M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 103 Press ~~Mis.~~

200. 201

Dated 16 — 1 — ~~19~~ 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 16th January 1864.

No. 200. Read the following letter from Colonel S. O. E. LUDLOW, Consulting Engineer for Irrigation and Canal Company, to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, Chepauk, dated Saint Thomé, 19th November 1863, No. 103 :—

SIR,

1. Anticipating that there would have been some small amount of irrigation under the Company's Canal this season, I addressed the Agent and Collector on the subject of a temporary arrangement for recording the area irrigated and the revenue derived therefrom, pending the framing of a Code of Rules for the regulation of these matters.

2. I now forward copies of the correspondence which has taken place, principally with a view to calling the attention of Government to Colonel Cotton's letter No. 772 of 26th October 1863.

3. With reference to paragraph 2 of that letter the Chief Engineer is wrong in supposing that any arrangements proposed either by him or others for collecting the revenues of the Company have been finally agreed to by Government, but I concur with him when he states in paragraph 9 that before any form of accounts can be agreed upon, regulations must be established.

4. The whole question, *vide* Order No. 1,167, dated 8th May 1863, is still, I believe, under consideration in the Revenue Department. There are, however, one or two points connected with the subject of distribution which I think should be cleared up at once.

5. In the first place whatever assistance Government may afford to the Company in carrying out the distribution of their water, it cannot, I think, be reasonably expected that the State should be put to any expense thereby, whether in the excavation or maintenance of distributing channels or the payment of any extra Establishment which may be necessary for the control and superintendence of the distribution.

6. The question as to the extent to which the distributing Channels are to be carried out by the Company should be settled between them and the parties using the water. The Company must be considered here as taking the same position and being bound by the same rules and usages as the Government would be, were they the suppliers of the water. The existing customs and usages prevailing in the District in the case of Government irrigation ought to furnish a sufficient precedent for the settlement of this question.

7. But as frequent differences and disputes regarding the distribution and supply are pretty certain to arise whatever may be done to prevent them, some simple tribunal for the prompt settlement on the spot of such cases should, I think, be agreed upon between the Officers of the Company and those of Government.

Referred to the Revenue Department.

Chepauk,
21*st November* 1863.

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government, D.P.W.

No. 201. ORDER THEREON, 16th January 1864, No. 103.

1. With regard to the distribution of water the Government observe that the Ryot in return for his payment of water-cess is entitled to have the water delivered on his land free of further charge. The Government again receive only the assessment payable on the land without reference to irrigation, and cannot consequently be charged with any expense connected with the distribution of the water.

2. Under these circumstances it is clear that all extra expense incurred in distributing water must be debited to the Company's account which, *per contra*, will be credited with the water-cess levied.

Proceedings of the Madras Government, Revenue Department,
16th January 1864.

3. It may perhaps be the most convenient arrangement for the Company to deliver the water at the village boundary, and for Government to undertake the duty of distributing it, but in such case the Company must of course reimburse Government for all expenses incurred.

4. With these remarks the Government resolve to refer the papers to the Board, with a request that they will confer on the subjects therein discussed with Colonel Ludlow and the Collector of Kurnool (who is now at Madras), and submit a draft of forms of account and regulations for the consideration of Government.

(True Extract.)

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

To the Board of Revenue.
" Department Public Works.

Exd. S. T. Augustin.

a sufficient precedent for the settlement of this question.

7- But as frequent differences and disputes regarding the distribution & supply are pretty certain to arise whatever may be done to prevent them, some simple tribunal for their prompt settlement on the spot of such cases should I think be agreed upon between the officers of the Company and those of Government.

I have the honor to be
Sir
Your most obed Servant
J. D. Ludlow Colt
Consulting Engr for
Madras

Compd
Ast

Pro 15th May/63 # 114-115
Copy of a letter to Eng. to
of 31 October/62 No 39 the
Reference to the Rev.
Department.
[illegible]
Coll. R. 6
Recd Sept [illegible]
[illegible]
21 Nov/63
4782

Le 103 [illegible] 1864
[illegible] 2833.
From
The Conducting Engr for
[illegible]
To
The Secretary to Government
[illegible]
Dated 19th Nov 1863
Enclosures 2
1 letter in original & 8 copies of correspondence
No 103 forwards with his remarks the Chief Engineer's letter 1772 of the 26 Oct/63 together with copies of correspondence regarding the mode of collecting water rate & distributing channels

No 200.

W. 103. Rev. Deptt.

Proceedings of the Madras Government
Under date the 16th Jany/64

Read the following letter from the Const. Engr for Jand C. C.

Forwarding with his remarks the Chief Engr's letter No 4472 of 26 Oct/63 together with copies of correspondence regarding the mode of collecting water rate and distributing channels.

(Here enter 19th Nov/63 No 103.)

With regard to the distribution of water the Govt observe that the Ryot in return for his payment of water cess is entitled to have the water delivered on his land free of further charge. The Govt again receive only the asst

asst. payable on the land without reference to irrigation, and cannot consequently be charged with any expense connected with the distribution of the water.—

2 Under these circumstances it is clear that all extra expense incurred in distributing water must be debited to the Company's account which, per contra will be credited with the water rents levied.—

3 It ~~will be very probable~~ may perhaps be the most convenient arrangement for the Company to deliver the water at the village boundary and for Govt. to undertake the duty of distributing it, but in such case the Company must of course re-imburse Govt. for all expenses incurred.—

4 With these remarks the Govt. resolution to refer the papers to the Bd. with a request that they will confer on the subjects therein discussed with Colr. Ludlow and the Collr. of Nurnool (who is now at Madras) and submit a draft of forms of account and Regulations for the consideration of Govt.—

J D.

Mr. Cary to the Bd. of Rev. with 2 Orig. Encls. Dis. 2-15
14 Copies to the Bd. of Rev. 19
21 — — Mr. Cary 16

Revenue 1864 Deptt.
Pro: of Govt for Salary:
No: 103.

Pro: of the Madras Govt
D/ 16th January/64.

Copy in a letter to Govt
of 31 October/64 No 39 Rev

From the Secy to the Board
of Rev: 27 April/64 C 1940
& do 5 Feby/64 C 1343.

Certain papers re-
lating to the subject
of distribution of
water by the Irrigation
and Canal Company
referred to the Board of
Revenue for report.

No 200 & 201.