M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1324 233 - 235 Dated 17 — 6 — 1862.	Press Mis.

Not to be folded or roughly handled

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue :—

Submitting with remarks a letter from the Collector of Kistna, forwarding information on the question of the charge of water supplied from the Kistna Anicut to lands in Zamíndáris. } (Here enter 21st November 1861, No. 6,447.)

Submitting with remarks letter from the Collector of Kistna District, communicating the views of the Nuzid Zamíndár regarding the system of compounding for water rate. } (Here enter 7th April 1862, No. 2,278.)

ORDER THEREON, 17th June 1862, No. 1,324.

The Government concur with the Board and do not wish the proposal for a composition to be pressed on the Zamíndárs until the works are more advanced, when the Zamíndárs will without doubt better understand and appreciate the advantage of compounding for the water supplied to their Estate on the liberal terms offered by Government. Meanwhile the present system of annually measuring and examining the irrigated area must of necessity be continued.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Revenue Department, 17th June 1862.

No. 233. Read the following Proceedings of the Board of Revenue, dated 21st November 1861, No. 6,417:—

Read the following letter from G. THORNHILL, Esq., Acting Collector of the Kistna District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Masulipatam, 3rd September 1861, No. 223.

SIR,

1. With reference to the Proceedings of the Board of Revenue of 12th March last, No. 1,361, communicating Orders of Government, dated 5th March 1861, No. 500, I have the honor to state that in accordance with paragraph 2 of Board's order, I at once placed myself in communication with the Zamíndárs, noted in the margin, with a view to eliciting their views with regard to compounding for water rate. I duly explained to them that Government would be willing to allow them a liberal remission, in case of their being able to make such composition.

Nuzeed.
Davaracotta.
Chavendra.

2. I have received no reply from the Nuzeed Zamíndár, although I have repeatedly called upon him.

3. The Davaracotta Zamíndár does not offer any suggestion, on the point of compounding, in his communication, but he prays that the water rate may be reduced, and that the full extent of his wet Ayacut may be irrigated free of cost; he further claims a remission of one-third of the water tax on the ground that his Peshkash was fixed at two-thirds of the income of his Estate. The Zamíndár also begs that, if the conditions laid down in paragraph 8 of the Government Order under reply, are carried out, measures may be taken to invest him with power to enforce the cultivation with wet produce of the extent of land for which he may engage to pay water tax.

4. This last mentioned request of the Zamíndár is worthy of note, as in the Proceedings of Government under reply, paragraph 5, it is laid down clearly, that Zamíndárs shall not have the power to force Ryots to take water against their will, and the Zamíndár could not be held responsible for their refusal to do so, if he were powerless to enforce compliance with his orders.

5. The Chavendra Zamíndár is also unable to make any suggestion as to composition; he expatiates on the heaviness of his Peshkash, and prays that a light water rate may be imposed; he has only six villages and they are scattered amongst Government lands.

6. The District Engineer, Major Anderson, was also consulted on this point. A copy of a demi-official communication addressed by him on the subject to Mr. Reid, Sub-Collector, in charge of the District, is herewith enclosed.

Dated 24th April 1861.

7. Major Anderson points out that the difficulties of forming any calculation, as to the quantity of water delivered to any given set of villages, in the present imperfect state of the anicut works, would be such as to render the results practically useless; the constant deposit of silt, being one of the chief obstacles to obtaining any thing like accurate returns.

8. Major Anderson points out forcibly, in paragraph 5 of his letter, a further difficulty, likely to attend an attempt to compound with Zamíndárs, for their water rates. The supply of water is always more or less precarious, and it is quite possible, that it may fall short at a critical period, and cause serious damage, if not absolute ruin, to the standing crops which had been planted, on the faith of that supply. The Zamíndár would naturally demur to pay for water which had not been delivered to him, and nothing but actual inspection could determine the state of his crops and the validity of his claim to exemption from payment.

9. In paragraph 7, Major Anderson offers a suggestion to the effect, that certain channels, estimated to yield a certain annual supply, might be given on contract for several years. With regard to this, I believe, firstly, that there are no channels which exclusively irrigate Zamíndári lands, as, owing to the difficulties attending the question of water rates in Zamíndáris, all channels from the anicut have been designed with a view to the wants of the Government estates, and it is only where they have of necessity passed through Zamíndári lands, or have afforded a supply to existing channels, in those lands, that the Zamíndárs have reaped the benefit of them; it follows, therefore, naturally that very few, if any, channels can be so circumstanced, as to

admit of the experiments alluded to by Major Anderson being tried; and secondly, it is clear that the practice cannot be adopted universally or even generally, it would I think be unadvisable to follow it, in the few cases where it would be feasible. It is, in all respects, advisable to preserve uniformity as much as possible, in dealing with questions of this nature.

10. In considering the possibility of introducing a system of composition for water rate, it must also be borne in mind, that the anicut works are still far from complete. As the system of channels is extended and improved, the area of wet cultivation will annually increase; this is true equally of Zamíndári and Government lands, and what might be a fair composition for this year, would in all probability be very far short of a proper demand for the following year.

11. Under all these circumstances, I do not see any way at all to carrying out the wishes of Government, as stated in paragraph 6 of their Order, No. 500, dated 16th March 1861. I am fully alive to the advantages of the system, whenever it may be practicable to carry it into effect, and am most anxious to reduce to the smallest compass, the interference of Government servants with the Zamíndárs; but I quite believe that any attempt, at this time, to introduce composition, would lead to greater interference than will be necessary, if the existing system be persevered in for a few years longer.

12. For the past season the lands had been measured before the Government Order was received, and I beg to annex a Memorandum* of the cost of survey, in each of the three last years. I have entered Rupees 544 as the probable required amount for this year, in the Budget, and recommend very strongly that I may be permitted to pursue the same plan as before in fixing the Government demand, viz, to ascertain by actual measurement the extent of land irrigated by anicut water.

* Memorandum.

Fasli	Rs.	
1270	237	for Gumashtas only.
1269	391	for do. and Peons.
1268	282	for Gumashtas only.

---

1. Ordered that the above letter be submitted to Government, with reference to their Proceedings, dated 5th March 1861, No. 500, Revenue Department, on the question of the charge for water supplied from the Kistna anicut to lands in Zamíndáris.

In Cons. 6th March 1861, No. 1,108.

2. The system hitherto in force has been to measure the irrigated area annually by means of the Government servants, and to charge the water rate under the rules, and in their Proceedings above quoted, Government sanctioned an allowance of 10 per cent. to the Zamíndár for the cost of collecting the cess on Government account.

3. The Government, however, expressed their desire that a system of composition should be introduced in lieu of this annual measurement, and professed their willingness to allow a remission of 20 or 25 per cent. of the amount chargeable under the ordinary rules.

4. They laid down as conditions of any such system that the Zamíndár should be required to state beforehand every year what land he wishes to have irrigated, and that he should bind himself to pay double rates for all land found watered, and which were not entered in that statement. It was also stated that Zamíndárs would not be permitted to compel Ryots to take water, or to oust them from their lands on refusal to do so.

5. Mr. Thornhill points out that under such conditions, and in the present state of the works any system of composition is impracticable and objectionable. He forwards a letter from Major Anderson, the District Engineer, pointing out that the supply is not perfect and could not be guaranteed; that the enormous amount of silt in solution in the Kistna water, and the excessive deposit in the channels, preclude the possibility of ascertaining by calculation the amount of water supplied through a given aperture except by means of a constant series of observations, which would still be useless from the fact of Zamíndári and Government lands receiving irrigation through the same channels. Mr. Thornhill points out that this last circumstance equally precludes the possibility of leasing out the channels to the Zamíndárs, and he also observes that in the incomplete state of the anicut works which are being annually extended, Government would be great losers by any system of composition based on existing results.

6. Both the Collector and the District Engineer arrive at the conclusion that any other system than the present one of an annual measurement of the irrigated area is at present impracticable, and the Board cannot but feel convinced that the time has not yet arrived for attempting the introduction of a less inquisitorial method of determining the Government demand for water against the Zamíndárs.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 234. Proceedings of the Board of Revenue, dated 7th April 1862, No. 2,278.

Read the following letter from G. THORNHILL, Esq., Collector of the Kistna District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Masulipatam, 19th March 1862, No. 46.

SIR,

1. With reference to paragraph 2 of my letter, dated 3rd September 1861, No. 223, and the Board's Proceedings thereon, dated 21st November 1861, No. 6,447, relative to compounding for water rate, I have the honor to forward, for the information of the Board, translation of an Arzi from the Nuzid Zamíndár, communicating his views on the subject.

2. The Board will observe the tone of distrust, as to the advantages of anicut irrigation, which runs through the Zamíndár's letter.

3. There is no question that, owing to the rapid extension of wet cultivation, the supply from the anicut for the last two years has been at times insufficient to meet the demands upon it, and the effects have, no doubt, been exaggerated to the Zamíndár by those about him; but there has nevertheless been occasional loss of crop, and very great apprehensions have been at times entertained of more serious losses than have ever been suffered.

4. As the works now in progress advance, the supply of water will be larger and more certain, and it cannot be doubted that there will soon be as great a desire, on the part of the Zamíndar, to obtain the full benefits of irrigation for his Estate, as there is now, on the part of the Ryots, in those parts of the District where the advantages of it are fully felt.

5. For the next few years, the hands of the Engineers will find ample employment in perfecting the works for the supply of the Government lands, and I see no object in urging the Zamíndár to take water at what he considers unremunerative rates.

6. The Zamíndár's lands already under irrigation will of course receive their fair share of water with the Government lands.

7. The Zamíndár in his Petition dwells on the fact that the profits arising from irrigation will benefit the Government and the Ryots, but not the Zamíndár. This too is I think a matter which will right itself in time; wherever irrigation is profitable to the Ryots, it will be to their interest to enter into fair terms with the Zamíndár, for the payment of the Government water rates, as without his concurrence no fresh land can be brought under irrigation.

Translation of an Arzi submitted by Rájá SOBHANADRY APPA RAU, Bahadur, Zamíndár of Nuzid, dated 8th December 1861.

In the Inayetnama issued by your honor under date the 11th May last, No. 68, it is observed among other things, that in the event of my choosing to receive the anicut water for cultivation, according to the detailed method hitherto observed, I should state beforehand what land I wish to have irrigated every year; that Rupees 10 per cent. of the amount chargeable on that land at Rupees 3 per acre will be remitted to me, or, if I wish to pay water rate by composition, either according to the tract irrigated or the width of the orifice through which water runs, or any other standard, a remission as much as 20 or 25 Rupees per cent. will be granted to me. I, therefore, beg to state my reply as follows:—

1. Even though I wish to follow one or the other of the two courses above referred to and apply for anicut water, your honor expressed your opinion that I am not at all at liberty either to compel the Ryots to cultivate the different lands without allowing them to lie waste so

that the entire water that may be given according to my application may be turned to good account, or to oust them of their land on refusal, in order that I may settle it on other Ryots for cultivation. Your honor moreover clearly stated that no remission will be granted for lands not cultivated either by the bad feeling of the Ryots, or by the act either of God or the king; and that if by any cause any additional land is cultivated double water rate will be levied on that land. Under these circumstances, I shall be subjected to the loss occasioned by the remissness on the part of the Ryots as above indicated. I am not at liberty to express freely my opinion on the subject.

2. To carry on the wet cultivation in seasons which are favorable to it, there must be several causes combined together to effect it, such as favorable weather; seasonable rains without failure, and the like. It cannot be anticipated that every land yields full harvest by the mere irrigation of anicut water. Moreover even if there be a full harvest, owing to the combination of all the above causes, it is uncertain if the price of grain will continue high. Besides this even if the wet produce is full, the yield cannot be more than one Putty per acre on an average. The grain that comes to me from the Ryot on account of Ghattutooms* for the produce of that acre, amounts to one toom; the price of which will be 1 Rupee according to the present high prices, for which the water rate payable by me to Government will be Rupees 3. Though the Government is disposed to allow me a remission of one-third yet there will not be any profit to me, but a sum of 1 Rupee per acre must be paid by me to Government. Even granting me a remission of 10 Rupees per cent. in the case where there will be a full yield, the loss which will be sustained by me is too much to be borne by me. Furthermore the profit derivable by means of the anicut water will be enjoined by the ruling Government and the cultivating Ryot only, but not by the ancient Zamíndárs such as myself. It will therefore be manifest to your honor that to charge the dry lands converted into wet, with a water rate at 3 Rupees per acre, is utterly unjust, as it is too much to be borne by such men as myself.

* A tax collected by Zamíndárs from all wet lands for Maramut charges.

3. The Government before the building of the anicut, caused certain channels such as Aga Kodu, Main Pullair, &c., to be excavated from the Kistna for the purpose of irrigating the usual wet lands and collected from me on account of the wet lands within my Estate, the proportionate amount of the cost incurred for the same. Relying on those sources of irrigation, I also caused tanks, channels, &c., to be thoroughly repaired at a considerable cost, and rendered them useful for wet cultivation. Since the building of the anicut, no such quantity of water as had been usually received through those channels had freely passed through them, and there are many obstructions to the usual sources of irrigation. I have repeatedly represented to the authorities on the subject, but nevertheless only such quantity of water as is requisite for the timely use, is allowed with much difficulty. No water sufficient to bring the entire usual wet land under plough, and to render the land cultivated fully productive, is freely granted to the villages within my range as in the case of the Government Táluqs. As the full water rate at Rupees 3 per acre is collected on the dry lands converted into wet in the villages fully irrigated, it will be perceived by your honor that the charge of water rate at either 1½ or below that rate per acre on the usual wet lands remained after deducting the average cultivation before the the creation of the anicut, is utterly in opposition to the just rules enacted to Government.

4. I therefore most respectfully pray your honor, who is just to take into your mature consideration all the foregoing circumstances, to subject me to no loss or trouble; to maintain the same favor towards me which the Honorable Government was disposed to show me in allowing me one-third profit when the Estate was permanently granted to me; to give me full liberty in regard to getting the wet lands cultivated by the anicut water which I may apply for, either by detailed method or by composition; to annul the condition laid down that no remission will be granted for the lands not cultivated; and that double water rate will be charged for additional lands cultivated; to reduce the rate of Rupees 3 per acre hitherto charged, on the dry lands converted into wet to such extent as you may think proper on account of the amount incurred by me; to grant me one-third remission as usual; to exempt the usual wet lands from the charge of the water rate; and to render me justice by submitting this Arzi to the

Honorable Board, supported by your favorable recommendation, and after obtaining their sanction accordingly by communicating the same to me.

5. Please take this into your consideration.

(True Translation.)

(Signed) G. THORNHILL, *Collector.*

---

1. Ordered to be submitted to Government, in continuation of the Board's Proceedings, dated 21st November 1861, No. 6,447.

2. The Zamíndár appears to have exaggerated some of the objections he raises, and not to understand that if he compounded with Government for all the water he required for his Estate, thereby rendering himself personally responsible for its cost at all risks, he would be entitled to charge the Nunjah rate of assessment in the locality on all dry land converted into wet.

3. But as the system of composition cannot at present be introduced for the reasons stated in the Board's Proceedings above quoted, it is unnecessary to discuss the question further at present.

(True Copies and Extract.)

(Signed) R. A. DALYELL, *Sub-Secretary.*

No. 235. ORDER THEREON, 17th June 1862, No. 1,324.

The Government concur with the Board and do not wish the proposal for a composition to be pressed on the Zamíndárs until the works are more advanced, when the Zamíndárs will without doubt better understand and appreciate the advantage of compounding for the water supplied to their Estate on the liberal terms offered by Government. Meanwhile the present system of annually measuring and examining the irrigated area must of necessity be continued.

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

C No. 2829 of 1861.
17th June 1862 No 1324
Ord 5 March 61 No 58-59.
" 27 " " 486-487.
" 22 Sept 60 " " 413.414
" 7 Dec 59 " " 47-54
" 22 Feb 58 " " 1-2
" 26 October 61 " 327-328.

Copies a Letter to Govt and
Ord thereon of 1862.

V. 234.

Revenue 1862. Department.

Bd of Govt for Revenue.

No. 1177.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 7th April 1862.

Despatched. 23

Received.

No. 2,278.

Submitting with remarks letter from the Collector of Kistna District communicating the views of the Nuzid Zemindar regarding the system of compounding for water rate.

No 35

1324

Proceedings of the Madras Government
Under date the 17th June 1862

Read the following
Proc of the Board of Rev.

Submitting with remarks a letter from the Collector of Vizagapatam forwarding information on the question of the charge of water supplied from the Visakhapatnam Canal to landowners in zemindaries

Were entered 21st November 1862 No 6144

Submitting with remarks a letter from the Collector of Vizagapatam communicating the views of the Zemindar regarding the system of compounding for water rate

Were entered 7th April 1862 No 2278

The Government concur with the Board and do not wish the proposal for a composition to be pressed on the zemindars until the works are more advanced when the Zemindars will perhaps think better understand

and appreciate the advantage of compounding for the water supplied to their Estate on the liberal terms offered by Govt.- Meanwhile the present system of annually measuring and examining the irrigated area must of necessity be continued-

I. N. S

H. Christopher Bagshaw
Dist. Jr.

Copy of a Letter to Govt
No 18 of Levy 1861-2 dt 1862

29-1-24

System of compound
for water rate in Rice
Lamindary Vizagapatam

Revenue 1862 Department
Pros of Govt for June.

No 1324.

Pros of Lt Govr Madras Govt
Dt 17th June 1862.

29-1-24

Pro: Submitting a letter from
Krishna Collector on the question
of the charges of water supplied
from the Krishna Anicut to
Canals in Zamindarie.

No 233 at 235.