

MADRAS RECORD OFFICE.

Government of Madras.

Public Works

DEPARTMENT

Cor. 102/58

G.O. No.

836

Press

Mis.

Dated

18/4/58

Not to be folded or roughly handled

No. 1. Read the following Extract from the Proceedings of the Board of Revenue, dated 23d July 1858, No. 2763.

Read again Extract Minutes Consultation of Government, under
date the 16th May 1857, No. 944, P. W. D. Public.

In Con. 29th June 1857.

Read also Extract from Proceedings of Board of Revenue, 29th June 1857, No. 2225.

Read again also the following letters.

From Ganjam,	25th March	in Con.	9th April 1858.
„ Vizagapatam,	10th	„	19th Aug. 1857.
„ Masulipatam,	24th	„	31st July „
„ Guntoor,	18th	„	23rd „ „
„ Nellore,	1st	„	14th Oct. „
„ Cuddapah,	12th	„	19th May 1858.
„ Bellary,	31st March	„	20th April „
„ Kurnool,	21st	„	28th May „
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Read again also Extract Minutes Consultation of Government, dated
the 15th August 1857, No. 1580, P. W. D., Public Irrigation.

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In the Minutes of Consultation first recorded above, the Government refer to the Board copy of a Report made by Captain Collyer, Superintending Engineer Central Circle, to the Chief Engineer, for any observations they may have to make with especial reference to paras. 6, 7 and 8.

2. Captain Collyer after stating the Rain fall in the Bellary District in certain years, and its effect towards the supply of the Tanks in certain Talooks notices, that “leaking sluices, inefficient Culingulas and careless Moneygars are by the waste of water, which might otherwise be retained, almost as frequent a source of want as the failure of Rain itself;” and expresses his opinion that to give

the Department Public Works full efficiency, the Engineer Officers should possess a greater extent of authority, and have under their immediate control the whole of the Irrigation Moneygars and their subordinates, with power to punish, summarily, such offences as cutting Tank-banks, wasteful distribution of water, cutting through made Roads, diminishing the width of the banks of Tanks or Channels to enlarge fields, the non-execution of mamool labour, &c. He also adverts to the great extent of Enam under the sources of Irrigation in the Bellary District, and enquires whether the owners do not lie under some obligation to contribute to their repair.

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3. The Extract Minutes Consultation of Government of the 15th August 1857, relates to a question closely connected with the subjects mooted by Captain Collyer, viz. whether the distribution of water for Irrigation should rest with the Revenue or Public Works Department. The Board therefore proceed to submit their sentiments on both at the same time. The letters from the Collectors recorded above have reference to Captain Collyer's observations, except the few noted marginally, which relate to a question asked by Government as to whether, in the opinion of the Board, it is expedient to abolish a practice obtaining in the Masulipatam District, of requiring payment for every Palmyra tree felled, and every 100 leaves cut.

E. M. C. of Government 15th August 1857, in Con. 1st July 1858.

4. The Board will first consider the question of what Department should be entrusted with the distribution of water, and whether all the servants alluded to by Captain Collyer should be made over to the sole control of the Engineer Officers.

5. In his letter to Government under date the 23rd June 1857, having reference to the Irrigation works of the Masulipatam and Trichinopoly Districts, the Chief Engineer expressed his opinion that for the interests both of Government and the Ryot, the entire distribution of water (not to Individuals) should rest solely with the Department Public Works, and the Government concurred in this view as regards the distribution to Villages, but observed that the detailed distribution to fields should be left to the Villagers themselves, the Village Officers interfering if necessary, and appeals lying to the Samutdars, the Amildar, and eventually to the Collector.

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6. The expediency of entrusting this important function to the one Department or the other must very much depend, the Board think, on the nature of each Irrigation work. Generally speaking Tanks supply only one Village. When such is the case, the interference of the Department Public Works is not contemplated by Government, and seems to the Board unnecessary. When more than one Village is Irrigated from the same Tanks, the dimensions of the sluices will of course have been determined by the Engineer Officers, but the charge of them may, the Board think, be generally left to the Village Officers under the control of the Talook Establishment. Where the Irrigation is drawn from Rivers, water is sometimes thrown into the Channels by the aid of Corumboos or Embankments running some way into the stream. The length and height of these having been settled by long custom, the Board very much doubt whether the intervention of the Department Public Works would be productive of any thing but delay and dissatisfaction.

7. But there is a class of works approximating in character to the Locks and Sluices in the great Ganges Canal, which, it would seem, may be placed under the sole control of the Professional Department with advantage. Such are the Sluices in all large Anicuts, and the Heads of the main Channels taken from considerable Rivers. A doubt on this point is thrown by the letter of the Collector of Trichinopoly, under date the 27th April last, referred to in the Board's Proceedings of the 3rd July 1858, No. 2297, Mr. Bird observes:—"This control of the Channels by the Engineer Department, I do not hesitate to state to the Board of Revenue is unsatisfactory to the people, and often the cause of

In Con. 14th July 1858, para. 6.

"great discontent and outcry on account of water being deficient." These remarks are made after experience of the actual working of the system, the Laulgoody Channel, having been for some time made over to the charge of the District Engineer. The Board, however, are not disposed to recommend another arrangement in consequence of any supposed ill success which has attended it in one locality after so short a trial. It may be that the Agency is bad or insufficiently looked after, or merely lacks experience, or the complaints may be ill founded and arise from the jealousy of the subordinate Revenue servants. It would seem obvious that the Professional Officer if provided with a sufficient Establishment will be able to regulate, with the greatest amount of fairness and effect, the supply of the main Channels drawn off from Rivers by means of Anicuts.

8. The same reasons apply to very large Tanks requiring Establishments for their care beyond the Village servants.

9. The Point indeed seems to have been already decided by Government, for it appears that in accordance with the orders contained in Extract Minutes Consultation of Government 1st May 1857, No. 839, D. P. W. every servant exclusively employed on Hydraulic works has been made over to the control of the District Engineers, and the Board find that not only in Trichinopoly, Rajahmundry and Masulipatam, but also in Tinnevely and South Arcot, works of the nature of those they have indicated above are already under the exclusive charge of the Department Public Works. In Bellary the measure appears to have been carried too far and further than Government could have intended. Mr. Pelly points out that the Neergunties, 679 in number, remunerated by landed enams, and charged with the distribution of water to fields, have been partly made over, and considers that their duties will not be so efficiently performed as heretofore. The Board quite concur with him and would recommend, that they should be replaced under the Revenue Department. They think that as a rule, all irrigation servants employed in directing water to fields, and all not paid in money should continue subject to the Collector.

10. Capt. Collyer, however, seeks for more than this. He requires that the Engineer Officers shall have under their immediate control the whole of the Moneygars and their subordinates, with power to punish, summarily, Ryots committing such offences as cutting tank banks, and failure to afford mamool labour. The matter of customary labour, is provided for by the Act of the Legislature noted in the margin. To the other demands of Capt. Collyer the Collectors demur, and as the Board think, with good reason.

The irrigation duties at all but the large works and reservoirs already noticed, are performed by Revenue servants, and as a divided control invariably leads to trouble and embarrassment, it is indispensable, in the Board's opinion, that these should remain answerable to the Revenue Department only. They are moreover satisfied that the duties in question will be better performed by the Villagers and Revenue Officers, for they conceive it to be impossible that the District Engineer and his subordinates of a superior grade can adequately superintend the details of the management of a vast number of tanks and small channels, and they are disposed to place more reliance on the effects of long habit and self interest on the Villagers than on the care and probity of the lower Officers of the Department Public Works. As regards the more summary punishment of trespasses connected with irrigation works and roads, the Board observe that Government have expressed their unwillingness to invest Engineer Officers with Magisterial functions.

11. In regard to the contribution by Enamdars towards the repair of tanks, it appears that throughout the Districts.—

1st. Duswundum Enams contribute agreeably to the terms on which they were granted.

2nd. That Shrotriumdars pay their quota

Extract Minutes Consultation 8th in
Con. 20th May 1852, No. 418.R.D.

3rd. That service Enams are exempt. This principle was recognized by Government in the case noted marginally.

12. In respect to the remaining Enams the practice is various. In some districts they contribute, In others, they do not. For instance in Cuddapah they are subject to a regulated charge. In Bellary they are usually exempt though considered liable to a demand on a special occasion. The Board feel unable, with any satisfaction to themselves, to lay down a general rule on the information now before them. They think it probable that the Sundry Enams are already taxed towards Irrigation repairs whenever they can afford to pay, and as an investigation into Enam tenures is about to take place, they would recommend that it shall be left to that opportunity to decide, whether any fresh regulations as to the exaction of a quota towards repairs should be enacted. Evidently, a petty Enamdar will in general be ill able to pay all at once, a contribution in proportion to his Enam towards the expense of the thorough repair of a large reservoir, which expense may be equal to the assessment of all the lands under it for 2 or 3 years, and it would be hardly just to call upon him thus to sacrifice what may be his sole means of livelihood to carry out a project regarding which he would not have been consulted. The most unexceptionable way of deriving a fair quota from the Enams would appear to be by laying on a small annual quit-rent which would not be so severely felt. This, it appears has already been done in Chingleput. For assessing it generally no occasion would be so convenient as the time of a general enquiry into Enams.

From Collector of Chingleput 30th July
in Consultation 4th August 1857.

13. The only point remaining to be noticed is the price charged for Palmyra trees and Palmyra leaves in Masulipatam. It was imposed by Mr. Fraser, the late Acting Collector with the view of preventing the unlimited destruction of Government Trees. The practice appears to exist also in other Districts, and the Board are not prepared to recommend that it shall be abolished. The prevention of waste in the use of timber and wood in general has become an object of great importance; and it is obvious, that if the careless and improvident native of this country is at liberty to fell where he likes, without charge, he is most unlikely to restrict his destruction to his actual wants. Moreover, it cannot be deemed unjust to require payment for what belongs to the Government. Besides it is, as Mr. Knox the Acting Collector observes, desirable that a fund should be created for the systematic planting of these useful trees. Mr. Knox reports that the tax has had a beneficial effect in preventing waste, and has not proved a burden on the Ryots, trees being given gratis to the extremely poor, and in cases when houses have been destroyed by fire

From Collector of Masulipatam 29th
May in Con. 8th June 1858.

14. In their Proceedings under the date noted in the margin, the Board recommended that Government Palmyra Topes should be placed, like Forests in general, under the control of the Conservator, with instructions to turn his attention to the subject of extending them in tracts suited to their growth, and they would suggest that no charge now made should be withdrawn until Dr. Cleghorn has had time to take the matter into his consideration.

Pro. to Government 19th June 1858,
No. 2:31, para 11.

15. In conclusion the Board wish it to be understood, that the opinions which they now offer relate solely to one point; viz., the most efficient manner of carrying on the public business in the position in which the Revenue and Public Works Departments have been placed with respect to each other.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

No. 2. ORDER THEREON, No. 1836 dated 8th September 1858.

1. In paras. 6, 7, and 8 of a Report by Captain Collyer, Superintending Engineer Central Circle, upon the state of certain Irrigation works in the Ceded Districts, after stating that the disrepair of the Sluices and the carelessness of the Monegars, occasioned almost as frequent a source of want as the failure of rain itself, an opinion was expressed that the Engineer Officers should have the Irrigation Monegars and their Subordinates under their immediate control, with power to punish such offences as cutting tank banks, &c., summarily.

Pro. Chief Engr. No. 7861,
dated 20th April 1857,

At the suggestion of the Chief Engineer, the paras. quoted above were furnished to the Board of Revenue for their consideration.

2. In Extract Minutes Consultation No. 1580, dated 15th August 1857, Government passed orders upon a reference from the Chief Engineer, giving cover to certain correspondence between himself and the Acting Collector of Masulipatam, relative to the question, which Department, Revenue or Public Works, should be entrusted with the duty of distributing water. The Government considered that distribution to the Villages should rest solely with the Public Works Department, but the detailed distribution to the fields left to the Villagers. Before however passing final orders, the papers were referred for the opinion of the Board of Revenue, and in a subsequent para. of the same order, the Board were asked whether the system prevailing in Masulipatam of taxing felled Palmyras, &c., should not be abolished. And in the last paragraph of Captain Collyer's Report above quoted, that Officer expressed his opinion that the nature and extent of the assistance which Enamdars, whose lands were irrigated from Government sources, owed to the State in the way of repairing tanks, &c., should be ascertained and clearly defined.

3. In their Proceedings recorded above, the Board state their views on the points referred to them. First, as to the Department which should be entrusted with the distribution of water, and, the control of the Irrigation Establishments.

4. The Board commence by noticing the opinion of Government, expressed in Minutes Consultation 15th August 1857, "that the distribution to Villages should rest with the Department Public Works; but that to individuals with the Villagers, the Village Officers interfering when necessary, and appeals lying to the Revenue authorities." And they think that the expediency of entrusting this important function to one Department or another, must very much depend on the nature of each Irrigation work. When a tank (as is generally the case) supplies only one Village, the Board think the interference of the Department

Para. 6. Public Works unnecessary. And when a tank supplies more than one Village, they would still leave the management of the Sluices, (the dimensions of which will of course have been already determined by the Engineer Officers) to the Village authorities. Likewise, as the length and height of the Korumbus or embankments running with the beds of streams to secure Irrigation from them, has been settled by long custom, they consider that here again the interference of the Department Public Works, would only produce delay and dissatisfaction; but on the other hand the Sluices in Large Annicuts and the heads of the main channels taken from large rivers, should in the opinion of the Board be placed under the sole control of the Professional Department. And similar reasons apply to the case of very large tanks requiring Establishments for their care beyond the Village servants. The Board consider that when tanks supply only one Village, the interference of the Department Public Works, was not contemplated by Government; and in para. 9 they refer to Extract Minutes Consultation 1st May 1857 as decisive of the points debated. In accordance with that order, every servant exclusively employed on Hydraulic works, has been made over to the control of the District Engineer. In Bellary the tank Superintendents or *Nirganties*, 679 in number have been made over in part; this measure the Board concur with the Collector in disapproving; and they think that Government could scarcely have intended it.

5. The Government observe that in carrying out a reform like the transfer of the charge of Hydraulic works to the Public Works Department, there will always at first be a considerable difficulty found, owing to the necessity for breaking through old habits and customs. Such difficulties must not however be set down as inherent in the new system. In the case under notice the Government are not of opinion, that it is at present necessary or expedient to lay down any more specific rule, than to declare that the Engineers must exercise complete control over all the larger works for which separate Establishments are allowed; where such works exist for which special Establishments have been sanctioned, the control of them should be at once made over to the Public Works Department. The Government would not go further than this at present. They would be rather disposed to watch the result of the partial introduction of the new system, leaving the question of the complete transfer of all Hydraulic works, down to the smallest Village tank, to be settled hereafter. Under these views, the transfer of the *Nirgantis* in Bellary will not take place; they will remain there, and in other Districts under the Collector as heretofore, except of course where the tanks are very large, so as to require a distinct Establishment and professional superintendence.

6. The second point requiring the orders of Government is Captain Collyer's proposal to give the Officers of the Engineer Department power to punish, summarily, such offences as cutting the banks of tanks, cutting made roads, wantonly wasting water, and failure to afford customary labour. The Board remark that Government have already expressed their unwillingness to invest Engineer Officers with Magisterial functions; and as they still hold this opinion they deem it unnecessary to pursue the subject further.

7. The next point to be noticed, is, the contribution due by Enamdars to the repairs of tanks, &c. Captain Collyer having recommended that the liabilities of those enjoying rent free lands in this respect, should be ascertained and determined. After shewing that Daswandam Enams contribute according to the terms of their grants; that Shrotryamdars pay their quota; that service Enams under a former decision of Government are exempt, while in respect to Enams other than those specified above, the practice is various, the Board profess themselves unable to lay down any general rule with the information now before them, but they think that the most unexceptionable way of deriving a fair quota from the Enams, would be to impose a small annual Quit-Rent (which has already been levied in Chingleput;) and for assessing this Quit-Rent generally no time would the Board consider, be so convenient as the occasion of a general enquiry into Enam tenures. The Board's suggestion is approved and they will be good enough to take steps for giving effect to it; the Government see no reason why such a desirable reform should be postponed until the appointment of the Enam commission, a wholly indefinite period; a beginning has been already made; and the liability of all Enamdars may now be declared without difficulty.

8. The last point on which information was required from the Board, was the propriety of abolishing a tax said to be levied in Masulipatam, upon every Palmyra tree which is felled, and every hundred leaves cut. It appears that Mr. Fraser, the late Acting Collector, finding that the unlimited destruction of Government Palmyra trees (meaning, it is presumed trees growing on waste land) bid fair to extinguish the species in the District altogether, imposed a tax on each Government tree, and 1 anna on each 100 leaves cut from Government trees. This is not enforced in cases of extreme poverty; and is found to operate beneficially in preventing reckless waste. The system prevails in Guntoor. The Board do not recommend its abolition. The Government will not interfere with this arrangement at present, and resolve to refer the question of planting Palmyra topes, to which purpose it is proposed to apply the tax under notice, for the consideration of the Conservator of Forests. It is highly necessary to pay close attention to the conservation of Palmyra trees, especially as it has been discovered that the wood is likely to come into extensive use in the Department Public Works.

(Signed) T. PYCROFT,
Chief Secretary.

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4 *Fort Saint George, Public Works Consultation of 14th September 1858.*

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3rd. That service Enams are exempt. This principle was recognized by Government in the case noted marginally.

12. In respect to the remaining Enams the practice is various. In some districts they contribute, In others, they do not. For instance in Cuddapah they are subject to a regulated charge. In Bellary they are usually exempt though considered liable to a demand on a special occasion. The Board feel unable, with any satisfaction to themselves, to lay down a general rule on the information now before them. They think it probable that the Sundry Enams are already taxed towards Irrigation repairs whenever they can afford to pay, and as an investigation into Enam tenures is about to take place, they would recommend that it shall be left to that opportunity to decide, whether any fresh regulations as to the exaction of a quota towards repairs should be enacted. Evidently, a petty Enamdar will in general be ill able to pay all at once, a contribution in proportion to his Enam towards the expense of the thorough repair of a large reservoir, which expense may be equal to the assessment of all the lands under it for 2 or 3 years, and it would be hardly just to call upon him thus to sacrifice what may be his sole means of livelihood to carry out a project regarding which he would not have been consulted. The most unexceptionable way of deriving a fair quota from the Enams would appear to be by laying on a small annual quit-rent which would not be so severely felt. This, it appears has already been done in Chingleput. For assessing it generally no occasion would be so convenient as the time of a general enquiry into Enams.

13. The only point remaining to be noticed is the price charged for Palmyra trees and Palmyra leaves in Masulipatam. It was imposed by Mr. Fraser, the late Acting Collector with the view of preventing the unlimited destruction of Government Trees. The practice appears to exist also in other Districts, and the Board are not prepared to recommend that it shall be abolished. The prevention of waste in the use of timber and wood in general has become an object of great importance; and it is obvious, that if the careless and improvident native of this country is at liberty to fell where he likes, without charge, he is most unlikely to restrict his destruction to his actual wants. Moreover, it cannot be deemed unjust to require payment for what belongs to the Government. Besides it is, as Mr. Knox the Acting Collector observes, desirable that a fund should be created for the systematic planting of these useful trees. Mr. Knox reports that the tax has had a beneficial effect in preventing waste, and has not proved a burden on the Ryots, trees being given gratis to the extremely poor, and in cases when houses have been destroyed by fire

14. In their Proceedings under the date noted in the margin, the Board recommended that Government Palmyra Topes should be placed, like Forests in general, under the control of the Conservator, with instructions to turn his attention to the subject of extending them in tracts suited to their growth, and they would suggest that no charge now made should be withdrawn until Dr. Cleghorn has had time to take the matter into his consideration.

15. In conclusion the Board wish it to be understood, that the opinions which they now offer relate solely to one point; viz., the most efficient manner of carrying on the public business in the position in which the Revenue and Public Works Departments have been placed with respect to each other.

(A true Extract.)

(Signed) J. D. SIM,

Secretary.

Fort Saint George, Public Works Consultation of 14th September 1858. 5

No. 2.

ORDER THEREON, No. 1836 dated 8th September 1858.

1. In paras. 6, 7, and 8 of a Report by Captain Collyer, Superintending Engineer Central Circle, upon the state of certain Irrigation works in the Ceded Districts, after stating that the disrepair of the Sluices and the carelessness of the Monegars, occasioned almost as frequent a source of want as the failure of rain itself, an opinion was expressed that the Engineer Officers should have the Irrigation Monegars and their Subordinates under their immediate control, with power to punish such offences as cutting tank banks, &c., summarily.

At the suggestion of the Chief Engineer, the paras. quoted above were furnished to the Board of Revenue for their consideration.

2. In Extract Minutes Consultation No. 1580, dated 15th August 1857, Government passed orders upon a reference from the Chief Engineer, giving cover to certain correspondence between himself and the Acting Collector of Masulipatam, relative to the question, which Department, Revenue or Public Works, should be entrusted with the duty of distributing water. The Government considered that distribution to the Villages should rest solely with the Public Works Department, but the detailed distribution to the fields left to the Villagers. Before however passing final orders, the papers were referred for the opinion of the Board of Revenue, and in a subsequent para. of the same order, the Board were asked whether the system prevailing in Masulipatam of taxing felled Palmyras, &c., should not be abolished. And in the last paragraph of Captain Collyer's Report above quoted, that Officer expressed his opinion that the nature and extent of the assistance which Enamdars, whose lands were irrigated from Government sources, owed to the State in the way of repairing tanks, &c., should be ascertained and clearly defined.

3. In their Proceedings recorded above, the Board state their views on the points referred to them. First, as to the Department which should be entrusted with the distribution of water, and, the control of the Irrigation Establishments.

4. The Board commence by noticing the opinion of Government, expressed in Minutes Consultation 15th August 1857, "that the distribution to Villages should rest with the Department Public Works; but that to individuals with the Villagers, the Village Officers interfere when necessary, and appeals lying to the Revenue authorities." And they think that the expediency of entrusting this important function to one Department or another, must very much depend on the nature of each Irrigation work. When a tank (as is generally the case) supplies only one Village, the Board think the interference of the Department Public Works unnecessary. And when a tank supplies more than one Village, they would still leave the management of the Sluices, (the dimensions of which will of course have been already determined by the Engineer Officers) to the Village authorities. Likewise, as the length and height of the Korumbus or embankments running with the beds of streams to secure Irrigation from them, has been settled, by long custom, they consider that here again the interference of the Department Public Works, would only produce delay and dissatisfaction; but on the other hand the Sluices in large Anicuts and the heads of the main channels taken from large rivers, should in the opinion of the Board be placed under the sole control of the Professional Department. And similar reasons apply to the case of very large tanks requiring Establishments for their care beyond the Village servants. The Board consider that when tanks supply only one Village, the interference of the Department Public Works, was not contemplated by Government; and in para. 9 they refer to Extract Minutes Consultation 1st May 1857 as decisive of the points debated. In accordance with that order, every servant exclusively employed on Hydraulic works, has been made over to the control of the District Engineer. In Bellary the tank Superintendents or Nirganties, 679 in number have been made over in part; this measure the Board concur with the Collector in disapproving; and they think that Government could scarcely have intended it.

6 Fort Saint George, Public Works Consultation of 14th September 1858.

5. The Government observe that in carrying out a reform like the transfer of the charge of Hydraulic works to the Public Works Department, there will always at first be a considerable difficulty found, owing to the necessity for breaking through old habits and customs. Such difficulties must not however be set down as inherent in the new system. In the case under notice the Government are not of opinion, that it is at present necessary or expedient to lay down any more specific rule, than to declare that the Engineers must exercise complete control over all the larger works for which separate Establishments are allowed; where such works exist for which special Establishments have been sanctioned, the control of them should be at once made over to the Public Works Department. The Government would not go further than this at present. They would be rather disposed to watch the result of the partial introduction of the new system, leaving the question of the complete transfer of all Hydraulic works, down to the smallest Village tank, to be settled hereafter. Under these views, the transfer of the *Nirgantis* in Bellary will not take place; they will remain there, and in other Districts under the Collector as heretofore, except of course where the tanks are very large, so as to require a distinct Establishment and professional superintendence.

6. The second point requiring the orders of Government is Captain Collyer's proposal to give the Officers of the Engineer Department power to punish, summarily, such offences as cutting the banks of tanks, cutting made roads, wantonly wasting water, and failure to afford customary labour. The Board remark that Government have already expressed their unwillingness to invest Engineer Officers with Magisterial functions; and as they still hold this opinion they deem it unnecessary to pursue the subject further.

7. The next point to be noticed, is, the contribution due by Enamdars to the repairs of tanks, &c. Captain Collyer having recommended that the liabilities of those enjoying rent free lands in this respect, should be ascertained and determined. After shewing that Daswandam Enams contribute according to the terms of their grants; that Shrotryamdars pay their quota; that service Enams under a former decision of Government are exempt, while in respect to Enams other than those specified above, the practice is various, the Board profess themselves unable to lay down any general rule with the information now before them, but they think that the most unexceptionable way of deriving a fair quota from the Enams, would be to impose a small annual Quit-Rent (which has already been levied in Chingleput;) and for assessing this Quit-Rent generally no time would the Board consider, be so convenient as the occasion of a general enquiry into Enam tenures. The Board's suggestion is approved and they will be good enough to take steps for giving effect to it; the Government see no reason why such a desirable reform should be postponed until the appointment of the Enam commission, a wholly indefinite period; a beginning has been already made; and the liability of all Enamdars may now be declared without difficulty.

8. The last point on which information was required from the Board, was the propriety of abolishing a tax said to be levied in Masulipatam, upon every Palmyra tree which is felled, and every hundred leaves cut. It appears that Mr. Fraser, the late Acting Collector, finding that the unlimited destruction of Government Palmyra trees (meaning, it is presumed trees growing on waste land) bid fair to extinguish the species in the District altogether, imposed a tax on each Government tree, and 1 anna on each 100 leaves cut from Government trees. This is not enforced in cases of extreme poverty; and is found to operate beneficially in preventing reckless waste. The system prevails in Guntoor. The Board do not recommend its abolition. The Government will not interfere with this arrangement at present, and resolve to refer the question of planting Palmyra topos, to which purpose it is proposed to apply the tax under notice, for the consideration of the Conservator of Forests. It is highly necessary to pay close attention to the conservation of Palmyra trees, especially as it has been discovered that the wood is likely to come into extensive use in the Department Public Works.

(Signed) T. PYCROFT,
Chief Secretary.

By the Comd^g May 13/58 58457
" 14th " 18449
" 18th August 18459
R. 20th July 58 144845
" 11th May 52 15416

62

By Mr. 1858 12 parts
By the Comd^g 1863

Extract from the Proceedings of the Board of Revenue

Dated 23rd July 1858
Recd. 24

N^o 2763
Encls=34 Returned 14/9/58

S.E. 1836-8th September 1858

Submitting the observations and sentiments of the Board on certain points mooted by Capt. Collyer and referred for their consideration in En. Com. 15th May and 15th August 1857, relative to the control to be exercised over the distribution of water, the contribution of Enamdars towards the repair of Tanks &c., and the price charged for Palmyra trees and leaves in Masulipatam.

27 Aug 58 25th 14th Sep

Memorandum.

1. In Paras 6, 7, and 8 of a report by Capt
 24/20 Apr. 1857. Collyer, Sup^t Eng^r: Central Circle upon the
 state of certain irrigation works in the
 Ceded Districts, after stating that the
 disrepair of the sluices and the careles-
 ness of the Monegars occasioned almost
 as frequent a want of water as the
 failure of rain itself, an opinion
 was expressed that the Eng^r Officers
 should have the irrigation Monegars
 and their subordinates under their
 immediate control, with power
 to punish such offences as cutting down
 banks &c &c, summarily.

Prof. Ch. Eng. At the suggestion of the Chief Engineer
 No 7861, 8/20 Apr/57 the paras. quoted above were for-
 warded to the Board of Revenue
 E.M.C. 15 May/57 for their consideration.
 No 944.

2. In E.M.C. 1580, 8/15 August 1857
 Gov^t Papered order upon a reference
 from the Chief Engineer, giving over
 of certain correspondence between
 himself and the Ag^t Col^l of Madras.

having relation to the question which
Dept., Rev., or P. W., shd. be entrusted
with the duty of distributing water
The Govt thought that distribution
to the Villages shd. rest solely with
the Public Works Dept but the detailed
distribution to the Fields, left to
the Villagers. Before however passing

Para 4. M.C.
d/15 Aug 1857
No 1580

final orders the papers were re-
ferred for the opinion of the
Board of Revenue, and in a
subsequent para of the same order
the Board were asked whether
the system prevailing in Masulipatam
of taxing felled Palmyras, shd
not be abolished

And in the last paragraph of
Capt. Meyer's report above quoted,
that Officer expressed his opinion
that the nature & extent of the
assistance which Inamdars
whose lands were irrigated
from Govt sources, owed to the
State, in the way of repairing
Tanks &c, should be ascertained
and clearly defined.

So that the questions to be
reported upon by the Board
of Revenue were four; viz

- I. What Department shd be entrusted
with the distribution of water?
- II Should the irrigation servants
employed by Capt. Meyer, be placed
under the sole control of the Eng^r?
- III What are the boundaries of
Inamdar's towards Govt, as regards
repairing sources of supply? &
- IV Should the system of taxing
felled Palmyras in Masulipatam
be abolished?

The Board state their views on these
points in their proceedings now under
notice. The two first are discussed
in Paras 4 - 10.

p 5

The Bd commence by noticing the opinion
of Govt/expressed above/expressed in the
15 Aug 1857, "that the distribution
of Villages shd rest with the S. P. W.,
" but that individuals, with the
Villagers; the village officers, interfering
when necessary, and appealing
to the Revenue authorities. And
they think that the expediency
of entrusting this important
function to one Dept or another

must be much depended on the
 nature of each irrigation work.
 When a tank is generally
 the case, supplies only one village, the
 Bd think the interference of the D.P.W.
 unnecessary. And when a tank
 supplies more than one village,
 they w^d leave the management of the
 sluices, (the dimensions of which will
 of course have been already determined
 by the Eng^r & off^r / & the village authorities.
 And as the length & height of the
 "Karumbas" a substructure running
 into the head of the stream to secure irrigation from
 them, has been settled by long custom,
 they think that here again, the
 interference of the D.P.W. w^d only
 produce delay and dissatisfaction;
 But the sluices in large canals
 on the contrary, and the heads of
 the main channels taken from
 large rivers, should they consider
 be placed under the sole control
 of the Provincial dept: (the objections
 of the Collectors of Pichinopoly, to this

course, they consider to have weight, but
 not the such as w^d warrant
 a recommendation in favour of
 another arrangement in conse-
 quence of its success in one locality.
 And similar reasons apply to
 very large Tanks, requiring establish-
 ments for their care beyond the
 Village servants.

The Bd say in P. 6 that when tanks
 supply only one Village, the
 interference of the D.P.W. is not
 contemplated by Gov^t; & in P. 9 they

p. 4. u refer to L.H.C 1. May/57 as decisive
 on the points debated. In accordance
 with the orders contained in that
 M.C. & inserted in the margin,
 every servant exclusively employed
 on hydraulic works
 has been made over
 to the control of
 the Dist. Eng^r. In
 Kellay, the Tank Supt.
 a Nirgantis, 679
 in number have
 been made over
 in part; of this
 to the the Collector

and Board disapprove, and think
that Govt. could not have intended such
a measure. But judging from the papers
undelivered in the extract from the
former order of Govt marginally stated
above it appears that Govt did
contemplate the transfer of these

Tank Niranikkar or Nirpanti which appear
superintendents is specially named as one & which
one of the "Bairi Balata" the principle enunciated applies:
a village officers. It is at the same time it is to be observed
that Govt have also distinctly laid
down that the detailed distribution
of fields should be left with the
villagers themselves. It seems that
under the latter view of the

and especially case there will be no objection to
P. 10 of the 1891 Prog. leaving these Nirpanti as heretofore
under the control of the Collect
except where the Tanks are
very large, and require separate
and distinct establishments
for their control. The ^{General} question
is left then for the final order
of Govt and spl. orders on the

Letter dated
27 April / 58. No 72
+ not as regards
the control of the
large P. 7. R.
or at least of main
channels - JP

subject of these Tank tanks are
requested. In passing orders, the
opinions of the experienced Col.
Trichinopoly are worthy of
much consideration, founded
as they are, as the Board admit,
after experience of the actual working
of the system.

As regards the second point Capt
Clegg would not only place
the whole of the Officials in
charge of Irrigation Works
under the Engineer Officer but
he would give the latter power
to punish summarily such
offences, as cutting Tank Banks,
cutting ^{made} roads, wasting water
and failure to afford customary
labour. Act 1 of 58, the
18th remark provides a remedy
in the latter case; and they
point out that Govt have
deepened their unwillingness
to invest Engineer Officers
with Magisterial functions.

+ but then would be
a new set of
Engineers from
in the former

As that the Sup. Dy^r suggestion in
this case ~~seems undesirable~~ cannot be
carried out.

III. The contribution due by Indians & the
P.H. repair of Tanks. After showing that
Daswaram Indians contribute acc: to the
tenure of their lands; that Shrotryams
pay their gusda, that Service Indians
^{under a decision of Govt are exempt,}
while the "Sunday," or Indians other than those
specified above the practice is varying;
the Board profess themselves unable
to lay down any general rule with
the information now before them;
but they think that the most
unexceptionable way of deriving
again gusda from the Indians w^d.
be to impose a small annual
quit rent, (which has been done
in Chingleput) & for ascertaining ^{this quit rent} generally
no time would, be so convenient as
the occasion of a general survey

better than growth. It is surely unad-
 -visable to postpone reform like
 dark-
 whole will this until the very indefinite
 as a round period of general reorganization
 -after all

John James - why should
not he ^{be} ~~be~~ ^{at once} ~~at once~~? a beginning
has already been made.

IV The last point in which information was required from the Board was the propriety of publishing the record. A Sax said she received in Matamoras, upon ~~from which the lot received~~ ~~was~~ which the lot received ~~was~~ for every Palmyra tree that is felled, and every hundred leaves that are cut.

It appears that Mr. Fraser the late
Ag. Com. finding that the unlimited
destruction of ^{palmyra} Gov. trees bid fair
to extinguish the species in the
District altogether, imposed a
tax on each Gov. tree, and 1 anna
on each 100 leaves cut. This
is enforced in cases of
extreme poverty, and is found
to operate beneficially in preven-
ting reckless waste. The
system prevails in fact.
I would submit that it is a
question whether the fee of

I am not should not be rather
 approximated to the real value of
 the tree, than abolished. There can
 be no reason why the people shd.
 obtain trees for nothing or at a reduced
 price from Govt, any more than
 from private individuals. (When
 the Ag. Com. says Government trees
 presume the meaning is trees
 standing on Govt. or waste land
 otherwise no interference could
 be exercised?) The Bd suggest
 that the subject of planting Pal-
 myra trees for which purpose
 it is proposed to apply the fee
 a tax above noticed, shd be
~~presented~~ ^{presented} in the attention
 of the Conservator of Forests. This
 seems highly advisable, especially
 as it has just been discovered
 that Palmyra wood is likely
 to come into extensive use in
 the D.P.W.
 W.M. Aug 6/58

as well as exten-
 ding the system
 to other districts
 where there are
 trees similarly
 situated.
 I think the
 Conservator
 first brought this
 to notice.

JP

There is some difficulty in forming
 an opinion on a subject of this kind
 when it happens, and there
 will be considerable difficulty at first
 in breaking these old customs & habits
 if the shd be placed under the D.P.W.
 On the other hand the Sags must exercise
 complete control over all the larger works
 for sh. Sept. 1888. It is allowed sh are
 under their supervision & orders; the uniform system is
 encouraged. There is any immediate
 necessity for laying down a specific rule.
 The transfer has been carried out in diff.
 degrees in diff. districts. Let us see how
 it works. The entire control of all large
 works of all for sh. shd be at once be
 have been sanctioned shd at once be
 made over to the D.P.W. The not many
 remain if they are. The Sags should
 know never do to give the Sags power
 however, under any circumstances.
 I am in favor of imposing a value
 rate on all drains. Brief fitting &
 better sources of irrigation. There
 may be a question as to its imposition
 on all drains - but none is regards those
 under works constructed subsequent to
 the date of Jan 1.
 I refer the matter to the Conservator
 of Forests for his opinion.
 The large & new works shd be
 under the D.P.W. put under them
 works known & not vice versa, as
 experience has shown the D.P.W. to

insufficient - as regards to the
kind of water & distribution
No one certainly should be given
them

Should not tax users for water
where no tax had hitherto been
levied - for the future all users
drawn from the dry into water
situations should pay for the
water -

The two questions the C of I mentioned
were -
+ unless the water had been very
late made use of -

P.N.D.

No. 1836.

Extract from the Minutes of the
8th Sept 1858
Under date the 22nd August 1858 -

Read the following extract
from the Proceedings of the Board of
Revenue -

(Hue entered 23rd July 1858) No. 2763

4/20 April 1837

J.P.
Hill

1. In Para 6, 7, and 8 of a report
by Capt Collyer, Supd. Dy? Central
Circle upon the state of ^{certain} irriga-
tion works in the Ceded
Districts, after stating that
the disrepair of the sluices
and the carelessness of the
Monejars occasioned almost
as frequent a source of want
as the failure of rain itself,
an opinion was expressed
that the Dy? Officer should have
the irrigation Monejars and
their subordinates under
their immediate control
with power to punish such
offences as cutting Tank banks?

re, summarily

At the suggestion of the Chief Supt. the para. quoted above were furnished to the Board of Revenue for their consideration.

Prop. Ch. Supt.
no. 7861 of 20
April 1857

2. In L. O. No. 1580, of 15 August 1857

Govt passed orders upon a reference from the Chief Engineer, giving certain correspondence between himself and the M. Comr. of Masalipatnam relative to the question which Department, Revenue or Public Works, should be entrusted with the duty of distributing water. The Govt considered that distribution of the Villages should rest solely with the P.W. D. but the detailed distribution of the fields left to the Villagers.

Before however passing final orders, of 15 Aug/57²⁰
1580
the papers were referred for the opinion of the Board of Revenue and in a subsequent para. of the same order, the B. R. were asked

whether the system prevailing in Masalipatnam of taxing the Pannayasse, should not be abolished. And in the last paragraph of the Chief Engineer's report above quoted, that Officer expressed his opinion that the nature and extent of the assistance which should be afforded to the State in the way of repairing tanks should be ascertained and clearly defined.

3. In their Proceedings recorded above the Board state their views on the points referred to them. First as to the department which should be entrusted with the distribution of water, & the control of the Irrigation establishments.

4. The Board commence by stating the opinion of Govt expressed in

M.C. 15 Aug 1857 "that the desti-
"nation of Villages should rest with
"the D.P.W. but that to individuals,
"with the Villagers, the village
"Officers interfering when necessary,
"and appeals lying to the Rev:
"authorities." And they think
that the expediency of entrusting
this important function to one
department or another, must
very much depend on the
nature of each irrigation work.
When a tank / as is generally the
case / supplies only one village p 6
the Board think the interference
of the D.P.W. unnecessary: And
when a tank supplies more
than one village, they would
shirk about the management
of the sluices, the dimensions of
which will have course have
been already determined by
the Engineer Officers / & the

Village authorities. Likewise, as
the length and height of the Korum
but or embankments running
into the beds of streams & secure
irrigation from them has been
settled by long custom, they
consider that here again the
interference of the D.P.W. only
produce delay and dissatis-
faction; But on the other
hand the sluices in large
Amicats and the heads of
the main channels taken
from large Rivers should
in the opinion of the Board
be placed under the sole
control of the Professional
Dept. And similar
reasons apply to the case
of very large Tanks requiring
establishments for their
care beyond the Village level.
We should consider that when

Fauks supply only one village
the interference of the D. & W.
was not contemplated by
Govt; and in P. & they refer
to L.L. 1 May/59 as decisive
of the points debated. In
accordance with that order
every servant exclusively employed
on Hydraulic Works has been made
over to the control of the Dist
Supt. In Bellary the Fauks
Superintendents or Nirgantis,
679 in number have been
made over in part; this
measure the B. & C. are with
the J. & W. in disapproving; and
they think that Govt could
scarcely have intended it.

5. The Govt assume that in
carrying out a reform like
the transfer of the charge of
Hydraulic works to the Public
Works Dept, there will always

at first be a considerable diffi-
culty found owing to the necessity
for breaking through old habits
and customs. Such difficulties
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In the case under notice, the
Govt are not of opinion that it
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dient to lay down any more
specific rule, than to declare
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cise complete control over
all the larger works for which
separate establishments
are allowed; Where such
works exist for which special
establishments have been sanc-
tioned, ~~such~~ ^{the} control ^{of them} shd
be at once made over to
the Public Works Dept. The
Govt. would not go further

than his at present. They would
be rather disposed to watch
the result of the partial intro-
duction of the new system, leaving
the question of the complete transfer
of all hydraulic works, down to
the smallest Village Tank to
be settled hereafter. Under
these views, the transfer of
the Kirgantis in Bellary
will not take place; they
will remain there, and
in other districts under
the Collector as heretofore except
of course where the Tanks are
very large, so as to require

a distinct Establishment &
professional superintendence

6. The ^{second} ~~next~~ point requiring the
orders of Govt is Capt Collyers
proposal to give the officers of
the Engineer Department power
to punish summarily such

offences as cutting the banks
of tanks, cutting made roads,
wantonly wasting water
and failure to afford custom
any labour. The Board
remark that Govt have already
expressed their unwillingness
to invest Engineer officers
with magisterial functions,
and as they still hold this
opinion they ~~do~~ deem it
unnecessary to pursue the
subject further.

7. The next point to be noticed is,
the contribution due by Ināms-
dars to the repairs of Tanks.
Capt Collyer having recommended
that the liabilities of those
enjoying rent free lands in
this respect should be ascer-
tained and determined.
After showing that Daswandam
Ināms contribute according
to the terms of their pacts;

that Shrestyandars pay their
gusta; that service Indams under
a former decision of Govt are
exempt, while in respect to
Indams other than those specified
above the practice is various,
the Board profess themselves unable
to lay down any general rule
with the information now before
them, but they think that the
most unexceptionable way of
deriving a fair quota from the
Indams would be to impose
a small annual quit rent
[which has already been levied
in Chingleput]; and for ascertaining
this quit rent generally no time
w^d. The Board consider it so
inconvenient at the occasion
of a general enquiry into
Indam tenures. The Bd.
and they will be forthwith to take steps for fixing it;
suggestion is approved, ~~and~~
the Govt see no reason why

such a desirable reform sh^d
be postponed until the
appointment of the Indam
Commission, a wholly indefi-
nite period; a beginning
has been already made;
and the liability of ^{Indams} all may
now be declared without
difficulty.

8. The last point on which infor-
mation was required from the
Board was the propriety of
abolishing a Tax said to be
levied in Masulipatam
upon every Palmyra tree
which is felled and every
hundred leaves cut.
It appears that Mr. Fraser, the
late Acting Govt. finding that
the unlimited destruction
of Govt Palmyra trees mean-
ing it is presumed trees
growing on waste land
bid fair to extinguish the

species in the District altogether,
 imposed a tax on each Got-
 tree, and 1 anna on each 100
 leaves cut. ^{from fruit trees} This is not enforced
 in cases of extreme poverty, and
 is found to operate beneficially
 in preventing reckless waste. The
 system prevails in Guntur. The
 Board do not recommend its
 abolition. The Got concern ^{will not interfere}
^{with this arrangement at present}
 this view of the case and would
 defer the question of planting
 Pongra trees for which purpose
 it is proposed to apply the tax
^{under notice}
~~exception~~ for the consideration
 of the Conservator of Forests. It is
 highly necessary to pay close atten-
 tion to the conservation of Pongra
 trees. Especially as it has been dis-
 covered that the wood is likely
 to come into extensive use in the
 D.D.W. and the Govt doubt whether
 so far from abolishing the fee of 8 as
 provided in Madras, it
 ought not rather to be approxima-
 ted to the real value of the tree, as

will be the B.P.R.
 M - Ch. Engr. 2
 4 - Conserv. of F.
 M. in a. aye.

there can be no reason why the people should obtain
 trees at a reduced price for nothing from Govt.
 any more than from private individuals

20 July 58 - 40-45
11 May 52 - 15-16

33-7-24 1311 ✓
15-6-88 II

Public Works 1858 Dept. 10
Dg. to Cons: 14th September

No 1806
Extract Minis. of Cons.
Of 8th Sept. 58.

Ac. Pro: B of Rev: Of 2 Sept 58
C No 2059 in Cons 28

From the Off. of Cons: 29th Oct. 58
2367 in Cons: 29th Oct. 58 - 79-80-3
5

The Eng. Depart. to have
control over the distribution
of water generally. They question
the complete transfer of all
hydraulic works to the Professional
superintendence to be settled
hereafter. A small rent to be
levied from landowners for the
repair of tanks, &c. The
practicis now obtaining in
Malabar, of levying a
tax on Palmyra felled, not
to be interferred with.

From C. Secy. B. 27 May 61
C No 1212 in p. 29 June 1706.

No 182