

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1835	Press
		Mis.
	82-84	
Dated	7-10-1918	63

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
7th October 1863.*

Read the following:—

No. 82. Proceedings of the Board of Revenue dated 1st September 1863, No. 5,460.

Read the following letters:—

From J. I. MINCHIN, Esq., Collector of Kurnool, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 20th July 1863, No. 110.

SIR,

1. With reference to the Order of Government dated 13th July, No. 1,272, I have the honor to submit the draft notice, setting forth the orders conveyed in paragraph 4 of the Despatch of the Secretary of State for India, dated 30th May, No. 27.

2. The Board are aware that no irrigation has yet taken place under the canal, and that owing to the recent accident on the line, when the tank bund at Idroor was breached, and the banks of the canal seriously injured for two or three miles, there is no prospect of more than one or two feet of water being let down the canal as far as Kurnool until the next cultivating season.

3. The amount of irrigation that may be carried on to the west of Kurnool, for the current season, is therefore too insignificant to be worth consideration, and I beg therefore respectfully to suggest the advisability of postponing any further proclamations for the present, or until definite arrangements have been fixed, and can be made known to the Ryots.

4. The present notice, where not unnecessary, appears to me peculiarly objectionable. No Ryot would for an instant believe that a charge of Rupees 4 being fixed for a first crop, he would be charged nothing further for a second, while the statement that Government was in no way pledged not to increase the water rate hereafter, would naturally cause so much suspicion, that the Ryots would refuse to take the canal water at all on such terms.

5. It must be remembered that when once a land owner has prepared his fields for irrigation, he cannot return to dry cultivation, but must continue to take the water whatever price may be charged for it. If he is, in the first instance, led to take up irrigation by the moderate scale of the demand, which is raised afterwards when he has no option in the matter, the Ryot will have some grounds for asserting that he was induced to make the change under false pretences.

6. If it be the intention of Government to raise the water rate, this should be done at once, before irrigation be commenced, and should the change be found unadvisable, the rate can again be lowered. To notify to the Ryots that the rate recently fixed will be liable to enhancement at any future time, will introduce such an element of uncertainty into their calculations, as would increase their present dislike to change, and to a great extent prevent the water being made use of, when available for irrigation.

ENCLOSURE No. 1.

Notice.

1. In a proclamation published at page 50 of the District Gazette for 1863, and circulated to all the villages along the line of the Company's Canal, it was notified that a charge of Rupees 4 per Acre in addition to the dry assessment would be made for irrigation under the canal.

2. The Ryots are clearly to understand that this charge was for a single crop only, and that when the works of the Company are in a condition to supply water for a second crop, the amount to be charged for it, in addition to the rate charged for a single crop, will be duly announced.

3. In fixing a charge of Rupees 4 per Acre for a single crop, the Ryots are informed that the Government in no way pledged itself that that amount would not hereafter be increased.

(Signed) J. I. MINCHIN, Collector.

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For the same Officer, dated 18th August 1863, No. 135.

With reference to your Official Memorandum of the 13th instant, No. 603, I have the honor to report that the Notification, in accordance with paragraph 7 of the Order of Government under date the 24th March 1863, Revenue Department, No. 573, was published by me at page 99 of the District Gazette of the 18th April, No. 109.

1. The Board observe that the Draft Notice submitted by the Collector refers to a Proclamation dated 18th February 1863, which was expressly superseded by one of later date, viz., 15th April 1863, published, as stated in the second letter, in the District Gazette of the 18th idem. It is evident therefore that the reference in the Draft Notice must be altered accordingly.

2. The Board are further of opinion that the form of the Draft Notice is capable of improvement. They resolve to furnish the Collector with copy of the Contract between the Secretary of State in Council and the Irrigation Company, from Sections 13 to 15 of which he will see that it is not possible for Government to notify a *maximum* rate to be charged for the water, and it is undoubtedly essentially necessary that the Ryots should be made fully aware of the possibility of the present rate being raised.

3. Under these circumstances, the Board consider that the Notification should state distinctly that the price for water supplied from the Irrigation Company's works will, for the present and until further notice, be at the rate of Rupees 4 per Acre for a single crop in addition to the existing dry assessment, but that the Government in no way pledge themselves that this rate for water for a single crop shall not be hereafter raised, and that in the event of water for a second crop being hereafter available, the amount to be charged for such irrigation in addition to the charge for the first crop, and to the dry assessment on the land, will be duly notified.

4. The Notice should conclude with a statement that it supersedes all previous Notices.

5. The Collector will consider whether any reference is necessary to the Government Order, dated 9th February 1863, No. 283, R. D., in which the Government pledged themselves to the Ryots of the villages between Soonksala and the Nagatoor Tank that the new assessment on Nunjah cultivation shall not exceed the existing dry assessment, *plus* the water cess of Rupees 4 per Acre for the first crop, and Rupees 2 for the second, or a consolidated water rate of Rupees 5 for both crops. It should, however, be stated how far this pledge has been relied on by the Ryots. The Board do not suppose that any land has yet been prepared for wet cultivation even in this limited tract.

6. The Collector's reply to these Proceedings is requested with the least possible delay.

No. 83. Proceedings of the Board of Revenue, dated 18th September 1863.

Read again letters from the Collector of Kurnool, dated 20th July and 18th August 1863, Nos. 110 and 135, and recorded in Board's Proceedings, dated 1st September 1863, No. 5,160.

Read also the following letter from J. I. MINCHIN, Esq., Collector of Kurnool, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Kurnool, 7th September 1863, No. 144.

SIR,

1. I have the honor to submit the revised Notice concerning rates for irrigation under the Company's works, the publication of which has been rendered necessary by the contract entered into with the Company by the Secretary of State.

2. In informing the Ryots that the Government do not pledge themselves not to raise the rates to be charged for a single crop, I have thought it necessary to state that due notice of such change will be given, and option accorded to the Ryots to give up the use of the water if unwilling to pay the increased charge.

3. It is evident that such notice and option are absolutely necessary to preserve the semblance of equity in our dealings with the Ryot in this matter, but I fear that in the nature of

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7th October 1863.*

things the option will be an idle form, as after he has once gone to the expense of preparing his field for irrigation, the Ryot cannot revert to dry cultivation, but must pay whatever rate the Company can succeed in getting charged by the means imposed by the contract.

4. The fact of the option being left with the Ryots, may however create a wholesome caution on the part of the Company, and is the only check that can be brought to bear upon the greed of gain which will otherwise be constantly urging them to raise the rates.

5. With regard to paragraph 5 of the Board's Proceedings under reply, I think that no reference can be made to the Government Order dated 9th February 1863, No. 283, Revenue Department. The intention of that Order was, I believe, to pledge the Government against increasing the land assessment, rather than the water rate, and if the latter were intended the pledge is clearly opposed to the contract recently made with the Company.

6. In either case I believe that the Order in question had no effect, and past unnoticed by the Ryots. As far as I am aware no land has yet been prepared for irrigation under the Canal, and owing to repeated misfortunes, no irrigation, even to the west of Kurnool, will be possible during the current season.

1. Ordered that the Draft Notification be submitted for the approval of Government, as a preliminary to publication, with reference to their Orders dated 13th July 1863, No. 1,272.

2. With reference to paragraph 4, the Board observe that the Company will have no direct dealings with the Ryots, and that as the price to be paid to the Company by Government is to be fixed and revised by arbitration at the option of either party, there seems no reason to fear that the Ryot can be charged an unreasonably high rate.

3. The language of paragraph 3 of the contract clearly reserves an option to the Ryot as to taking water.

ORDER THEREON, 7th October 1863, No. 1,835.

No. 84.

1. With reference to paragraph 2 of the Proceedings of Government 13th July 1863, No. 1,272, the Board of Revenue submit a Draft Notification from the Collector of Kurnool to be issued in that District regarding the charge for water supplied by the Irrigation Company.

2. In the 2nd paragraph of the Notification, the Collector pledges the Government to giving due notice of any change in the rate of water. The Government will of course give as early notice as they can, of any alteration and the pledge is unnecessary.

3. In the same paragraph, Mr. Minchin also gives the Ryots the option of continuing to take water or not, at the increased charge. This question has recently been referred* to the Secretary of State, whose orders must be awaited.

* To Secretary of State, 20th August 1863, No. 88, paragraph 5.

4. The Notification, it is further observed, omits the pledge ordered† by the Secretary of State that the land assessment shall not be enhanced on account of the advantages which the land may derive from the irrigation supplied.

5. With reference to these remarks the Government have prepared a fresh Notification, which will be found appended to these Proceedings, and which the Board will be requested to cause to be published in the District Gazette.

6. Mr. Minchin will be desired to abstain in future from such objectionable insinuations as those contained in paragraph 3 of his letter dated 7th September 1863.

NOTIFICATION.

1. It is hereby notified that until further notice the charge for water supplied by the Irrigation Company will be 4 Rupees per Acre for a single crop.

2. This charge for water is in all cases additional to the dry assessment of the land watered.

*Proceedings of the Madras Government, Revenue Department,
7th October 1863.*

3. The charge for water supplied by the Irrigation Company for a second crop will be hereafter notified.
4. It is to be distinctly understood that the Government in no way pledge themselves that the charge for water supplied by the Irrigation Company will not hereafter be increased.
5. The Government assessment on the land will, under no circumstances, be increased on account of the advantages which the land may derive from the supply of water.
6. This Notification supersedes all previous Notifications on the same subject.

(True Extract.)

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

To the Board of Revenue.

- „ Public Works Department.
- „ Director of Revenue Settlement.
- „ Consulting Engineer Irrigation and Canal Company.

Exd. S. T. Augustin.

For orders.

The 1st but with a
notification to be
issued in Kurumb
regarding the charge
for water supplied
by the Irr. Co.

In his 2^d para.
Mr Minchin pledges
the Govt. to giving no
notice of any change
in the rate for water.
Of course he shall
do this as far as he
can but the pledge had
better be omitted, I think.

He also gives the
Ry the option of con-
tinuing to take water
or not, at the increased
charge. This question
has been referred home

and I don't know
how he decided in
the 2nd favor - but
the decision had
perhaps been not

be anticipated. The

Mr. Minchin
omits the pledge
made by S. C.
Wood, that the land
at St. shall not be
enhanced on
account of the ad-
vantages of the
irrigation he phibed.

I have drafted
a notice according
to the above letter.

He shall have
to send the notice
home & it may be
as well to ask
what we are to do

Contract does not seem
to me to have the 18th inter-
pretation on this point.

Despatch 30 March
1863. N. G.

*1. The 18th is not so un-
derstood as it is in the
contract. It is not a
condition that the land
shall not be enhanced on
account of the advantages
of the irrigation.*

as regards our assess-
ment when the C^o fail
to supply water. The
irrigation payment
will be a dry land
assessment to foot
and a water rate
for the C^o. If the C^o
fail to supply
water, is foot to re-
mit the land as-
sessment entirely
or is it to recover it
from the C^o?
With our own
irrigation we remit
entirely - but the
sections of dry land
have the same fund
to 10. late a date
that the chance of
wet cultivation, even
if they do not fail,
becomes small,
the 2nd are allowed

19-

It is a pity that
Mr. Michie's letter
contains objections
in insinuations - as those
in para 3. This should
be noticed I think.

4-11-1941
accident
7. 42 hrs
after

Sept 16.3 22nd

Province Depart.

A.O. 1835-

Proceedings of the Madras Government
Under date the 7th October 1863.

Read the following
Proceedings of the Board
of Revenue:

Suggesting certain modifications to the note regarding the
assessments and irrigation
by the Irrigation and Canal Com-
pany.

In answer to the letter from the collector of New York forwarding the revised list concerning slaves for registration under the Company's charter. (New York 18th Dec 1834)

With reference to
page 2 of the Proceedings of
Court Bth July 1863 Ch. 1272
the "Board of Revenue sub-
mit a Draft Notification
from the collector of Sur-
nam to be issued, in that
District regarding the
charge

charge for water supplied
by the Irrigation Company.

2. In the 2^d para of the
Notification, the collector
pledges the Govt. to giving
due notice of any change in
the rate of water. The Govt.
will of course give as early
notice as they can, of any
alteration and the pledge
is unnecessary.

3. In the same para,
Mr. Munshi also gives
the Ryots the option of con-
tinuing to take water or
not, at the increased charge.
This question has recently
been referred to the Secretary
of State, whose orders
must be awaited.

4. The Notification,
it is further observed,
omits the pledge ordered
by the Secretary of State
that the land afterwards
shall not be enhanced on
account of the advantages
which the land may derive
from

To Secy of State 26th Aug^r
1863 3058 para 5.

Dispatch 30th Aug^r 1863 3058
para 5.

6.
from the irrigation sup-
plied.

5. With reference to
these remarks the Govt.
have prepared a fresh no-
tification, which will be
found appended to these
Proceedings, and which the
Board will be requested
to cause to be published
in the District Gazette.

6. Mr. Munshi
will be desired to abstain
in future from such ob-
jectionable insinuations.
as those contained in para 3
of his letter dated 7th
September 1863.

14 Board of Revenue with an Encl. 26th Aug^r
20 P. Y. Dept^r
13 Y. of Rev. Secy
1 Consulting Engineer & Co. Secy

JMS

65
26

Also note the
paid land.

Navigation

It is hereby notified
that until further
notice the charge for
water supplied by
the Irrigation Co. will
be 4 Rs per acre for
a single crop.

This charge for water
is in all cases ad-
ditional to the dry
assessment of the
land watered.

The charge for water
supplied by the Irri-
gation Co. for a second
crop will be hereafter
notified.

It is to be distinctly
understood that
the Govt. in no way

 JP

ple for them selves
that the charge
for Water supplied
by the Irr. Co. will
not hereafter be
increased.

The fut. assessment
on the land will,
under no circumstance
be increased on ac-
count of the advantage
which the land may
derive from the supply
of water.

This notification
supersedes all
previous notifications
on the same subject.

J. J.

Copy in a Letter to England
8/7 Oct/63 no 107-

Revenue Dept.
Pro: of Govt for October

N. 1835.

Pro: of the Madras Govt.
Dy- October 1863.

Transmitted by 5 Dec/63
C. No 2997-

Pro. B. of Rev. dyg. 1863
to No 80 in P.

Pro. No. 123-124

9-2-63

~ 264-265

25-3-63

~ 242-243

13-7-63

C. No. 2127/63

Proceedings B. of Rev.
forwarding a notification
to be issued in the Humeed
District Gazette regarding
the apportionment of land
irrigated by the Irrigation
and Canal Company, with
orders thereon.

N. 82 Q. 84.