

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1230	Press ~~Mis.~~
F31. 132	
Dated	7-6-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
7th June 1865.*

No. 131. Read the following Proceedings of the Madras Government in the
Legislative Department:—

- Approving, with few alterations, the Draft Bill for the levy of a water-cess in preference to levying a consolidated Nunjah assessment, and directing that it be introduced into the next Legislative Council. Requesting the Honorable Mr. Phillips to take charge of the Bill.

(Here enter 1st June 1865, No. 194.)

No. 132. ORDER THEREON, 7th June 1865, No. 1,230.

Land Revenue.

Ordered to be recorded.

(True Extract.)

(Signed) J. GROSE,

Acting Under Secretary to Government.

Exd. S. T. Augustin.

*Proceedings of the Madras Government, Legislative Department,
1st June 1865.*

Read the following papers :—

No. 1. Proceedings of Government in the Revenue Department.

Transferring to the Legislative Department for disposal a Draft Bill for the levy of a water-cess in localities where the Government may see fit to adopt that mode of realising the revenue from works of irrigation in preference to levying a consolidated Nunjah assessment.

(Dated 11th May 1865, No. 986.)

No. 2. Draft Bill revised by the Acting Assistant Secretary to Government, Legislative Department.

A

BILL

To enable the Government to levy a separate cess for the use of water supplied for irrigation purposes in certain cases.

WHEREAS in several Districts of the Madras Presidency, large expenditure out of Government Funds has been and is still being made in the construction and improvement of works of Irrigation and Drainage to the great advantage of the country and of proprietors and tenants of land: and whereas it is right and proper that a fit return should, in all cases alike, be made to Government on account of the increased profits derivable from lands irrigated by such works

It is enacted as follows :—

I. Whenever water is supplied or used for purposes of irrigation from any river, stream, channel, tank, or work belonging to, or constructed by Government, it shall be lawful for the Government to levy, at pleasure on the land so irrigated, a separate cess for the use of the water, which cess shall be additional to any land Assessment that may be leviable on the said land as unirrigated or Punjab; and the Government may prescribe the Rules under which, and the rates at which, such water-cess as aforesaid shall be levied, and alter or amend the same from time to time.

II. Arrears of water-cess payable under this Act shall be realized in the same manner as arrears of Land Revenue are, or may be realized by Law, in the Madras Presidency.

III. No action or other proceeding shall be had, taken, or sustainable against any Officer for anything done by him in, or relating to, the imposition, or levying of any such water-rates heretofore imposed or levied with the sanction of the Local Government.

IV. This Act shall extend to all lands held by Zemindars, Inamdars, or any other description of land-holders, for the irrigation of which water may be supplied or used from any such river, stream, channel, tank or work, as is specified in Section I; provided always that where a Zemindar or Inamdar, by virtue of engagements with the Government, is entitled to irrigation free of separate charge, no cess under this Act shall be imposed for water supplied to the extent of such right and no more.

Proceedings of the Madras Government, Legislative Department,

1st June 1865.

V. No Court of Civil Judicature shall have authority to take cognizance of any question as to the rate of water-cess fixed by Government under this Act.

VI. This Act shall take effect only in such Districts, or parts of Districts, and in respect to such works and lands as the Governor in Council may from time to time notify in the *Fort Saint George Gazette*, and shall in no wise affect the right of Government to levy a consolidated Nunjah Assessment where the same may now be in force, or may hereafter be deemed expedient.

VII. The term "The Government" where used in this Act shall be held to denote the Governor of Madras for the time being in Council.

No. 3. ORDER THEREON, 1st June 1865, No. 194.

The Governor in Council approves of the foregoing Bill, as revised by the Acting Assistant Secretary to Government in the Legislative Department, and directs that it be introduced into the Council at the next Meeting for the purpose of making Laws and Regulations.

2. The only alterations introduced into the Bill are the following:—

The substitution of the words "proprietors and tenants" for the words "the occupants" in the Preamble; the addition of the word "proprietors" being rendered necessary by the provisions of Section IV.

At the end of Section I, the second Clause has been incorporated with the first, and the power to prescribe Rules enacted in a more compendious form.

3. The Governor in Council requests that the Honorable Mr. Phillips will take charge of the Bill.

(True Extract.)

Thomas L. Burt

Assistant Secretary to Government,
Legislative Department.

To the Revenue Department: *6/June/65*

„ Board of Revenue.

„ Honorable H. D. Phillips.

