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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 2896 Press Mis.

97-98. 107-108

Dated 7—10— 1864.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 7th October 1864.

No. 107. Read the following Proceedings of the Madras Government in the Revenue Department:—

Passing orders on the Proceedings of the Board of Revenue relative to the instructions of the Home Government that the annual option of taking or refusing water should, in future, be given to all Ryots in every District where the system of a separate water cess is in force, except in cases where they have individually bound themselves to certain specific conditions, in order to induce the Government to supply irrigation to a particular tract hitherto devoid of it.

(Here enter 1st October 1864, No. 1,814.)

No, 108. ORDER THEREON, 7th October 1864, No. 2,896.

Communicated to the Superintending Engineers.

(True Extract)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineers.

Exd, S. T. Augustin.

Proceedings of the Madras Government, Revenue Department, 1st October 1864.

No. 1. Read the following Proceedings of the Board of Revenue, dated 5th February 1864.

Read Proceedings of the Madras Government, Revenue Department, dated 16th January 1864, No. 99:—

1. The Board understand, from paragraph 4 of the Secretary of State's Despatch, that the annual option of taking or refusing water is in future to be given to *all* Ryots in every District where the system of a separate water cess is in force, except in cases where they have individually bound themselves to certain specific conditions, in order to induce the Government to supply irrigation to a particular tract hitherto devoid of it.

2. The existing rule in the Godavery and Kistna Districts, which requires that the water cess shall invariably be paid so long as water is available, in every case in which land has been permanently supplied with irrigation for a wet crop and classed as Nunjah, must be abandoned under the present ruling, and the option in question, must, it would seem, be allowed to every Ryot in the two *Deltas*; for, the Board have no reason to suppose that any special terms have in any case been insisted on, as the conditions on which alone a desired channel would be dug, the rules hitherto in force rendering any such condition superfluous.

3. The Board think it right to bring this point to the notice of Government, and to await further orders before they issue instructions to the Collectors for the introduction of the new rule.

4. As the rules must be revised throughout with reference to the order of Government on the "Mamul Nunjah" question, it will probably be deemed best to defer the introduction of the Secretary of State's rule until this general revision, in which it could be embodied, has been made.

No. 2.

Land Revenue.

ORDER THEREON, 1st October 1864. No. 1,814.

1. The instructions of the Secretary of State are that Ryots are to have the option of taking or declining water, unless they have bound themselves to take it for a term of years, the Government, on its part, having power to refuse to supply a tract of land with water unless the holders agree to take it in such numbers and for such a period as will make it worth the while of Government to incur the outlay necessary to provide the irrigation.

2. As regards new works, there will be no difficulty in carrying out the rule. Before the work is undertaken such agreements as may in each case be necessary must be taken from the holders of land, for whose benefit the work is designed.

3. The application of the rule to lands already irrigated at considerable outlay of public money must be considered *prospective* only. As regards lands which have been fitted for irrigation by the owners and have actually been irrigated for at least one season it may fairly be held that such preparation and acceptance of water, imply acquiescence in the usage of the country which has not required any formal agreement. As regards lands which have not been so prepared or irrigated, and in cases where irrigation has been forced on the Ryots against their expressed wishes, the option must be allowed, and agreements taken from them wherever this measure may appear necessary and equitable.

4. The Government do not anticipate that the Ryots will generally refuse water on the easy terms of 3 Rupees per acre. The refusals will, they apprehend, be limited to individual cases and be few, except where irrigation has been forced on the people under circumstances which render its value small.

5. The same rule must of course apply equally to the holders of lands in Zemindaries, until the Zemindars come to terms with the Government and collect the cess.

(True Extract.)

Secretary to Government.

To the Board of Revenue.
„ the Public Works Department.
„ the Director of Revenue Settlement.

Exd. S. T. Augustin.

Dft 7th Octr 1864 Depr
Proc. of Govt for Octr
No. 4296
Proc. of Govt in the
Revenue Deptt
Dft 1st } Octr/64
Rec'd 5th }
No. 1814
a/c No 2896 - 7th Octr/64 -

Copies of the Proc. of the Bd of Rev. relative to the instructions of the Home Govt that the annual option of taking or refusing water should in future be given to all Ryots in every Dt where the system of a separate water cess is in force, except in cases where they have individually bound themselves to certain specific conditions, in order to induce the Govt to supply irrigation to particular tracts lettered & devoid of it.
With an Order

No. 107. 108

4296

a/c No. 2896.
Communicated to
the Superintending Engineers

Collectors }
7th Octr/64 }
& the Salt Engineers.
No. 87

Dept. 7th October