

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.

1256

Press

~~Mis.~~Dated 23rd September 1859.Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
from 17th to 23d September 1859.*

No. 3. Read the following letter from W. HUDLESTON, Esq., Sub-Secretary to the Board of Revenue; to J. D. BOURDILLON, Esq., Secretary to Government, R. D. dated 26th August 1859, No. 3365.

With reference to paragraph 4 of the order of Government, dated 11th August 1859, No. 1073, R. D., I am directed by the Board of Revenue to submit for approval, the accompanying draft rules for permitting ryots to turn to advantage natural sources of irrigation.

2. They are based generally on those for the formation of private tanks printed at page 60 of the Board's Circular Order for 1855.

CIRCULAR.

It having come to the knowledge of the Board that no uniform practice exists in regard to the regulations for permitting the ryots to turn to advantage natural sources of irrigation, the following are, with approval of Government, published for general adoption.

The Collectors will give the utmost publicity to these rules in their respective districts.

RULES.

1. The Government revenue from land consisting properly in payment for the use of the land, and payment for water supplied by Government, no extra demand under the denomination of "Peerwa jasty," "Fasl jasty", or any such term, shall hereafter be made in any case in excess of the Tarum assessment on the land, on account of advantages derived from irrigation supplied by natural pools or jungle streams, in the improvement of which the Government have had no concern and incurred no expense; *always provided* that the use of such water shall not interfere with the supply to any Government work, and that the right of Government to execute at any future time any works whatever, for the improvement of such sources of supply and the extension of their benefits, shall remain unaffected by such intermediate usufructuary enjoyment. *Provided also* that before any private individual shall proceed to erect any new works of a permanent character for utilising the water of such jungle streams or natural pools, such as an annicut, or a new spring channel in the bed of a stream, he shall fully conform to the following rules.

2. Any ryot wishing to erect or construct any such new permanent work shall, in the first instance, apply to the Collector for permission, stating distinctly the nature and dimensions of the proposed work, and the precise locality selected for it.

3. On receipt of such application the Collector will immediately direct the Tahsildar of the talook, or other competent officer to inspect the locality, and ascertain by careful enquiry whether the proposed work will cut off or sensibly diminish the supply of any other public or private irrigation work, or interfere with the cultivation, irrigation, or drainage of any lands in its vicinity, so as to give just cause for complaint.

4. If this enquiry shows that no injury will be caused to existing interests, the Collector will grant permission to the applicant to proceed with the work subject to the approval of its plan by the District Engineer, whether before, during, or after its execution, according to circumstances.

5. Should the Engineer officer be of opinion that for the security of others the work needs to be strengthened or in any way altered or extended, as for instance by the execution of additional facilities for drainage, or extra sluices, the work so pronounced necessary shall be executed by the owner within a suitable time to be fixed by the Collector, under the penalty for neglect, of the exemption from additional assessment being withdrawn, and the whole work taken under the control of Government without compensation.

6. Should the lands of other ryots be in any way affected by the proposed work, the projector must, in the first instance, produce their written consent to it, before it will be allowed to proceed, and no claim to recover payment from them for benefit derived from the work shall be entertained without the production of their written agreement for the execution of the work, and for the payment claimed.

(Signed) W. HUDLESTON, *Acting Secretary.*

No. 4. ORDER NUMBER, 17th September 1859, No. 1256.

The Governor in Council approves the draft rules submitted with this letter, with the trifling verbal alteration noted therein; and requests the Board of Revenue to circulate them for the information and guidance of Revenue officers, and to direct Collectors to make them known throughout their Districts.

(Signed) J. D. BOURDILLON,
Secretary to Government.

No. 3365.

From W. HUDLESTON, Esq., Sub Secretary to the Board of Revenue.

To J. D. BOURDILLON, Esq., Secretary to Government, R. D.

Sir,

In Con. 12th August 1859, No. 4039. 11th August 1859, No. 1073, R. D., I am directed by the Board of Revenue to submit for approval, the accompanying draft rules for permitting ryots to turn to advantage natural sources of irrigation.

2. They are based generally on those for the formation of private tanks printed at page 60 of the Board's Circular Order for 1855.

REVENUE BOARD OFFICE,
Fort St. George,
26th August 1859. }

I have the honor to be,
Sir,
Your most obedient servant,


Sub Secretary.

Den 1859

13-8-03 ✓

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The Governor

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J. H. H.

19 September 1964

Dr. H. A. Perry