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MADRAS RECORD OFFICE.

Government of Madras.

Public Works **DEPARTMENT.**

Con 5711/58

G.O. No. 2306 Press Mis.

16.5

Dated 30—10— 18 58

Not to be folded or roughly handled

116

Read the following.

No. 14. Extract from the Porceedings of the Board of Revenue, dated 3rd July 1858, No. 2297.

Read again the following letters.

From Ganjam,	dated 30th Nov.	in Con.	9th Dec. 1857.
From Vizagapatam,	,, 27th Augt.	,,	7th Sept. ,,
From Rajahmundry,	,, 1st		9th June 1858.
From Masulipatam,	,, 12th	,,	20th May 1857.
From Guntoor,	,, 16th	,,	23rd March ,,
From Nellore,	,, 25th Augt.	,,	14th Oct. ,,
From Cuddapah,	,, 28th Augt.	,,	15th Sept. ,,
From Bellary,	,, 31st March	,,	20th April 1858.
From Kurnool,	,, 13th	,,	19th Aug. 1857.
From Chingleput,	,, 15th March	,,	19th May ,,
From North Arcot,	,, 4th Nov.	,,	3rd Dec. ,,
From South Arcot,	,, 16th	,,	20th May ,,
From Tanjore,	,, 11th	,,	15th Aug. ,,
From Trichinopoly,	,, 25th May	,,	8th June ,,
From Madura,	,, 7th	,,	15th Dec. ,,
From Tinnevelly,	,, 12th	,,	20th May ,,
From Coimbatore,	,, 5th Nov.	,,	3rd Dec. ,,
From Canara,	,, 5th	,,	14th Sept. ,,
From Malabar,	,, 13th	,,	22nd April ,,
From Madras,	,, 17th	,,	19th March ,,

Read also the following letter from the Collector of Trichinopoly, dated 27th April 1858.

(Here enter No. 72)

In Con. 5th March 1857.

In Extract from Minutes of Consultation dated the 9th February 1857, No. 286, Public Works Department, Revenue Irrigation, the Government in sanctioning the commutation, as regards the Laulgoody Channel in the Trichinopoly District, of labour contributed by the Ryots without payment for its maintenance according to long custom, into a Cess upon the land, expressed an opinion that it is desirable that the plan should be introduced into all places suited to it, and desired the Board to submit a report on the subject with a Draft of an Act for carrying it into effect.

2. A Circular was accordingly sent to the several Collectors, requesting them to state how far the scheme could, in their opinion, be applied to their respective districts, and to furnish estimates of the establishments which they considered necessary and their cost, as well as of the sums to be realized by the Cess. The letters recorded above have been received in reply.

3. The opinions of the Collectors are generally adverse to the proposition, and on a full consideration of the subject, the Board see great objection to its universal adoption.

1st. The first thing to be seen is the value of the customary labour in question in each District, and whether the sums to be derived from commutation of it will be sufficient to maintain establishments equal to the work to be performed.

2nd. It is to be considered whether the nature of the labour in regard to its continuance and amount at any one time is such, that it can be conveniently performed by a fixed establishment.

4. On the first point, the Board find that in several Districts this customary labour does not exist. Such is the case in Rajahmundry, where the works of irrigation are of the most extensive nature. In others, as in South Arcot, it is very small. As a universal rule therefore, it cannot be introduced, as Government particularly inculcate the necessity of making a distinction

Para 3.

between works which the Ryots are by custom bound to do and those which have hitherto been done by Government and of the rate of com-

mutation representing only the former. Where there is customary labour also, some of the Collectors express an opinion that to maintain an Establishment to do the same work, the Cess required would be so large as to be very burdensome. Their reason for this opinion is not very clearly given; but it is probably connected with the nature of the work which the Board proceed to consider.

From Bellary 31st Mar. in Con. 29th April 1858 para 5.

5. On this point they would particularly invite the attention of Government to the letter of the Acting Collector of Tanjore. In this Province, where irrigation is carried on to a greater extent than in any other under the Presidency, " all repair to minor irrigating channels, the construction of Corumboos or temporary dams at the heads of channels for turning the water of rivers during low freshes, and all repairs even to the main supplying channels, where the cost is within one and half per cent of the Revenue affected by such labor and repairs, are left to be performed by the Meerassidars."

From Tanjore 11th in Con 15th Augt. 1857.

Para. 2.

6. Here then, both on account of the importance of the irrigation, and the value of the customary labour, the scheme of commutation would, if any where, appear to be more particularly applicable. The Collector however is strongly opposed to it and gives what appears to the Board excellent reasons for his opinion. He states that " the Meerassidars with the agricultural labor at their command have always the means of readily executing these petty works." That the time when the works are required is also the time when the Meerassidars and their tenants are disengaged from labour in the field, and that the laborers " being hereditary tenants attached to the farm, the Coody Maramut (as the customary labor is termed) is done at very little extra expense to the Meerassidar, and it is also well performed, being done under his immediate supervision." From self interest the " Meerassidar renders with readiness what by custom he is bound to contribute towards keeping the channels in order."

Para. 2.

Para. 5.

7. " The average annual value of work done in Tanjore under Coody Maramut during the five years ending in 1856, is estimated, the Collector states, at 6,926, but must, in his opinion have far exceeded this amount. At all events, considering how much more cheaply such work is done under private individuals than under the agency of Government servants, he does not think that the same, or nearly the same quantity of work, could be performed for the same sum, under the altered system proposed to be introduced." A large establishment would have to be entertained in each talook, which would have no work of the kind for which they were intended during the greater part of the year. The cost therefore would be out of all proportion to the work required to be done and to the cost incurred by the Meerassidars, and after all, Mr. Phillips apprehends, the work would not be done as well as it is under the present system.

Para. 6.

8. He further expresses an opinion that, as the extent of Coody Maramut varies extremely both as regards talooks and individuals, an unvarying Cess would be felt as a hardship, and he considers that any difficulty which may be found in getting the labour supplied, will be amply met by an Act for legalizing compulsory labour in certain cases.

From Collector of Trichinopolly. 27th April 1858.

9. This view is strongly supported by the letter of the Collector of Trichinopoly, also placed at the head of these Proceedings, and written after a year's experience of the working of the proposed system at the Laulgoody Channel.

From Collector of Trichinopoly. 27th April 1858.

* In Con. 23rd April 1858.

Para. 2.

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10. Mr. Bird having been called upon to communicate his sentiments on a proposition to levy a Water-Cess for the conservancy of the channels throughout the district made in the Proceedings of the Chief Engineer, dated the 19th* August 1857, No. 3058, states that from all that he had seen and experienced of the working of the conservancy system of channels, he is not prepared to advocate its general adoption in the district or in the remaining three irrigated talooks. The people, he says, are better satisfied to contribute the labour when required than to pay an establishment whose working may

prove unsatisfactory, for he contends that the Department Public Works cannot have time to regulate the irrigation of all the numerous channels of the district with any degreee of efficiency.

From South Arcot, 16th in Con· 20th May 1857.

Para. 6.

Para. 7.

11. In South Arcot it has not been customary to enforce the obligation on the Ryots to keep their channels open except in a few instances, and the Collector advocates the relinquishment of such a claim upon the Ryots leaving them to do only what is actually necessary to bring water to their own fields from this source.

12. It is thus seen that of the four great Channel districts, Rajahmundry, Tanjore, Trichinopoly and South Arcot, customary labour does not exist in the first, and very little in the last, while in the second and third, the Collectors advance very strong reasons against commuting it to a Cess; considering that the work will be more effectually and more cheerfully done by the Ryots themselves.

13. If the proposed system be objectionable as regards channels, it is still more so as regards tanks. The argument which, in the opinion of the Board, tells with the greatest force against the substitution of a Government establishment is, that while at some particular time the labour of a considerable number is requisite, generally speaking there is nothing at all to be done, and that the necessity for labour arises at nearly all places at the same time. Such being the case, any Government establishment, to be sufficient when wanted, must be much too large for a continuance, and would occasion a useless expenditure. This objection would seem insuperable as regards moderate sized and small tanks, and holds good, according to the Collector, even in respect to the channels of Tanjore, to which the scheme would appear better adapted than to any other description of Maramut works.

14. A difficult question would sometimes arise in respect to the levy of the cess—Is land to pay whether cultivated or not? Under channels where the supply of water seldom fails, little embarrassment might be felt from this cause, but under tanks fed by rains, the question would frequently occur.

15. Taking into consideration all circumstances connected with the subject, the Board are strongly of opinion, that it is advisable that no change should be introduced as a general measure. They are not prepared to say that, in some instances, the commutation might not be productive of convenience; but in a majority of cases, the necessary labour, it appears to them, is obtained more economically and applied more efficiently under the present system. Self interest has generally sufficed to induce the Ryots to afford their labour promptly and cheerfully,

No. 1 of 1858.

and where difficulty has been experienced in persuading them to discharge their obligations, it will be effectually removed, it may be hoped, by the Act passed by the Legislative Council since this question was mooted.

16. Entertaining this opinion the Board will await the further instructions of Government before preparing a Draft Act legalizing the commutation, and they would propose that in lieu of this, a Notification should be circulated to the Collectors and Officers of the Department Public Works, that the Government will be prepared to sanction such commutation, in any case in which the people consent to it, and the Collector and Executive Engineer may agree in considering it preferable to the present arrangement.

Ordered that copy of the foregoing Proceedings be submitted for the consideration and orders of the Right Honorable the Governor in Council, with reference to Extract Minutes

In Con, 5th March 1857.

Consultation of Government, under date the 9th February 1857, No. 286. P. W. D., Revenue Irrigation.

Ordered also that copy of these Proceedings be furnished to the Chief Engineer, with reference to his Proceedings of the 19th August 1857, No. 3058.

In Con. 23rd April 1858.

(A true Extract)

(Signed) G. S. FORBES,

Secretary.

No. 15. Extract from the Proceedings of the Board of Revenue, dated 13th August 1858, No. 3070.

Read Extract Minutes Consultation of Government, under date the 29th July 1858, P. W. D., Revenue Irrigation, forwarding a letter and its enclosures from the Officer in charge of the Central Office D. P. W., with directions to the Board to take into consideration the points discussed in those papers when preparing the Report called for in the Extract Minutes Consultation of Government of the 9th February 1857, No. 286, P. W. D. Revenue Irrigation.

In Con. 13th August 1858.
In Con. 5th March 1858.

(Here enter No. 1476.)

The Board observe that the Report required by Government by Extract Minutes Consultation of the 9th February 1857, was furnished by them on the 3rd Ultimo, No. 2297. It remains therefore for them to reply to the present reference separately.

2. The enclosures to Major Lawford's letter to Government comprize a correspondence between the District Engineer and Collector of Trichinopoly, and communications from the former officer to the Central Office, relative to the Establishment employed on the Laulgoody Channel.

3. Lieutenant Ryves after pointing out the difficulties which attend the conservancy, recommends a modification of the Establishment, and that the permanent portion of it shall "to a certain extent possess the authority of a Channel Police, and be empowered to prevent any open acts of tresspass or injury to the Channels or Masonry Sluices or direct opposition to the Channel servants, and Sluice-men in the execution of their duties." He proposes "that the Channel Police shall have the power of arresting and handing over to the nearest Talook Officer any "person offending as above and that there should be a separate "authority for committing and punishing offenders."

From District Engineer to Chief Engine-r 31st May 1858, No. 212, in from Government 29th July in Con. 13th August 1858.

4. The permanent Establishment is to comprize a number of trained Coolies, and Shuttermen with Superintendents, a Goomastah and 12 Peons, and the total cost of these being Rs. 267 per mensem or Rs. 3,204 per annum, will leave a sum of Rupees 792 per annum available out of the 4,000 Rupees per annum sanctioned by Government on the 9th February 1857, for the pay of extra coolies required at Corumboo, or on other urgent occasions.

In Con. 3rd March 1857.

5. The Board approve of Lieutenant Ryves' suggestions. By the reservation of a portion of the sum sanctioned for the Laulgoody Channel to provide for a considerable number of labourers for short periods when actually required, one of the great disadvantages of the commutation of the customary village labour to a water-cess pointed out in their Proceedings of the 3rd July last, is in a great measure obviated; and although they concur with the Government in thinking it objectionable that Engineer Officers should be vested with powers to punish offences, they conceive that the Peons and skilled labourers may safely be allowed to arrest and deliver over to the nearest Police authority any person seen to injure or trespass on the Public Works and reservoirs. In fact this authority is probably vested in every man by common law, without any specific sanction from the governing power. It is desirable that the Engineer Officers should understand that when any one is thus delivered to the Talook authorities, some one should attend to prosecute.

Para 13.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

No. 16 Extract from the Proceedings of the Board of Revenue, dated 25th August 1858, No. 3238.

Read letter from the Collector of Trichinopoly, dated 6th August 1858.

In Consultation 25th August 1858.

(Here enter No. 143.)

Ordered to be submitted to Government, with reference to Extract Minutes Consultation, No. 286, dated 9th February 1857, para. 5, Public Works Department, Revenue Irrigation.

In Consultation 5th March 1857.

2. In this letter the Collector of Trichinopoly, in compliance with the orders of Government reports on the effect of the arrangement commuitng the customary unpaid labour of Ryots on certain channels in his District to a Water-Cess; and it will be observed, that in modification of the opinion contained in his letter of the 27th April last, recorded in the Board's Proceedings of the 3rd July 1858, and referred to in their Proceedings of the 23rd Idem, he now pronounces the result of the measure to have been upon the whole satisfactory and though not always successful to deserve a fair trial.

In Consultation 14th July 1858.

3. The Board's views in respect to the commutation of customary labour to a Water Cess were laid before Government in their Proceedings of the 3rd July 1858, and are not affected by the present communication. While expressing an opinion that in a majority of cases "the necessary labour is obtained more economically and applied more efficiently under the present system," they suggested a notification that Government would be prepared to sanction a commutation "in any case in which the people may conset to it, and the Collector and Executive "Engineer may agree in considering it preferable to the present arrangement," viz., unpaid labour.

4. In their Proceedings of the 13th Instant, No. 3070, they also expressed approbation of a proposition by the District Engineer for the modification of the Establishment maintained from the proceeds of the Water-Cess referred to in the letter now recorded.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

No. 17. ORDER THEREON, No. 2306; dated 30th October 1858.

1. In Extract Minutes Consultation 30th October 1856, No. 2003, the Government approved in general of a proposition by Lieutenant Colonel Lawford, Superintending Engineer Southern Circle to substitute for the customary system of keeping up certain channels in Trichinopoly by means of Ryots labour unpaid or only partially paid, a small cess in money on each Cawny of land irrigated, and so to form a fund for the maintenance of a permanent establishment to perform the necessary work under the superintendence of the Engineer.

2. In a communication from the Central Office dated 19th December 1856, a scheme was accordingly submitted to Government for approval; this was authorized to be carried into effect in Extract Minutes Consultation 9th February 1857, No. 286 para. 5; and in the same order, the Government expressed an opinion that the new system should be introduced into all places suited to it; care being taken to distinguish between works which the Ryots have habitually performed, and those customarily done by the Government the cess representing only the former. The Board were accordingly requested to report upon the subject and to submit the draft of an Act legalizing the levy of the cess. A report was also called for, respecting the working of the new system of managing (the Lâlgudi) channels in Trichinopoly.

3. In March 1857, the Chief Engineer forwarded for the favorable consideration of Government a letter from the Superintending Engineer Southern Circle, who reported, as the result of personal observations during a late Tour in the District, that the fixed channel establishment in Trichinopoly had given the greatest satisfaction to the Mirásidars and recommended the early extension of the principle of fixed establishments through the wet Talooks of that province; but the Government expressed themselves unprepared to extend the system until the receipt of a report from the Board of Revenue on the general question.

Ex. Progs. Chief Engr., dated 13th March 1857, No. 10,887.

Mins Cons. 25th March 1857, No. 544

4. Another letter from Lieutenant Colonel Lawford offering certain explanations concerning a previous recommendation of his, with referepce to a diminished irrigation cess on land fed by surplus water, was forwarded to the Board of Revenue to be taken into consideration in making their report.

Submitted to Govt in Progs. Chief Engr., dated 3rd March 1857.

25th March 1857, No. 546.

5. In Colonel Baker's letter dated 27th May 1857, the Government of India highly approved of the orders of Government for superseding the practice of requiring the Cultivator to undertake clearance of channels without payment, or on payment of a sum below the value of the labour they give, by a system of direct Government management. But as the entire outlay in the case of the Lálgudi channels, did not appear to be covered by the cess to be levied, it was suggested whether the whole cost of maintenance and clearance, might not be met by a rateable charge on the land benefitting by the water. This letter was referred to the Board of Revenue in Minutes Consultation No. 1346 of 13th July 1857, and they were requested to expedite their report. This call was reiterated in a Minute of Consultation dated 17th December 1857.

6. In his letter to Government dated 14th June 1858, No. 1108, the Officer in charge of the Central Office submitted to Government a correspondence between himself, the District Engineer of Trichinopoly and the Collector of that Province, respecting the *Lálgudi* Channels, in which sundry points were discussed and an opinion expressed that the new system has had a favorable result and that benefit would arise from the general introduction of the water cess in a gradual manner throughout the Presidency.

7. This letter and its enclosures were referred to the Board of Revenue in Extract Minutes Consultation 29th July 1858, with a request that they would take into consideration the different points discussed when preparing their report called for in February 1857. But meanwhile the report in question had arrived in the shape of the first Extract from the Board's Proceedings recorded at the head of this paper.

8. On receipt of the order of Government calling for the report, the Board sent a Circular to the several Collectors requesting them to state how far the scheme could in their opinion be applied to their respective Districts and to furnish estimates of the Establishments which they considered necessary and their cost as well as of the sums to be realized by the cess.

Board's Proceedings, dated 3rd July 1858, para. 2.

9. The opinions of the Collectors generally are adverse to the proposition; and the Board see great objection to its universal adoption.

ib para, 3.

10. In several Districts customary labour does not exist; such is the case in Rajahmundry where irrigation works are of the most extensive nature. As an universal rule therefore the system cannot be introduced. And where there *is* customary labour some of the Collectors express an opinion that to maintain an establishment to do the same work, the cess required would be so large as to be very burdensome.

11. On this head the Board invite particular attention to the arguments contained in a letter from the Collector of Tanjore which are discussed at length in paras. 5 and 9 of their Proceedings. Mr. Phillips apprehends that the work would not be so well performed under the proposed system as it is at present; and he further expresses an opinion that the extent of (Kudi-marammat) ryots' customary labour varies extremely both as regards Talooks and individuals, and that an unvarying cess would be felt as a hardship. He considers that any difficulty which may be found in getting the labour supplied, would be amply met by the Act for legalizing compulsory labour in certain cases.

Dated 11th August 1857.

Bord para. 9.

12. This view at first strongly supported by the Collector of Trichinopoly, who stated that from all he had seen and experienced of the channel conservancy system, he was not prepared to advocate its general adoption in his District; the work performed being inefficient, and the scheme distasteful to the people. But in a subsequent letter, submitted to Government in the Board's Proceedings, dated 25th August 1858, the Collector modifies his opinion, and pronounces the result of the measure to have been "on the whole, satisfactory, and though not always successful, to deserve a fair trial."

From Collector of Trichinopoly to Board, dated 27th April 1858.

Dated 6th August 1858.

Board para 11.

13. In South Arcot it has not been customary to enforce the obligation on the Ryots to keep their channels open except in a few instances; and the Collector advises the relinquishment of such a claim.

Rajahmundry, Tanjore, South Arcot,

14. In 3 of the 4 great channel districts therefore, customary labour does not exist in the first, and scarcely at all in the last. In Tanjore very strong reasons are advanced against the new system; while in Trichinopoly, the Collector was at first against it and now gives only a doubting approval.

15. In the 13th para. of their Proceedings, the Board go on to argue that if the proposed system is objectionable as regards *Channels*, it is much more so as regards *Tanks*, and in para. 14, they shew that a difficult question would sometimes arise in respect to the levy of the cess, Is land to pay whether cultivated or not?

Para 15.

16. The Board then are strongly of opinion that *no change should be introduced as a general measure*; and in lieu of preparing a Draft Act legalizing the commutation they propose, that a Notification be circulated to Collectors and Officers of the Public Works Department, to the effect that Government are prepared to sanction the commutation when the people consent to it, and the authorities consider such an arrangement desirable.

17. The correspondence before Government has not fully convinced them, that the plan of having paid Establishments and dispensing with all so called voluntary labour would not in the end be better. But for the present they are prepared to authorize the pursuance of the course suggested by the Board, which will elicit an expresssion of the feelings of the people on the subject and prepare the way for further change if necessary.

18. In their Proceedings of 13th August, the Board furnish a separate reply to the order of Government requesting their attention to the points discussed in the correspondence between the District Engineer and Collector of Trichinopoly, and the Central Office of Public Works, relative to the Lálgudi Channel Establishment, which correspondence was forwarded to the Board with the aforesaid order.

Dated 29th July 1858, P. D. W.

19. In the letters now noticed by the Board Lieutenant Ryves recommends a modification of the Establishment as at present constituted, and that the permanent portion of it shall to a certain extent possess the authority of a Channel Police, and shall have the power of apprehending and handing over to the nearest Talook Officer any person trespassing on or injuring Channels or masonry Sluices, or opposing Sluicemen in the execution of their duties. This permanent Establishment is to cost 3,204 Rupees per annum, leaving Rupees 792 per annum available out of the Rupees 4000 sanctioned in February 1857, for the pay of extra Coolies required for working at the Korumbus, or on other urgent occasions. The Board approve of Lieutenant Ryves' suggestions and remark that the authority proposed to be granted to the Subordinates on hydraulic Works *is* in reality vested in every man by common law.

20. The Government concur with the view the Board have taken of the case and sanction the proposed modification of the Lálgudi Channel Establishment. It is unnecessary to vest the Officers of this Establishment with any special Police authority. They are the custodians of the works, and as the Board observe it is their business to bring before the Police, and prosecut all cases of trespass or other invasion of the public property of which they have charge.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

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No. 2297.

Extract from the Proceedings of the Board of Revenue, dated 3rd July 1858.

Read again the following letters :—

From Ganjam,	dated	30th Nov.	in Con.	9th Dec. 1857.
From Vizagapatam,	„	27th Aug.	„	7th Sept. „
From Rajahmundry,	„	1st	„	9th June 1858.
From Masulipatam,	„	12th	„	20th May 1857.
From Guntoor,	„	16th	„	23rd March „
From Nellore,	„	25th Aug.	„	14th Oct. „
From Cuddapah,	„	28th Aug.	„	15th Sept. „
From Bellary,	„	31st March	„	20th April 1858.
From Kurnool,	„	13th	„	19th Aug. 1857.
From Chingleput,	„	15th March	„	19th May „
From North Arcot,	„	4th Nov.	„	3rd Dec. „
From South Arcot,	„	16th	„	20th May „
From Tanjore,	„	11th	„	15th Aug. „
From Trichinopoly,	„	25th May	„	8th June „
From Madura,	„	7th	„	15th Dec. „
From Tinnevelly,	„	12th	„	20th May „
From Coimbatore,	„	5th Nov.	„	3rd Dec. „
From Canara,	„	5th	„	14th Sept. „
From Malabar,	„	13th	„	22nd April „
From Madras,	„	17th	„	19th March „

Read also the following letter from the Collector of Trichinopoly, dated 27th April 1858.

(Here enter No. 72.)

In Con. 5th March 1857.

In Extract from Minutes of Consultation dated the 9th February 1857, No. 286, Public Works Department, Revenue Irrigation, the Government in sanctioning the commutation, as regards the Laulgoody Channel in the Trichinopoly district, of labour contributed by the Ryots without payment for its maintenance according to long custom, into a Cess upon the land, expressed an opinion that it is desirable that the plan should be introduced into all places suited to it, and desired the Board to submit a report on the subject with a Draft of an Act for carrying it into effect.

2. A Circular was accordingly sent to the several Collectors, requesting them to state how far the scheme could, in their opinion, be applied to their respective districts, and to furnish estimates of the establishments which they considered necessary and their cost, as well as of the sums to be realized by the Cess. The letters recorded above have been received in reply.

3. The opinions of the Collectors are generally adverse to the proposition, and on a full consideration of the subject, the Board see great objection to its universal adoption.

1st. The first thing to be seen is the value of the customary labour in question in each district, and whether the sums to be derived from commutation of it will be sufficient to maintain establishments equal to the work to be performed.

2nd. It is to be considered whether the nature of the labour in regard to its continuance and amount at any one time is such, that it can be conveniently performed by a fixed establishment.

4. On the first point, the Board find that in several districts this customary labour does not exist. Such is the case in Rajahmundry, where the works of irrigation are of the most extensive nature. In others, as in South Arcot, it is very small. As a universal rule therefore, it cannot be introduced, as Government particularly inculcate the necessity of making a distinction between works which the Ryots

Para 3.

are by custom bound to do and those which have hitherto been done by Government and of the rate of commutation representing only the former. Where there is customary labour also, some of the Collectors express an opinion that to maintain an Establishment to do the same work, the Cess required would be so large as to be very burdensome. Their reason for this opinion is not very

From Bellary 31st Mar. in Con. 29th April 1858 para 5.

clearly given; but it is probably connected with the nature of the work which the Board proceed to consider,

From Tanjore 11th in Con 15th Augt. 1857.

5. On this point they would particularly invite the attention of Government to the letter of the Acting Collector of Tanjore. In this Province, where irrigation is carried on to a greater extent than in any other under the Presidency,

Para. 2

"all repair to minor irrigating channels, the cons truction of Corumboos or temporary dams at the heads of channels for turning the water of rivers during low freshes, and all repairs even to the main supplying channels, where the cost is within one and half per cent of the revenue affected by such labor and repairs, are left to be performed by the Meerassidars."

6. Here then, both on account of the importance of the irrigation, and the value of the customary labour, the scheme of commutation would, if any where, appear to be more particularly applicable. The Collector however is strongly opposed to it and gives what appears to the Board excellent reasons for his

Para 2

opinion. He states that "the Meerassidars with the agricultural labor at their command have always the means of readily executing these petty works." That the time when the works are required is also the time when the Meerassidars and their tenants are disengaged from labour in the field, and that the laborers "being hereditary tenants attached to the farm, the Coody Maramut (as the customary labor is termed) is done at very little extra expense to the Meerassidar, and it is also well performed, being done under his immediate supervision." From self interest the "Meerassidar renders with readiness what by custom he is bound to contribute towards keeping the channels in order."

Para 5

7. "The average annual value of work done in Tanjore under Coody Maramut during the five years ending in 1856, is estimated, the Collector states, at 6,926, but must, in his opinion have far exceeded this amount. At all events, considering how much more cheaply such work is done under private individuals than under the agency of Government servants, he does not think that the same, or nearly the same quantity of work, could be performed for the same sum, under the altered system proposed to be introduced." A large establishment would have to be entertained in each talook, which would have no work of the kind for which they were intended during the greater part of the year. The cost therefore would be out of all proportion to the work required to be done and to the cost incurred by the Meerassidars, and after all, Mr. Phillips apprehends, the work would not be done as well as it is under the present system.

Para 6.

8. He further expresses an opinion that, as the extent of Coody Maramut varies extremely both as regards talooks and individuals, an unvarying Cess would be felt as a hardship, and he considers that any difficulty which may be found in getting the labour supplied, will be amply met by an Act for legalizing compulsory labour in certain cases.

From Collector of Trichinopoly, 27th April 1858.

9. This view is strongly supported by the letter of the Collector of Trichinopoly, also placed at the head of these Proceedings, and written after a year's experience of the working of the proposed system at the Laulgoody channel.

10. Mr. Bird having been called upon to communicate his sentiments on a proposition to levy

From Collector of Trichinopoly, 27th April 1858.

a Water Cess for the conservancy of the channels throughout

* In Con. 23d April 1858.

the district made in the Proceedings of the Chief Engineer, dated the 19th* August 1857, No. 3058, states that from all that he had seen and experienced of the working of the conservancy system of channels, he is not prepared to advocate its general adoption in the district or in the remaining three irrigated talooks. The people, he says, are better satisfied to contribute the labour when required than to pay an establishment whose working may prove unsatisfactory, for he contends that the Department Public Works cannot have time to regulate their irrigation of all the numerous channels of the district with any degree of efficiency.

Para 2.

Para 3

From S Arcot, 16th in Con. 20th May 1857.

11. In South Arcot it has not been customary to enforce the obligation on the Ryots to keep their channels open except in a few instances, and the Collector advocates the relinquishment of such a claim upon the Ryots leaving them to do only what is actually necessary to bring water to their own fields from this source.

Para 6.

Para 7.

12. It is thus seen that of the four great Channel districts, Rajahmundry, Tanjore, Trichinopoly and South Arcot, customary labour does not exist in the first, and very little in the last, while in the second and third, the Collectors advance very strong reasons against commuting it to a Cess; considering that the work will be more effectually and more cheerfully done by the Ryots themselves.

13. If the proposed system be objectionable as regards channels, it is still more so as regards tanks. The argument which, in the opinion of the Board, tells with the greatest force against the substitution of a Government establishment is, that while at some particular time the labour of a considerable number is requisite, generally speaking there is nothing at all to be done, and that the necessity for labour arises at nearly all places at the same time. Such being the case, any Government establishment, to be sufficient when wanted, must be much too large for a continuance, and would occasion a useless expenditure. This objection would seem insuperable as regards moderate sized and small tanks, and holds good, according to the Collector, even in respect to the channels of Tanjore, to which the scheme would appear better adapted than to any other description of Maramut works.

14. A difficult question would sometimes arise in respect to the levy of the cess—Is land to pay whether cultivated or not? Under channels where the supply of water seldom fails, little embarrassment might be felt from this cause, but under tanks fed by rains, the question would frequently occur.

15. Taking into consideration all circumstances connected with the subject, the Board are strongly of opinion, that it is advisable that no change should be introduced as a general measure. They are not prepared to say that, in some instances, the commutation might not be productive of convenience; but in a majority of cases, the necessary labour, it appears to them, is obtained more economically and applied more efficiently under the present system. Self interest has generally sufficed to induce the Ryots to afford their labour promptly and cheerfully, and where difficulty has been experienced in persuading them to discharge their

No 1 of 1858.

obligation, it will be effectually removed, it may be hoped, by the Act passed by the Legislative Council since this question was mooted.

16. Entertaining this opinion the Board will await the further instructions of Government before preparing a Draft Act legalizing the commutation, and they would propose that in lieu of this, a Notification should be circulated to the Collectors and Officers of the Department Public Works, that the Government will be prepared to sanction such commutation, in any case in which the people consent to it, and the Collector and Executive Engineer may agree in considering it preferable to the present arrangement.

Ordered that copy of the foregoing Proceedings be submitted for the consideration and orders of the Right Honorable the Governor in Council, with reference to Extract Minutes Consultation of Go-

In Con. 5th March 1857.

vernment, under date the 9th February 1857, No. 286, P. W. D., Revenue Irrigation.

Ordered also that copy of these Proceedings be furnished to the Chief Engineer, with reference

In Con. 23d April 1858.

to his Proceedings of the 19th August 1857, No. 3058.

(A true Extract.)

fo

W. H. BAYLEY, Esq., *Acting Secretary to Government, R. D.*

Secretary.

Copy to Chief Engineer and to all Collectors.

No. 3070.

Extract from the Proceedings of the Board of Revenue, dated 13th August 1858.

In Con. 13th August 1858.

Read Extract Minutes Consultation of Government, under date the 29th July 1858, P. W. D. Revenue Irrigation, forwarding a letter and its enclosures from the Officer in charge of the Central Office D. P. W., with directions to the Board to take into consideration the points discussed in those papers when preparing the Report called for in the Extract Minutes Consultation of Government of the 9th February 1857, No. 286,

In Con. 5th March 1858.

P. W. D. Revenue Irrigation.

(Here enter No. 1476.)

The Board observe that the Report required by Government by Extract Minutes Consultation of the 9th February 1857, was furnished by them on the 3d Ultimo, No. 2297. It remains therefore for them to reply to the present reference separately.

2. The enclosures to Major Lawford's letter to Government comprize a correspondence between the District Engineer and Collector of Trichinopoly, and communications from the former officer to the Central Office, relative to the Establishment employed on the Laulgoody Channel.

3. Lieutenant Ryves after pointing out the difficulties which attend the conservancy, recommends a modification of the Establishment, and that the permanent portion of it shall "to a certain extent possess the authority of a Channel Police, and be empowered to prevent any open acts of trespass or injury to the Channels or Masonry Sluices or direct opposition to the Channel servants, and Sluicemen in the execution of their duties." He proposes "that the Channel Police shall have "the power of arresting and handing over to the nearest Talook Officer "any person offending as above and that there should be a separate authori- "ty for committing and punishing offenders."

From District Engineer to Chief Engineer 31st May 1858, No. 212, in from Government 29th July in Con. 13th August 1858.

4. The permanent Establishment is to comprize a number of trained Coolies, and Shutter men with Superintendents, a Goomastah and 12 Peons, and the total cost of these being Rs. 267 per mensem or Rs. 3,204 per annum, will leave a sum of Rupees 792 per annum available out of the 4,000 Rupees per annum sanctioned by Government on the 9th February 1857, for the pay of extra coolies required at Corumboo, or on other urgent occasions.

In Con. 3d March 1857.

5. The Board approve of Lieutenant Ryves' suggestions. By the reservation of a portion of the sum sanctioned for the Laulgoody Channel to provide for a considerable number of labourers for short periods when actually required, one of the great disadvantages of the commutation of the customary village labour to a water cess pointed out in their Proceedings of the 3d July last, is in a great measure obviated; and although they concur with the Government in thinking it objectionable that Engineer Officers should be vested with powers to punish offences, they conceive that the Peons and skilled labourers may safely be allowed to arrest and deliver over to the nearest Police authority any person seen to injure or trespass on the Public Works and reservoirs. In fact this authority is probably vested in every man by common law, without any specific sanction from the governing power. It is desirable that the Engineer Officers should understand that when any one is thus delivered to the Talook authorities, some one should attend to prosecute.

Para 13.

(A true Extract.)

Secretary.

To

T. PYCROFT, Esq., *Chief Secretary to Government.*

Copy to Chief Engineer and Collector of Trichinopoly, with copy of E. M. C.

No. 143

(8)

To

J. D. Sim Esqre.

Secretary to the

Board of Revenue

Fort St. George

Sir

Para 1 As directed by the orders conveyed in para five of Extract Minutes of Consultation No. 286 under date the 9th February 1857 Public Works Department, Revenue Irrigation, I have the honor to submit a report on the effect of the arrangement for the conservancy of the Laulgoody Channels by the entertaining a fixed Establishment for the maintenance of these irrigation works supported by a cess upon the land watered in lieu of labour heretofore contributed by the Ryots.

2 The Establishment sanctioned was entertained by the District Engineer soon after the commencement of the last Official year and orders were issued by me to the

Tahsildar

No. 15.

No. 1860.

Extract from the Proceedings of the Board of Revenue

2

Dated 13th / Recd. 16th } August 1858

No. 3070

Submitting the views of the Board on the suggestions contained in the papers for their consideration in Ex. Min. Cons. 29th July 1858 P.W.D. relative to the Establishment employed on the Laulgoody channel in the District of Trichinopoly

Letter from the Officer in Charge of the Central Office, D.P.W.

And am of opinion it should have a fair trial

I have &c.

Trichinopoly Collrs. Office 6th. August 1858

/Signed/ A. Bird
Collector.

True Copy

Secretary

Compared

Enclosed in an Extract from the Proceedings of the Board of Revenue to the Chief Secretary to Government, dated 25th August 1858.

1858 Dec. 1st

No. 1948/58

Copy.

From Lieutenant Colonel C. Cadell, R. E. Superintendent of the Coleroon, 18th August 1858.

Forty Channels.

No. 3238.

Extract from the Proceedings of the Board of Revenue, dated 25th August 1858.

In Con. 25th August 1858. Read letter from the Collector of Trichinopoly, dated 6th August 1858.

(Here enter No. 143.)

In Con. 5th March 1857. Ordered to be submitted to Government, with reference to Extract Minutes Consultation, No. 286, dated 9th February 1857, para 5, Public Works Department, Revenue Irrigation.

2. In this letter the Collector of Trichinopoly, in compliance with the orders of Government, reports on the effect of the arrangement commuting the customary unpaid labour of Ryots on certain channels in his District to a Water Cess; and it will be observed, that in modification of the opinion con-

In Con. 14th July 1858. tained in his letter of the 27th April last, recorded in the Board's Proceedings of the 3d July 1858, and referred to in their Proceedings of the 23d Idem, he now pronounces the result of the measure to have been upon the whole satisfactory and though not always successful to deserve a fair trial.

3. The Board's views in respect to the commutation of customary labour to a Water Cess were laid before Government in their Proceedings of the 3d July 1858, and are not affected by the present communication. While expressing an opinion that in a majority of cases "the necessary labour is obtained more economically and applied more efficiently under the present system," they suggested a notification that Government would be prepared to sanction a commutation "in any case in which the people may "consent to it, and the Collector and Executive Engineer may agree in considering it preferable to the "present arrangement," viz. unpaid labour.

4. In their Proceedings of the 13th Instant, No. 3070, they also expressed approbation of a proposition by the District Engineer for the modification of the Establishment maintained from the proceeds of the Water Cess referred to in the letter now recorded.

(A true Extract.)

Secretary.

To

T. PYCROFT, Esq., *Chief Secretary to Government.*

Copy to Collector of Trichinopoly.

B.W.
Ben Soper

No 2306.

Extract from the Minutes of Commissioners
Under date 30th October 1858

Read the following

Extract from the Proceedings
of the Board of Revenue.

(Here enter 3 subjects — 1238)

do —— do —— do

(Here enter 13 subjects — 3070)

do —— do —— do

(Here enter 25 subjects — 1238)

In the Minutes of
October 1858 No 2306 date
Entered in Serial
of the proceedings by Mayn
Superintendg &c
given direction Encls &
substitute for the customary
system of Allotting eye certain
Streams in Trichinopoly by
means of Pipes taken from
Canal or any Channel
Read or annulled copy and
annexed

Extract from Bd of Revenue 13th August 58 R 1866
Extract " " 2d July " 1511

Govt Works
Dy. to Comp. & Secretary
No. 1945
1858 Dec 4th

Extract from the Proc
of the Board of Revenue.

Date 25th
Rec'd 26th } August 1858.

No. 3238.
Encl 1

Coll. 2306. 30th October 1858.
Submitting with the
Boards observations a letter
from the Collr of Trichinopoly
reporting on the effect of the
arrangt commuting the
customary unpaid labor of
ryots on certain Channels
in his District to a Water cess

No. 16.

C7 Dist. R12 C18 R23

Dist. 6 Chan. C/c18 R23

money on each Canny of
land irrigated, and so to
form a fund for the main-
tenance of a permanent
establishment to perform
the necessary work under
the Superintendence of
the Engineer.

2. In a communica-
tion from the Central office
dated 19 December 1856
a scheme was accordingly
submitted for approval;
& got for approval;
& authorized to be carried into
effect in Ex. Mins Comm
9 February 1857 No. 286
para 5. And in the same
order the Govt expressed
an opinion that the new
system should be intro-
duced into all places suited
for it, care being taken to
distinguish between works
which the Ryots have
habitually

habitually performed,
and those customarily
done by the Government
the cess representing only
the former. The Board
were accordingly requested
to report upon the subject,
and to submit the draft
of an Act legalizing the
levy of the cess. A report
was also called for pes-
pecting the working of
the new system of ma-
naging the Colgondi
channels in Trichinopoly.

Ex. Progs Ch: Engrs
d/13 March 1857
No. 1187.

3. In March 1857 the
Chief Engineer forwarded
for the favorable consi-
deration of Government a
letter from the Superin-
tending Engineer Southern
Circle, who reported, as
the result of personal
observations during a late
Tour

Tour in the District, that the fixed Channel Establishment in Trichinopoly had given the greatest satisfaction to the Merchants and recommended the early extension of the principle of fixed establishments through the rest Talooks of that province; But the Govt. expressed themselves unprepared to extend the system until the receipt of a report from the Board of Revenue on the general question.

Mins Cons 25th March /57 N° 546.

6. Another letter from Major Sanford offering certain explanations ~~&c~~ concerning

submitted to Govt in Progs Ch: Engr dft 8th March /57

the previous recommendation of his with reference to a diminished irrigation cess on land fed by surplus

25th March /57 N° 546.

surplus water, was forwarded to the Board of Revenue to be taken into consideration in making their report.

5. In Colonel Baker's letter dated 27th May 1857, the Government of India highly approved of the orders of Government for superseding the practice of requiring the cultivator to undertake clearance of channels without payment, or on payment of a sum below the value of the labour they give, by a system of direct Government management. But as the entire outlay in the case of the Kálgndi channels did not appear to be covered by the cess

to

to be levied, it was suggested whether the whole cost of maintenance and clearance might not be met by a rateable charge on the land benefitting by the water. This letter was referred to the Board of Revenue in Minutes Cons. N° 1316 of 13 July 1857 and they were requested to expedite their report. This call was reiterated in Mins Cons 17 December 1857.

6 In his letter to Government dated 14 June 1858 N° 1108, the officer in charge of the Central office submitted to Govt a correspondence between himself, the District Engineer of Tuticorin-poly, and the Collector of that

that province respecting the Sâlgnoli Channels, in which sundry points were discussed and an opinion expressed that the new system has had a favorable result and that benefit would arise from the general introduction of the water ceps in a gradual manner throughout the Presidency.

7 This letter and its enclosures were referred to the Board of Revenue in Cons. Mins Cons 29 July 1858 with a request that they would take into consideration the different points discussed when preparing their report called for in February 1857. But meanwhile the report in question had arrived in the shape

shape of the print extract from the Boards proceedings recorded at the head of this paper.

8. On receipt of the orders of Govt calling for the report, the Board sent a circular to the several Collectors requesting them to state how far the scheme entailed in their opinion would be applied to their respective districts, and to furnish estimates of the establishments which they considered necessary and their cost as well as of the sums to be realized by the cesses.

Board's Proc^s of 3^d July 58 para 2.

9. The opinions of the Collectors generally are adverse to the proposition, and the Board see

ib para 8

see great objection to its universal adoption -

10. In several districts customary labour does not exist, such as in the Concan in Rajahmundry &c where irrigation is one of the most extensive nature & universal pile therefore the system cannot be introduced - And where there is customary labour some of the Collectors express an opinion that to maintain and establishment to the same work, the cess required would be so large as to be very burdensome -

11. On this head the Board invite particular attention to the arguments contained in a letter from the

the Collector of Tanjore
which are discussed at
length in paras 5-9
of their Proceedings. The
Phillips apprehends that
the work provided must
be so well performed un-
der the proposed system
as it is at present; and
he further expresses an
opinion that the extent
of Private [illegible] works
can be many labourers
extremely both as regards
Talookdars and individuals
and that an unwarrying
esp could be felt as a
hardship. He considers
that any difficulty which
may be found in getting
the labour supplied would
be amply met by the Act
for legalizing compulsory
labour in certain cases.

Thi

1/11 Aug[t]/57

Board's para 9

Tanjore Collr of Trichinopoly
l. 13th d/27 April/58.

d/ 6th Aug[t]/58.

12. This new Machinery
supported by the Collector
of Trichinopoly, who
[illegible] stated that
from all his knowledge
and experience of the
channel conservancy
system, he was not pre-
pared to advocate the
general adoption of
that description, the work
performed being insuffi-
cient, and the redress
declared to the proprie-
tors subsequent to the
submitted to Government
in the Board's proceed-
ings dated 25th August 1858,
the Collector modifies
his opinion, and pronoun-
ces the result of the
measure to have been
"on the whole, satisfactory,
"and though not always
successful

successful, to deserve a
"fair trial."

13 Sir South Arcot Disapproved.
it has not been necessary
to enforce the obligation
on the Ryots to keep
their channels open ex-
cept in a few instances;
and the Collector acti-
vates the relinquishment
of such a claim.

14 In 3 of the 4 Rajahmundry
specified Districts Tanjore
therefore, cultivatory South Arcot
labour does not exist
in the first, and scarcely
at all in the last. In
Tanjore very strong reasons
are advanced against
the new system, while
in Trichinopoly, the Col-
lector views it first against Trichinopoly.
it and now gives in by a
doubting approval.

In

15 In the 13th Para of
their Proceedings the
Board say in regard that
if the proposed system
is objectionable as regards
Channels, it is much
more so as regards Tanks
and in para 14 they
shew that a difficult
question would sometimes
arise in respect to the
levy of the esp.- Island
to pay whether cultivated
or not!

Para 15 16. The Board then are
strongly of opinion that no
change should be introduced
as a general measure, and
in lieu of preparing a
draft-Act legalizing the
Commutation they propose
that a notification be
circulated to Collectors
and Officers of the P. W.

Department, & the effect that Govt are prepared & sanction the Commutation where the people consent & if and the authorities consider such an arrangement desirable.

17. The correspondence before Govt has not fully convinced them that the plan of having paid establishments and dispensing with allied called voluntary labour would not in the end be better; But they are prepared to authorize the pursuance of the course suggested by the Board, which will elicit an expression of the feeling of the people on the subject and prepare the way for further change if necessary.

18. In their proceedings of 13 August the Bd furnish a separate reply to the orders requesting their attention to the points discussed in the correspondence between the Dist. Supt and C.W. of Tirhoot respectively, and the Central Office of P.W relative to the Dalgudi Channel Establishment which correspondence was forwarded to the Board with the aforesaid order of 29 July 1858. P.W.D.

19 In the letters now noticed by the Bd. Lieut Ryves recommends a modification of the establishment as at present constituted, & that the permanent portion of it shall be to certain extent form the authority of Channel Police, and shall have the power of

apprehending and handing over to the nearest Talk. Officer any person trespassing on or injuring Channels & Masonry sluices, & spoding Sluicewear in the Execution of their duties. This Permanent Establishment; & cost Rs 3204 per annum leaving Rs 792 per annum available out of the Rs 4000 sanctioned in Feb/57 for the pay of extra coolies required for working at the Kowmahas, & on other urgent occasions

The Board approve of Lieut Ryves suggestions and remark

that the authority proposed to be granted to the subordinates of a hydraulic Works is in reality vested in every man by common law.

2o. The Govt concur with the view the Board have taken of the case and sanction the proposed modification of the Chunnel Establishment. It is unnecessary that the Chunnel Establishment officers of this Estab. with any special police authority they are the Custodians of the works, and as the Govt observe it is their business & duty to bring before the Police, and prosecute all cases of Trespass or other invasion of the public property which

they have charge.

J.M

J.M
Oct 16.

Copies to the Offr Chg Engr 4th Divn 3rd
" " " 13th "
" " " Insts 41 Encls

Cons 13 July /57 Nº 7-8.
—o— 14 July —o— —o— 78-79.
—o— 3 August /58 — 13-14.
R— — 23 Dec /57 —o— 17.

21-7-05. ✓

Public Works 1858 Dep.t
Ry to Com.s of Nav.n

No. 2306.
District Insp.s of Com.s
Dub.n 30th October /08.

Pro. of the Bd of Rev.d 1/27 Feb.y
1859 C. Nº 2837 in Coll.s
10th Nov.r /59 Nº 78-79.
From Bd of Rev.d 30 Nov.r /59 Cº 3161.

From Res. Chief Engineer dated 13th
Oct.r 1859 & No. 2 Letter
from the Board of Rev.
of 24th June 1861 Cº 1512

Passing order in regard
to the maintenance of
Landguody & other Channels

From Bd Cº 1744/61 & 4 Enclos.s in
Insp.s 13th Aug.t Cº 1623.

Copy sent to Messrs. Engr.
I. C. C. 5th Sept.r 1879.

No. 14 & 17.

12th Oct.r 23rd