M.R.O. 14—10,000—21-4-32

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 846 65_66	Press ~~Mis.~~
Dated 25_5_ 18 66	

Not to be folded or roughly handled

No. 65. Read the following letter from H. NEWILL, Esq., Director of Revenue Settlement, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 19th May 1860, No. 505:—

I have the honor to forward the following copy of a letter to the Secretary to the Board of Revenue, explanatory of the Rules for the Water Assessment of the Godavery and Krishna Deltas, in reference to the remarks of the Board in submitting the same to Government in their Proceedings of 16th instant.

From H. NEWILL, Esq., Director of Revenue Settlement, to J. D. SIM, Esq., Secretary to the Board of Revenue, dated 19th May 1860, No. 503.

1. I have the honor to acknowledge the receipt of the Board's Proceedings of 16th instant, No. 2,372, reviewing the Rules proposed, in communication with the Collectors, for the Water Assessment in the Godavery and Krishna Deltas, and in reply to offer a few remarks in further explanation of the same, with reference to the Board's observations.

2. The case of discontinuance of water is contemplated in paragraph 4 of the Order of Government calling for the Rules. The extent to which this could, in my opinion, be safely and properly allowed is described in paragraph 2 of my letter of 13th December 1859, No. 1,083, to the Collectors of the Godavery and Krishna Districts, (which forms part of the correspondence sent up to the Board,) and should perhaps have been more prominently noticed by me. I there stated that "the Government had recognized the proposed plan of "charging for water by tracts, and that this applied with double force to the first or main crop, "that it seemed unnecessary, therefore, to provide for any isolated fields of *regular* wet cultivation being converted to dry at the option of the Raiyat, that when land was once brought "into the irrigated class, it should, *as a rule*, be considered as held on condition of payment of "the consolidated Assessment for land and for water; provision being, however, made for special "cases, where it might be necessary to free the land from the water charge after it had been "brought under it, and that the Rule, as sketched out for the discontinuance of water supply and "charge was, drawn up in terms conveying the greatest freedom of action consistent as I thought, "with security against fraud and accuracy of account."

Dated 7th December 1859, *No.* 1,656.

3. I fully concur with the Board in thinking it better that it should be laid down *as a rule* that Nanjai cannot be re-converted into Punjai, unless the means of irrigation fail. Rule No. 6 was drawn up with reference to the provision "for discontinuance of the use of water" contemplated in the Order of Government. If it were cancelled in toto, as I would now recommend, it would leave matters in exact accordance with the general practice in the Northern Cirkars, viz., that lands once brought under regular irrigation and entered in the Nanjai class are not re-converted into Punjai, unless from failure of the source of irrigation, or other uncontrollable causes. The Rule No. 6 as it now stands, provides for very little more than this; and, having reference only to an exception to general practice, may be considered unnecessary.

4. It is perhaps unnecessary to add that if option is allowed in all cases to the Raiyats to take or discontinue the use of water, the principle of dealing with land by tracts must be abandoned, and all the evils of an annual examination of each field hazarded, as noticed in paragaph 4 of my Memorandum, dated 25th November 1859, to which I beg specially to refer as showing that such option, involving a transfer from Nanjai to Punjai, is not in accordance with the usages of the country, and not in itself necessary or expedient, but that raising the question of it, would only tend to unsettle things, to foster fraud, vexation and evasion of the tax.

Printed in Proceedings of Madras Government for December 1859, *No.* 49 *A.*

5. The case contemplated by the Board in reference to Rule 7, is perhaps an extreme one. The interest of the majority will in most cases be the interest of the minority. The tracts will be regulated with reference generally to what is applied for, and not arbitrarily with reference to capability of irrigations so that the supposed minority would only be with regard

to a few isolated fields, and these cannot generally be grown with dry produce in the midst of irrigation, and must necessarily come under it. Paragraph 5 of the Memorandum above quoted, further elucidates the mode of supplying new lands in tracts instead of by fields.

6. With regard to the Board's observation on Rule 9, I would ask whether surreptitiously taking water cannot be considered theft or fraud, as well as trespass.

7. Mr. Purvis will be further consulted, as suggested by the Board in paragraph 4.

8. In reference to the last paragraph of the Board's Proceedings, I may remark that the former part of Mr. Knox's letter, touching upon a varying water cess, was left unnoticed as quite beside the matter of the Rules, as subsequently to the conference at Masulipatam, as well as on that occasion, the whole question was fully discussed by the Board and the Members of Government, their Proceedings and Minutes being recorded, and final orders passed in favor of a general water rate, and directing also that Rules should be drawn up accordingly.

No. 66. ORDER THEREON, 25th May 1860, No. 846.

Ordered to be taken into consideration in conjunction with the reply of the Board of Revenue to the Order of the 21st instant, No. 820.

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

Rev. 31st Dec. 60 - 13-14

to 10th Dec. 59 47 54

Copy in a Letter to Govt
of 10th Octr 60 No. 110.

Revenue 1860 Dept.
Proc: of Govt 25th May
No. 1047.

From

The Director of Revenue Settlement

To

The Secretary to Government

Dated 19th
Recd 21 } May 1860

Encl: 1.

No. 505.

Forwarding copy of a letter to the Secy to the Board of Revenue explanatory of the rates for the water assessment of the Godavery & Kristna Deltas in reference to the Govt Proc: of 18th inst. No. 2372.

No. 846. 25th May

With the orders

No. 846

Ordered to be taken into consideration in conjunction with the reply of the Board of Revenue to the ord of the 21st Instant, No. 820.

Fort St. Geo: 25th May 1860.

11 Copies
Board of Rev Dispt 26
11 Do of Rev Letter

No. 65 & 66.