

Gobt. of {1891} Madras.
REVENUE.

Issued

Recd.

Encl.

G.O., 21st February 1891, No. 133.

FEBRUARY.

Loan to the Kalahasti Zemindar.

Recording, with remarks, Board's Proceedings
submitting further report of the Collector of
North Arcot regarding the —.

Order thereon no:
558 tr d/2nd March 1891.

Communicated to the
Suptg. Engineer Tr Circle
in continuation of the
undermentioned orders.

G.O. 377 tr d/10th Feb'y 1891
425 tr d/16th Feb'y 1891.

1 Lf O.V.B.

S. E.

S. E. Tr Cir
Ch. Engr. f. L.

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Loan to the Kalahasti Zemindar.

Recording, with remarks, Board's Proceedings
submitting further report of the Collector of
North Arcot regarding the —.

Order No: 558 Waf

Communicated to the
Suptg. Engineer Tr Circle in
continuation of the undermentioned
orders.

G.O. 377 W d/10 Feb'y 1891
" 425 W d/16 Feb'y 1891

Lf O.V.B.

S. E.

S. E. IV
L. E. f. L.

With Order

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REVENUE DEPARTMENT.

THE HON. J. GROSE.

Read—the following letter from W. J. H. LE FANU, Esq., Collector of North Arcot, to the Secretary to the Commissioners of Land Revenue, dated 7th February 1891, Ref. on Govt. No. 65 of 1891:—

With reference to G.O., No. 788, dated the 2nd instant, in the matter of Kálahasti Dewan's application for loans, I have the honor to state that, if the works are carried out in the way described in the Government Order, it will take about two years before the works are all inspected and security examined, &c. If the work is to be done in view to the present scarcity, it cannot be done in time under the Act, and my proposal to treat this as a special case was submitted to Government, with the Board's support, for favorable consideration—*vide* Board's Proceedings, No. 617, dated 29th January 1891, and my letter, Ref. on Gl.-Eng. No. 269, dated 29th January 1891, the purport of which was anticipated by the Board. As the Government Order in question appears to have been passed prior to the perusal of the said Proceedings and letter, I request that the matter may again be pressed on the notice of Government.

2. The number of works to be inspected is at least 300, scattered over a large area. Even at the rate of one a day the inspection would not be half over by the commencement of the south-west monsoon. Then the work of the Special Deputy Collector, for whose appointment my best thanks are due to Government, cannot quite go side by side with that of the Engineer; for he will have to make a tedious inquiry into the rights of the zemindar in the lands to be benefited by each individual work, and when that is done, thousands of searches must be made by the Sub-Registrar before he can state if the zemindar's lands under each work is encumbered. I say "thousands" literally, because the search would almost have to be made fieldwar. The limits too, to which the office of the Sub-Registrar could be strengthened, are prescribed by the number of books, for only one man can search a book at a time. I most respectfully submit that the only practical course open is, as I already proposed, to take the loan out of the lines of the Act and grant it under a special deed, with one security—the Kálahasti taluk—given once for all.

3. I should observe too, that if the procedure of the Act is followed, there will be a further reference regarding each work to the Collector and then the tedious filling up of forms and registrations. I am hardly exaggerating when I say that the whole process would take nearer two years than one, whereas we want to begin work at once.

Resolution—dated 13th February 1891, No. 973, Mis.

Submitted to Government in continuation of Board's Proceedings, dated 7th February 1891, No. 829, Mis.

2. The Collector's opinion coincides with the Board's. The intention of Government is apparently to deal with each work separately, and this will evidently take up a great deal of time, though not so much, perhaps, as the Collector anticipates. A

special bond, guaranteed by the ample security which the zemindar offers, and the work to be executed under Government supervision, appears to be the only feasible method of combining promptitude with security.

(A true Copy and Extract.)

(Signed) H. A. SIM,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with letter in original (to be returned).
Copy to the Collector of North Arcot.

ORDER—dated 21st February 1891, No. 133, Revenue.

Miscellaneous.

Recorded with reference to G.O.,
dated 13th February 1891, No. 105, with
the following remarks:—

(1) Under the instructions issued in paragraph 4 of the above order, the execution of the works will be independent of the investigation of the security tendered which will be conducted by the Special Deputy Collector. The works can therefore be carried out as fast as the Engineer-in-charge can arrange therefor.

(2) As regards the work which the Deputy Collector has to do, the Collector and the Board would seem to have overlooked the provisions of section 7, clause (c) of the Land Improvement Loans Act, under which the full right of the zemindar in the lands to be benefited by each individual work will be liable for the loan taken in respect of that work; in the event of any necessity arising for proceeding under the Act, this right may be sold free of all encumbrances thereon. There is accordingly no need for any "tedious inquiry into the rights of the zemindar in the lands to be benefited by each individual work," nor for the "thousands of searches" considered necessary by the Collector. It was in view of the above provisions of the Act that the Government has insisted on treating the zemindar's request for a loan in respect of his irrigation works as an application under the Land Improvement Loans Act.

(3) As observed by Government in paragraph 1 of G.O., dated 13th January 1891, No. 105, a special bond of the kind suggested by the Collector and recommended by the Board might not, in the present circumstances of the zemindari, afford the requisite security inasmuch as the property so pledged could not be sold free of encumbrances, nor could the summary procedure under the Act be adopted. The special attention of the Collector and the Board is drawn to the remark of Government in that paragraph regarding the collateral security to be taken for the loan.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioners of Land Revenue, with Collector's letter.
„ the Commissioner of Revenue Settlement, Land Records and Agriculture.
„ the Public Works Department.

Copy to the Dewan of Kālahasti.

„ „ Accountant-General.
„ „ Collector of North Arcot.
„ „ „ of Nellore.

„ „ Financial Department, with copies of G.Os., Nos. 664 and 105,
dated 2nd and 13th February 1891.

Exd. T. K. Narayana Aiyangar.

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Miscellaneous No.
Routine

Date taken out. FOR WHAT PURPOSE Department. C.

MENT.

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Govt. of {1891} Madras.
REVENUE.

Order thereon no:
558 tr of 2nd March 1891.

Communicated to the
Suptg. Engineer Tr Circle
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No. 377 tr of 10th Febry 1891
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S. E. Tr Cir
Ch: Engr. f. In

21st FEBRUARY 1891, No. 133, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 13th
February 1891, No. 973, Mis. :—

THE HON. J. GROSE.
MR. G. MCWATERS.

Read—the following letter from W. J. H. LE FANU, Esq., Collector of North Arcot,
to the Secretary to the Commissioners of Land Revenue, dated 7th February
1891, Ref. on Govt. No. 65 of 1891:—

With reference to G.O., No. 788, dated the 2nd instant, in the matter of Kalahasti
Dewan's application for loans, I have the honor to state that, if the works are carried
out in the way described in the Government Order, it will take about two years before
the works are all inspected and security examined, &c. If the work is to be done in
view to the present scarcity, it cannot be done in time under the Act, and my proposal
to treat this as a special case was submitted to Government, with the Board's sup-
port, for favorable consideration—vide Board's Proceedings, No. 617, dated 29th
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purport of which was anticipated by the Board. As the Government Order in question
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request that the matter may again be pressed on the notice of Government.

2. The number of works to be inspected is at least 300, scattered over a large area.
Even at the rate of one a day the inspection would not be half over by the commence-
ment of the south-west monsoon. Then the work of the Special Deputy Collector,
for whose appointment my best thanks are due to Government, cannot quite go side
by side with that of the Engineer; for he will have to make a tedious inquiry into
the rights of the zemindar in the lands to be benefited by each individual work, and
when that is done, thousands of searches must be made by the Sub-Registrar before he
can state if the zemindar's lands under each work is encumbered. I say "thousands"
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to which the office of the Sub-Registrar could be strengthened, are prescribed by the
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submit that the only practical course open is, as I already proposed, to take the loan
out of the lines of the Act and grant it under a special deed, with one security—the
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(A true Copy and Extract.)

(Signed) H. A. SIM,
Acting Secretary.

To the Secretary to Government, Revenue Department,
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Copy to the Collector of North Arcot.

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(2) As regards the work which the Deputy Collector has to do, the Collector and the Board would seem to have overlooked the provisions of section 7, clause (c) of the Land Improvement Loans Act, under which the full right of the zemindar in the lands to be benefited by each individual work will be liable for the loan taken in respect of that work; in the event of any necessity arising for proceeding under the Act, this right may be sold free of all encumbrances thereon. There is accordingly no need for any "tedious inquiry into the rights of the zemindar in the lands to be benefited by each individual work," nor for the "thousands of searches" considered necessary by the Collector. It was in view of the above provisions of the Act that the Government has insisted on treating the zemindar's request for a loan in respect of his irrigation works as an application under the Land Improvement Loans Act.

(3) As observed by Government in paragraph 1 of G.O., dated 13th January 1891, No. 105, a special bond of the kind suggested by the Collector and recommended by the Board might not, in the present circumstances of the zemindari, afford the requisite security inasmuch as the property so pledged could not be sold free of encumbrances, nor could the summary procedure under the Act be adopted. The special attention of the Collector and the Board is drawn to the remark of Government in that paragraph regarding the collateral security to be taken for the loan.

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(Signed) C. A. GALTON,
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To the Commissioners of Land Revenue, with Collector's letter.
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Copy to the Dewan of Kálahasti.

" " Accountant-General.

" " Collector of North Arcot.

" " " of Nellore.

" " Financial Department, with copies of G.Os., Nos. 664 and 105,
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Exd. T. K. Narayana Aiyangar.

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To
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C. E. for

With Order

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