settlement, &c.) that water taken for the working of indigo vats also is identically the same as the other one. I therefore beg to enquire whether water-rates are to be charged or not when water is taken for road purposes by direct flow through the side canals either by the Local Fund Department or its contractors. I think water-rates are to be charged, and if you concur with me, I request that you will be pleased to issue a District Standing Order on the subject, so that the contractors might also be able to know that they would be liable to water-rates in such cases. The correspondence that transpired between myself and the Local Fund Engineer is enclosed as per detail noted below:—

Endorsement by V. A. BRODIE, Esq., Collector of Gódávári, dated 1st July 1896, Ref. No. 1980-Ver.

Submitted to the Board of Revenue (Revenue Settlement, &c.), for orders.

2. I am of opinion that the contractor is liable for water-rate, which may be fixed at, say, Rs. 2 per diem in the present case as water was taken two miles.

3. Conditions similar to those laid down in paragraph 2 of Board's Proceedings, dated 27th November 1895, No. 383, will have to be observed regarding the supply of water and the collection of water-rate in cases of the kind referred to in the Deputy Collector's letter.

4. No water-rate need, I think, be levied when water standing in the side channels of roads, &c., is taken for their repair, but that is not the case here. Where water is specially taken from tank to fill the side channels when they are empty, permission must be first obtained so that there may be no danger of an insufficient supply for cultivation, and permission should only be given upon payment of a reasonable charge depending upon the distance the water has to be taken, say, As. 8 per half-a-mile.

Resolution—dated 23rd October 1896, No. 289.

The paper read above raises the question whether any and what charge should be made for water taken from Government tanks for purposes of Local Fund road repairs, in cases in which such water is taken, not directly from the tanks in pots or other receptacles, but through side channels.

2. In the particular case reported, a certain contractor in the Peddápuram taluk took water in the manner above described for the repair of a road at a distance of two miles. The chief objection taken by the Collector and his Deputy is that, if every contractor is allowed to take water in this way at his pleasure, it will cause undue waste of water to the prejudice of ryots holding lands under the tank. The Collector accordingly proposes that a fee of As. 8 should be charged for every half-a-mile of the length for which water may be taken through side channels.

3. On a reference made to the District Board Engineer, that officer is stated to have replied that no charge has hitherto been made for water used in connection with repair of public roads. It may be that this practice has not hitherto attracted attention and the Board is also aware that recently Government* decided that no

* G.O., No. 1677, dated 2nd May 1896.

water-rate should be charged for water taken to irrigate road avenue trees; but it is doubtful if it could have been ever intended by Government that no charge should be made for water taken by side channels for such a distance as two miles, which must obviously be injurious to the interests of the ryots. The case would be different if water is taken in pots or barrels, and the order of Government above referred to was apparently intended to cover only such cases. The Board is of opinion that the practice of taking water from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department.
Collector of Gódávári.

" Land Revenue Department.

" Copy to other Collectors.

" the Deputy Director of Land Records.

Order—No. 688, Revenue, dated 2nd December 1896.

Irrigation No. 16.

The Government agrees with the Board in considering that the practice of taking water from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement, Land Records and Agriculture).

" Board of Revenue (Land Revenue).
" Local and Municipal Department.

4

No. 53 L., 11TH JANUARY 1897.

ORDER—No. 53 L., dated 11th January 1897.

Communicated to all Local Boards and Municipal Councils and to the Municipal Commissioners of Madras.

(True Extract.)

Secretary to Government.

To all Presidents of District Boards.
 „ all Chairmen of Municipal Councils.
 „ all Collectors.
 „ the President, Municipal Commission, Madras.

Exd. A. Raitt.

[L. & M.
1,000—28-10-96.]

Local & Munl. (189) Department.

CURRENT No. 3443 L

P.

Order No 53 L dt 11-1-97

Communicated to all
 Local Boards and Municipal
 Councils and to the Municipal
 Commissioners of Madras.

P.R.
7/1/97

8/1/97

From

The Res. Deptt

No. 688

Dated 2/12

Received 17/12

Registered

Enclosures

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SUBJECT.

To

All Presidents of District Board.

„ Chairmen of Municipal Councils

„ Collectors ✓

The President, Municipal Commission
Madras.

Agreeing with the Board in
 Considering that the practice of
 Staking water from fount tanks
 by side channels for purposes of
 road repairs should be absolutely
 prohibited.

Dated 23/1/97

7/1/97

7/1

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Government (1896) of Madras. REVENUE.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 34432

Recd. 17th Dec }
Regd. } 1896.

Enclosures

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G.O., No. 688, 2nd December 1896.

DECEMBER.

Water.

Agreeing with the Board in considering that the practice of taking — from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture, dated 23rd October 1896, No. 289:—

Read—the following letter from M.R.Ry. Rao Bahadur K. RUSTUM SING Avergal, Head Quarters Deputy Collector, Gódvári, to the Collector of Gódvári, dated Cocanada, 1st June 1896, Ref. No. 769-H.D.C.:—

I have the honour to report that the Tahsildar of Peddápúram brought to my notice that the contractor of the Yeleswaram Local Fund road had taken water of the Lingamparti irrigation major tank for a distance of two miles through the side canals of the road and use it there for road purposes without any previous permission. As I thought that this would cause a diminution of water-supply for irrigation purposes, I sent the Tahsildar's reference in original to the Local Fund Engineer for favour of remarks, in this office, R. on C. No. 769-H.D.C., dated 14th April 1896.

2. The Engineer's replies Nos. 17 and 23, dated 11th and 27th May 1896, are not to the point. He says that it has been the habit to take water like this from Government irrigation sources all over the district and no objection has ever been taken to this course. There will no doubt be much wastage of water when it is taken to unlimited distances. The contractors who have recourse to such a practice never care for any amount of wastage, and they look to their own interest. Further I think the Local Fund Department have no right whatever to take water from the Government irrigation sources by direct flow for their road purposes. The Board have, I remember, recently decided (*vide* Board's Proceedings, dated 27th November 1895, No. 383, Revenue Settlement, &c.,) that water taken for the working of indigo vats should be charged with reference to the quantity of water taken. The present case also is identically the same as the other one. I therefore beg to enquire whether water-rates are to be charged or not, when water is taken for road purposes by direct flow through the side canals either by the Local Fund Department or its contractors. I think water-rates are to be charged, and if you concur with me, I request that you will be pleased to issue a District Standing Order on the subject, so that the contractors might also be able to know that they would be liable to water-rates in such cases. The correspondence that transpired between myself and the Local Fund Engineer is enclosed as per detail noted below:—

Endorsement by V. A. BRODIE, Esq., Collector of Gódvári, dated 1st July 1896, Ref. No. 1980-Ver.

Submitted to the Board of Revenue (Revenue Settlement, &c.,) for orders.

2. I am of opinion that the contractor is liable for water-rate which may be fixed at, say, Rs. 2 per diem in the present case as water was taken two miles.

3. Conditions similar to those laid down in paragraph 2 of Board's Proceedings, dated 27th November 1895, No. 383, will have to be observed regarding the supply of water and the collection of water-rate in cases of the kind referred to in the Deputy Collector's letter.

4. No water-rate need, I think, be levied when water standing in the side channels of roads, &c., is taken for their repair, but that is not the case here. Where water is specially taken from tank to fill the side channels when they are empty, permission must be first obtained so that there may be no danger of an insufficient

supply for cultivation, and permission should only be given upon payment of a reasonable charge depending upon the distance the water has to be taken, say, As. 8 per half a mile.

Resolution—dated 23rd October 1896, No. 289.

The paper read above raises the question whether any and what charge should be made for water taken from Government tanks for purposes of Local Fund road repairs, in cases in which such water is taken not directly from the tanks in pots or other receptacles but through side channels.

2. In the particular case reported, a certain contractor, in the Peddápúram taluk, took water in the manner above described, for the repair of a road at a distance of two miles. The chief objection taken by the Collector and his Deputy is that if every contractor is allowed to take water in this way at his pleasure, it will cause undue waste of water to the prejudice of ryots holding lands under the tank. The Collector accordingly proposes that a fee of As. 8 should be charged for every half a mile of the length for which water may be taken through side channels.

3. On a reference made to the District Board Engineer, that officer is stated to have replied that no charge has hitherto been made for water used in connection with repair of public roads. It may be that this practice has not hitherto attracted attention and the Board is also aware that

* G.O., No. 1647, dated 2nd May 1896. recently Government* decided that no water-rate should be charged for water

taken to irrigate road avenue trees; but it is doubtful if it could have been ever intended by Government that no charge should be made for water taken by side channels for such a distance as two miles, which must obviously be injurious to the interests of the ryots. The case would be different if water is taken in pots or barrels; and the order of Government above referred to was apparently intended to cover only such cases. The Board is of opinion that the practice of taking water from Government tanks by side channels for purposes of road repairs should be absolutely prohibited.

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(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department.
Collector of Gódvári.

" Land Revenue Department.

Copy to other Collectors.

" the Deputy Director of Land Records.

ORDER—No. 688, Revenue, dated 2nd December 1896.

Irrigation No. 16.

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Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement, Land Records and Agriculture).

" the Board of Revenue (Land Revenue).

" the Local and Municipal Department.

Exd. Md. Pabilyan.

50 Copies.

Government {1897} of Madras.
LOCAL AND MUNICIPAL.

Recd.

Enclosures

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(True Extract.)

G. S. FORBES,
Secretary to Government.

To all Presidents of District Boards.
„ all Chairmen of Municipal Councils.
„ all Collectors.
„ the President, Municipal Commission, Madras.

Exd. A. Raitt.

First copy sent to Press. 11-1-97

Returned for signature. 22-1-97

Despatched in print. 23/1/97

NUMBER OF COPIES
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Order complete. 640
Letter only.
Order complete with Letter.

READ AGAIN G.O., No.
189

DAVID

CURRENT No.

34432 — A

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT

STATEMENT WITH DITO.

BY FILED UP BEING WANT FOR DESPATCH
ORIGINAL.

N.B.—

A = Print in full.
B = Not to be printed.
F = Print abstract only.
Q = Print heading only.

Press
Please show
proof.
BD
9/1/97