M.R.O. 14—18,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 57 Press ~~Mts.~~

100-101

Dated 11-1-~~19~~1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 11th January 1864.

No. 100. Read the following Proceedings of the Board of Revenue, dated 15th December 1863:—

Read the following letter from G. BANBURY, Esq., Acting Collector of Madras, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Sydapet, 12th November 1863, No. 487.

SIR,

1. Adverting to the 2nd paragraph of the Order of Government, dated the 11th February 1861, No. 285, communicated by the Board on the 18th idem, I have the honor to submit herewith, a Statement showing the revenue derived from the Government villages, as distinguished from Jari Muttah, Shrotriem and Inám villages, during the five years previous to the construction of the Kortillar Anicut, and the improvement of the Bungaru channel, and showing the five years' realizations subsequent to the execution of these works.

2. The Board will observe from the Statement now sent, that an increased Revenue has been the result of the construction of the Anicut, and the improvement of the channel both in the Government and Jari Muttah and Shrotriem villages, such increase in the former case amounting to Rupees 11,587, and in the latter to Rupees 5,371.

3. The proportionate cost, which should be borne by the several proprietors who have been benefited by the construction of the Anicut, as proposed by Mr. Cunliffe, in paragraph 1 of his letter of the 16th January 1861, No. 5, is shown in column 14 of the Statement, amounting in the aggregate to Rupees 12,476-6-2.

4. The several proprietors concerned were repeatedly sent for, with a view of ascertaining whether they were willing to pay their share of the cost of the Anicut and the channel. They put off appearing either before the Tahsildar or Mr. Cunliffe, to express their views upon the subject.

5. After Mr. Ellis assumed charge of the District, with some difficulty he secured the attendance of the several proprietors* noted in the margin, and questioned them on the subject. They stated that the construction of the Anicut and the improvement of the channel merely furnished the supply they were entitled to, according to the terms of the permanent settlement, and that the increase observable in the revenue of their Estates, was not owing to the improvements in the irrigation works, but to the rise in the price of grain, which, as they receive their "varam," or share, in actual produce, benefited them considerably.

* Zemindar of Tiruvur.
Jaghirdar of Tirupanara.
Moolwakam Shrotriemdar.
Mogulivakam Shrotriemdar.

6. They also stated that the Anicut water does not irrigate directly any Nunjah land, neither have they brought any Anadi Bunjer land under wet cultivation. On the above grounds, they ignore the fact that the Government are justified in expecting from them any contributions, by way of meeting the expenses attending the construction of the Anicut and the channel.

7. The other proprietors have not as yet appeared, and even if their presence was insisted upon, I apprehend their answers would be exactly the same as those of their fellow landlords.

8. I am given to understand that Mr. Cunliffe gave up the matter as hopeless, and at first anticipated that the proprietors might be induced to acknowledge the benefits received, and act liberally in the matter; but he subsequently found these anticipations were not, likely to be realized. Having omitted before the execution of the project to enter into a mutual engagement, and to take a stipulated agreement from these landholders, we cannot, I venture to suggest, now retrace our steps, and correct this oversight in any way. We cannot compel compliance with our request, although we know it is a fair and just one; we can only put the matter before them in a proper light; and as they are unwilling to come to any reasonable terms, we must, I fear, bear the penalty of not having made more specific arrangements when opportunity offered.

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1. Ordered to be submitted to Government, with reference to their Proceedings in the Department Public Works quoted by the Acting Collector.

2. Mr. Banbury gives the cost of the Kesavarum Anicut, *Channel*, &c. at Rupees 39,392, but the Board believe that only the Anicut is a new work, and the cost of it appears from Colonel Horsley's letter in Government Order, dated 5th September 1860, No. 1,877, Department Public Works, to have been Rupees 12,717.

3. The increased revenue derived from Ryotwary lands within the influence of the work in the five years subsequent to the construction of the Anicut, which was completed in July 1857, is stated to have been Rupees 57,935, and in the Jari Zamin, Shrotriem and Jaghire lands simi-

larly situated, it is stated to have been Rupees 26,855, being the aggregate revenue derived in this interval from an extension of cultivation and beriz over Acres 328. The proprietors do not however admit that they have derived from the work any increased benefit beyond what they are entitled to under the original conditions of their respective tenures, and Mr. Banbury doubts whether at this stage of proceedings they can be required to make any payment to which they were not bound before the work was executed.

4. The Board do not doubt that an equitable claim could be established against them, but they evidently will not assent to any arrangement, except under pressure, and before instituting any further enquiries as to the extent of liability which might fairly be imposed upon them, the Board desire to know how far Government is prepared to adopt ulterior measures for enforcing such liability.

No. 101. ORDER THEREON, 11th January 1864, No. 51.

1. In the absence of any previous engagement on the part of the landholders to contribute their share of the cost of the works in question, the Governor in Council resolves to waive all claim against them, on this account.

2. The work has proved very remunerative, and the returns from the Government land have more than repaid the outlay.

(True Extract.)

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

To the Board of Revenue.
" Public Works Department.

Exd. S. T. Augustin.

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I have &c &c

Secretary.

To
J. D. Sim Esq.
Secretary to Government
Revenue Department.

No 5.

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First Wednesday 11th Sept. 1860

To the Bd of Rev