M.R.O. 14—18,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue—DEPARTMENT.

G.O. No. 2656 Press Mis.

305-306

Dated 23—12—1926.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 23rd December 1862.

No. 305. Read the following Proceedings of the Board of Revenue, dated 24th November 1862, No. 7,717:—

Read the following letter from P. GRANT, Esq., Collector of Coimbatore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 15th November 1862, No. 238.

SIR,

1. I have received Proceedings of Government, Revenue Department, and their Order thereon, dated 3rd October 1862, No. 2,132, communicated in the Board's Proceedings of the 11th idem, No. 6,832.

2. The terms preposed by Government in paragraph 7 of the Proceedings have been made known by the Sub-Collector to Narraina Pillay, who professes his willingness to bring 500 Cawnies of land under cultivation within five years, if granted at Rupees 2-5-7 the lowest Nunjah rate, in default to pay this rate on the 500 Cawnies.

3. Mr. Lawford, the 1st Assistant Engineer, who has visited the site of the Anicut, is of opinion that the work could be completed by Government in two years, but he thinks that a private individual like Narraina Pillay would take five years to execute it. The site is, I am informed, in a dense unhealthy jungle about 7 miles from any village, so that this distance would have to be traversed daily to and from the work, by the coolies executing it, and also to a considerable extent by the people cultivating the land after the water had been brought to it.

4. The Cullapoorum village lands assessed at Rupees 6-9-8 per Cawny are the nearest to those now under reference, which lie about 2 miles above the Cullapoorum Anicut.

5. The Ryots who cultivate the Cullapoorum lands, reside in villages 4, 5, and 6 miles distant from them; and great as are the disadvantages under which they labor, they are far less than they would be in the case of those, who would have to cultivate the lands proposed to be newly brought under the plough, so that until Government are prepared to undertake the re-construction of the old Anicut, I fear the lands if assessed at the Cullapoorum village rate Rupees 6-9-8 per Cawny, must remain as they are, a jungly waste; for the people will not attempt their cultivation, unless they see that there is a prospect of a handsome remuneration. I therefore beg again to lay Narraina Pillay's proposition before the Board for the further consideration of Government.

ENCLOSURE No. 1.

From J. C. ST. CLAIR, Esq., Acting Sub-Collector, to P. GRANT, Esq., Collector of Coimbatore, dated Caroor, 27th October 1862, No. 105.

SIR,

1. In reply to your letter of the 16th instant, No. 365, I have the honor to inform you that having, while lately at Oodumalapetta, had an opportunity of seeing the modified Government Order with regard to Narrain Pillay's application to restore the Anicut at Cullapooram, I inquired of the applicant whether he were willing to undertake the work upon the new terms. He stated that he would still undertake to complete the Anicut and channels, and to bring 500 Cawnies into cultivation within five years, or in default of doing so, to pay the full assessment on the land at the rate of Rupees 2-5-7 per Cawni.

2. It appears however from the Order alluded to, that the Government are unwilling that the land should bear a less assessment than the lands around it. These hill lands have never yet been assessed, but a tract was lately given to one Coopayan on the Talanjee Hills in the same Talook for Rupees 2-5-7 per Cawni. The nearest lands are those of the village of Cullapoorum; the lowest Nunjah assessment in which is Rupees 6-9-8 per Cawni, at which rate it is certain that neither Narrain Pillay nor any one else would take the land on the terms proposed.

3. The progressive Cowle offered by the Government differs little from that which is usually granted for clearing lands long waste for dry cultivation, in consideration of the labor and capital expended in rendering them fit for cultivation. If the full assessment be charged after five years the applicant will receive no return for the capital expended in building the Anicut and cutting the channels.

4. In the opinion of Mr. Lawford, with whom I had an opportunity of discussing the subject, no private individual could be expected to complete such a work within the period of five years above mentioned. The unhealthy situation of the locality rendering it impossible for persons to reside within a considerable distance, a great portion of each day will be consumed in going to and coming from the work.

5. Until the assessment to be charged upon the land is fixed, it is of course unreasonable to expect Narrain Pillay to bind himself to take up a certain quantity of it. But if it be resolved to assess it at the same rate as the lands in Cullapoorum, I think that a still more favorable Cowle should be granted. Considering that the land has been waste for an unknown period, and that but for private enterprise it will probably long continue in its present condition, it would be politic to allow the applicant to reclaim it upon terms which he can accept without loss to himself.

(True Copy.)

(Signed.) P. GRANT, *Collector.*

ENCLOSURE No. 2.

From A. LAWFORD, Esq., First Assistant District Engineer in charge of Poollachy Range, to Colonel C. E. FABER, R. E., District Engineer of Coimbatore, dated Oodamullapettah, 24th October 1862, No. 124.

SIR,

In reply to your letter, No. 143 dated 20th October 1862, requesting me to report the time required for completing a certain Anicut across the Ambravathy, I have the honor to inform you that having already inspected the site, I believe it would require two years for execution under departmental agency, as the locality is among the hills and in dense jungle, and far from other villages where labor could be procured. Considering however that Narrain Pillay has not the pecuniary resources at his command that the Government would have, and knowing from personal conversation with him that his intentions are to execute portions at a time, I think he might fairly be allowed the term of five years to bring the whole work including Anicuts and channel to completion.

(True Copy.)

(Signed.) C. E. FABER, Colonel, R. E.,
District Engineer.

(True Copy.)

(Signed.) P. GRANT, *Collector.*

ENCLOSURE No. 3.

From Colonel C. E. FABER, R. E., District Engineer of Coimbatore, to P. GRANT, Esq., Collector of Coimbatore, dated 29th October 1862, No. 296.

SIR,

1. In compliance with your despatch of the 16th instant, No. 360, I have the honor to forward transcript of a letter* from the First Assistant District Engineer of the Poolachy Range, reporting the result of his own inspection of the old Anicut across Ambravathy as proposed to be restored by Narrain Pillay.

* No. 124 dated 24th October 1862.

2. You will notice that whilst Mr. Lawford is of opinion that with a full command of all the influence, authority and resources of the Government, he himself could complete the whole project within two years, he not the less considers that for a single individual as projector, and that one a man in private life, without any remarkable wealth at command, a period of (5) five years is not thought to be an unduly extended one for a full development of the matured undertaking so as to comprize all ramifications and final results.

Proceedings of the Madras Government, Revenue Department, 23rd December 1862.

3. Accepting this judgment as one erring only on the side of a liberality truly regal, I venture to suppose that a margin of from three to five years, as you may now be pleased to decide, will meet the actualities of the case.

(True Copy.)

(Signed.) P. GRANT, *Collector.*

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1. Ordered to be submitted to Government for decision with reference to their Proceedings quoted by the Collector.

2. The Board beg leave to renew their former recommendation in the matter.

3. As they understand the case, the land is immemorial waste, though there are indications of its having been cultivated in former ages. The so-called repairs are in fact the construction of an entirely new work, as there seem to be only the merest indications of works of any kind having formerly existed on the spot. There is no apparent reason for assessing the land otherwise than as Punjah, or for taxing improvements effected at the cost of the party taking up the land for cultivation. The seigniorage proposed by the Board is a full recognition of the rights of Government in the water, and under the existing rules for the construction of works of irrigation by private individuals nothing more than this seems necessary.

4. It appears to the Board that the applicant might have taken up the land as Punjah on Darkhast, and afterwards executed the proposed works without *any* extra charge whatever against him, under the rules approved by Government in Extract from Minutes of Consultation dated 17th September 1859, No. 1,256, Revenue Department, (Board's Circular Order dated 20th September 1859).

(A true Copy and Extract.)

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

No. 306. ORDER THEREON, 23rd December 1862, No. 2,656.

1. Narrayana Pillay originally offered to re-construct a ruined Anicut on a branch of the Ambravutty river in Coimbatore on the following terms:—

I. He was to have all the water.

II. He was to pay Rupees 2-5-7 per Cawny, the lowest Nunjah rate.

III. He was to bring 500 Cawnies under cultivation in five years.

2. The Board proposed the following terms:—

I. To give Narrayana Pillay as much land as he could reclaim with the water, at Punjah rates.

II. To give him a *preferential* right to all the Ayacut or culturable area.

III. To charge a water rate of 4 Annas per Acre on the wet cultivation in recognition of the State's right in the stream.

3. The Government on the other hand offered a Cowle on the following conditions:—

First year	Free.	
Second do.	¼	Assessment.
Third do.		
Fourth do.	½	do.
Fifth do.	¾	do.
Sixth, &c.	Full	do.

The Board were to ascertain how much land Narrayana Pillay would take on these terms and fix a period for the construction of the Anicut.

4. Narrayana Pillay is now said to be willing to bring 500 Cawnies under cultivation in five years if the land is assessed at Rupees 2-5-7 per Cawny. The Government presume from nothing being said of the surplus water, if any, available from the work after the irrigation of the 500 Cawnies taken up by Narrayana Pillay has been duly provided, or of the Ayacut beyond that extent, that both these are to be at their absolute disposal, or in other words that Narrayana Pillay's proposition is limited to the grant of 500 Cawnies at Rupees 2-5-7 per Cawny in consideration of which he restores the Anicut and Channels, keeping them in repair and bring-

ing the 500 Cawnies into cultivation in five years. This must first be clearly explained and formally agreed to by Narrayana Pillay.

5. The assessment of Rupees 2-5-7 per Cawny is however only equivalent to Rupees 1-12-6 per Acre, and is manifestly too low. For land under ruined tanks the Board lately proposed 2 Rupees per Acre, and making allowance for circumstances peculiar to this project the Government think this a fair rate. On the understanding stated in the preceding paragraph the Government authorize the Board to accept Narrayana Pillay's offer, if he will pay Rupees 2 *per Acre* on the extent sought by him.

6. With reference to paragraph 4 of the Board's Proceedings dated 24th ultimo, the Government observe that it never was their intention that under the C. O. quoted, of August 1859, a Collector should be deprived of all discretion in granting permission to Ryots to utilise streams not at the time turned to account by Government. The rules must therefore be at once amended in this respect by the Board, who will submit their draft for the approval of Government.

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

Remarks by Honorable Mr. Maltby at the end of para 3 of the Memo.-

How will this be when Mr. Davis Agnew has just bought (as he told me himself) 1,200 acres from Mr. Ouchterlony at Rs 40 per acre - the land being subject to an annual assessment.

(Signed) E. M.

Remarks by His Excellency the President just below the above

And Mr. Strange has bought 300 acres at 30 Rs per acre subject to an assessment of 2 Rupees -

(Signed) W. S.

Remarks by Honorable Mr. Maltby against para 5 of the Memo

I concur in this view -

(Signed) E. M.

By the Honorable the President

Yes (Signed) W. S.

" L. P.

Remarks by Honorable Mr. Maltby against para 6 of the Memo:

I doubt the advisability of altering the system which has hitherto prevailed in Wynaad on this point -

(Signed) E. M. do (Signed) W. S.

Remarks by His Excellency the President against para 9 of the Memo.

The effect of putting no minimum price on the land would be to sell the land at a nominal rate, for only in exceptional cases would there be any bidding of parties one against the other- in these case Capitalists would come in and purchase for the sake of reselling- I would put the same upset prices as on the Reibykeries which will keep out land jobbers-

(Signed) W.D.

Remarks by Honorable Mr. Maltby-

I would put the waste up to auction, without any minimum price but subject to the present system of assessment viz the Jeeum 1/2 Rupee, and Rupees 2 per acre on the cultivation- the applicant should have liberty to redeem either the Jeeum or the assessment or both-

(Signed) E. M.

Remarks by Honorable Mr. Eyeroft-

I would put up the waste to auction, without any upset price but bearing an assessment ab initio on the land of Rupees 2 per acre and on grass land of 1 Rupee- payable on the entire holding cultivated or uncultivated- this is the Reibykerry system which thus would be transferred bodily to the Wynaad, and considering how much better the land generally is in the latter locality it could not be deemed burdensome there- If an upset price be set upon land in the Wynaad, whereas none is imposed on land sold on the hills the Wynaad settlers might complain, charging the assessment on the entire holding would put a stop to annual measurements and inspections and the land can sell itself. If land put up without an upset price paid only on cultivation a man might get say five hundred acres subject only to the payment for certain from the beginning of the Jeeum 1/2 Rupee or $500 \div \frac{1R}{2} = 250$ Rs a year- and keep it waste until he

he could sell it to others. This would lead to jobbing and would be, I, ~~and~~ ~~it~~ appears to me, to be a needless sacrifice of the public interests.

16th Dec.

(Signed) J. P.

For final Order.

Narrayana Pillay

originally

Head to reconstruct a ruined Anicut on a branch of the Ambravutty river in Coimbatore on the following terms -

I. He has to take all the water.

II. He would pay Rs. 2-5-7 per Cawny the lowest Punjah rate.

III. He would bring 500 Cawnies under Cultivation in 5 years.

2 The Gd. proposed

I. To give him as much land as he could reclaim with the water, at Punjah rate

II. To give him a perpetual lease of all the Accent or

yes if there is no Torich below him on this same stream when drainage WW

new well - WW

Ten men may have water sufficient to irrigate 600 Acres - at 2 Rs per acre - & this land to repair the Anicut & keep this in repair

WW

I concur in the above on the understanding that the Govt has undoubted right to the water which remains after the 500 acres are irrigated, subject to the Anicut being kept

JP

cultivable Area

III. To charge a Rate not to exceed 4 an Acre on the Net Cultivation in Recognition of the State's right in the Streams

3 The first Altered a Lateral Canle - First year - Free
Second do
Third do } ½ do
Fourth — ½ do
Fifth — ¾ do
Sixth be full -

The Govt. here to ascertain how much land he could take on these terms & fix a period for the Construction of the Annicut -

4 Narrayana Pillay is now willing to bring 500 Cawnies under

I would accept this offer & recommend it for sanction & Govt. & Board of Rev. should be empowered to enter into an agreement with him on the basis of the terms mentioned in this letter -

Tank Cultivation in 5 years

if he set them for Rs 2-5-7 per Cawnie - He seems to abandon his first claim to all the waters, so that the surplus, if any, would be at the disposal of Govt. but this is not expressly stated. Practically therefore N. P. declines the offer of Govt. who must now decide whether they will modify it or not.

From what Mr Grant says, the best would be better left to private enterprise than undertaken by the D.P.W. as Govt. would evidently have to settle people & settlers in the village - But pending this the terms proposed by the Govt. seem fair

Rained Tanks, except that R assumes net cultivation

R 2-5-7* per acre instead of 2R but as R is willing to pay this higher rate he may make his calculations - They is probably no chance of this work being done for generations except in a form such as this - and all that is granted is much cheaper - & should clearly look down that for one to undertake all simple works that required for irrigation of Rs 500 acres -

* This is per Cawny
2-5-7 per Cawny
= 1-12-6 per Acre.
The Rained Tank rate is 2R per Acre.

took two Lakhs.

In the case of Ramnad Zamindari Tank Irrigation the Rate per acre is Rs 2 - while here with Rates & Rents from a Tank Steam they propose that on the average Dry Rate of the District amount only to Rs 1-2-6. per Acre. The nearest wet lands bear a minimum assessment of Rs 6-0-0 per Carrie! But a tract of land similar to that now brought under "Rated Area" (by whom not stated) pay Rs 2-6-7 - and it is said that there Hill Lands have been surveyed & assessed - Still it is not stated what is the cultivable area of the village - or even whether the land is first or second - If the first - Rents & Rates are as stated & then with Rs 1-2-6 per Acre Dry Rate the Rate of the District should be charged the average Dry Rate of the District which is about 1 Rs per Acre and a fair Water charge per Acre from the Water Cess put on Land for Tanks I should think the Water Rate must be for the fully 1/2 Rs per Acre - or half the Dry Rate - The Ryots make

+ This paper is in circulation

this average, 2 1/2 Rs per acre, on the Net lands — and as M. Pillay would naturally take the best lands, the assessment would likely be moderate. The land including 12 per cent on his outlay would stand him in about 3 Rs per acre while the average net asst is 7-14-0 & the average produce 3-4-0. — If he takes up 500 cawnies on these terms, Govt would get Rs 1652 where they now get nothing. The Engr calculates that if they do the work themselves they may get 40 per cent on their

⊕ I am not aware of any such Rule. I think the Commissioner's permission is to be applied for [illegible] work of [illegible] [illegible] to the extent of what is [illegible] ?? JP

outlay or abt 1200 Rs.

If Govt adhere to the Code I think some more liberal terms will be necessary and some assessment must be fixed — as the lands are not now assessed. Three years free tenure would probably do, little more than re-imburse the first outlay in making the work and clearing the land —

They alteration of the Bd's application of the C.O. of Augt 1859 — which is put up. I do not think Govt ever intended that a Collr should exercise no discretion ⊕ in giving permission

⊕ clearly he should have a discretion and the Rules which are not sufficiently explicit on this point might be amended — as thus [illegible]

Revenue Depart.

No. 2656

Proceedings of the Madras Government under date the 23d. December 1862

Read the following

Bo: of the Board of Revenue

Submitting for the decision of Govt a letter from the Collector of Coimbatore on the subject of Narrainna Pillay's application for a lease on certain conditions the old Anicut across the Ambravatty, the Board's remarks on the subject.—

(Here enter 24th Para 1862 No 717)

Narrayana Pillay originally offered to reconstruct a pucca Anicut instead of the Ambravatty River in Coimbatore on the following terms.

I He was to have all the water

II He was to pay Rupees 2-5-0 per Cawney on the lowest taxed rate.—

III He was to bring 500 Cawnies under cultivation in 5 years.

The

to irrigate streams not at the time turned to account and the permission, at all events has to be practically withdrawn by the proviso "that the right of Govt. & Executive at any future time any works whatever" should not be affected by "such interference & consequent pecuniary enjoyment".

L D—

dence is a matter upon which I should say that a part of the land per pucca any assessment for a term of years - then an assessment of one fourth for another term, then for whole - the maximum being fixed at the average wet assessment of the district would be sufficient.

JB

- In my opinion irrigation works of this size had better be undertaken by the Govt and the D. P. W. jointly employed in looking after such projects in extending irrigation while the Revenue Officers keep the existing tanks & channels in repair. - As N. P. has demurred to the terms offered I would now make inquiries about constructing the Anicut myself. - I agree in the final remarks of the Board. - Collector has a discretion & no person can claim to construct irrigable in public a Govt channel

JB

See reply on para 4

I deem it one that a great object would be gained could we induce the natives to expend money on such works as these, and my wish would be that the Govt should offer to them such terms or conditions as would be likely to attract them - there are I believe in the Presidency about 1000 tanks ruined tanks each of which only irrigated 50 acres there would be an increase of more than half a million of acres to the cultivated land - this property shows that the D. W. Dept cannot be cognizant of the various kinds of land might be made - neither would it be their province to construct them - or rich to construct them - or this case the only alternative seems to be that of holding out inducements to the natives to such work - the particular plan upon which I think the

Col Cooper

2. The Bd proposed the following terms.—

I. To give Narrangana Pillay as much land as he could reclaim with the water at Poonjah rates.—

II. To give him a preferential right to all the adjacent or culturable area.—

III. To charge a water rate of 1/4 Ano per acre on the net cultivation in recognition of the State's right in the streams.

3.—The Govt on the other hand offered a Cowle on the following conditions.—

First year — free
Second do-
Third do } — 1/4 asst
Fourth — — 1/2 — do
Fifth

Fifth year — 3/4 asst
Sixth do — full —
The Bd were to ascertain how much land Narrangana Pillay would take on these terms and for a period for the construction of the Anicut.—

4. Narrangana Pillay is now found to be willing to bring 500 Cawnies under cultivation in 5 years of the land is assessed at Rs 2-5-7 per Cawnie. The Govt presume from nothing being said of the surplus waters, if any, available from the work after the irrigation of

of the 500 Cawnies taken up by Narrayana Pillay has been duly provided or if the Applicant be prepared that the said two hundred are to be at their absolute disposal, or in other words that Narrayana Pillay's prospecting is limited to the grant of 500 Cawnies at Rs. 2-5-4 per Cawnie in consideration of which he restores the Anicut and channels. On this understanding must be clearly explained and formally agreed to by Narrayana Pillay.

and keeping them in repair & bringing the 500 Cawnies into cultivation in 5 years.

The assessment of Rs 2-5-7 per Cawnie is known only equivalent to Rs 1-12-6 per Acre & is manifestly too low. For the last mile the Bd. lately fixed 2 Rs per Acre & Mr. King all round for circumstances of location & the Govt think this a fair rate. On the understanding stated in the preceding para the Govt are willing to allow the Bd to accept N. P's offer, if he will pay Rs 2 per Acre on the extent surveyed by him.

Before the Govt can authorize the Bd to treat for his offer. —

6 With reference to para 4 of the Bd's Proc. of 24th ult. the Govt observe that it never was their intention that under the G.O. of 28th Augt 1859 quoted by them a Collr should be deprived of all discretion in granting permission to any one to utilize streams not at the time required to account by Govt. The rule must therefore be at once amended in this respect by the Bd who will submit their

Their draft for the approval of Government.

14 Copies to Bro of Rev
Desp: 24

17-5-12

No. 3-4
17-9-59

No. 24-25
3-10-62

Revenue 1862 Deptt.
Pro: of Govt for Decr.

No 2656.

Pro: of the Madras Govt.
Dd 23d Decr. 62.
Rd. 7th January 63
Encl. 50 in Ps.

Remitting the
Commission

Board of Revr. authorized to accept, on certain conditions, the offer made by Sr. Narayana Pillay to restore an old superincumbrance of the Ambravalty Tanks in Coimbatore.

No. 305 & 306.