

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2445	<u>Press</u> ~~Mis.~~
154-155	
Dated	10.10.1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
10th October 1865.*

No. 154. Read the following Proceedings of the Madras Government in the
Legislative Department:—

Communicating the assent of the Government of
India to the Act to enable Government to levy
a separate water cess in certain cases, and
requesting to take necessary steps to bring
the Act into operation. } (Here enter 28th September 1865, No. 375.)

No. 155. ORDER THEREON, 10th October 1865, No. 2,445.

Miscellaneous.

Communicated to the Board of Revenue, who
will draw the attention of the Collectors of the
Godavery, Kistna, Nellore, and Kurnool Districts
to the provisions of the Act.
(True Extract)

(Signed) J. GROSE,
Acting Under Secretary to Government.

To the Board of Revenue,
,, the Director of Revenue Settlement, } With Proceedings Legislative Department, No. 375.
,, the Superintendent of Revenue Survey,

Exd. S. T. Augustin.

Inserted 7 September 1865

MADRAS.

ACT No. VII OF 1865.

An Act 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 incurred 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, or taken, or be sustainable against any Officer for any thing done by him previous to the passing of this Act 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.

I certify this to be a True Copy, and that the Act received the assent of His Excellency the Governor of Madras on the 29 July 1865.

*Legislative Department,
Madras 3 August 1865*

*Thomas M. Duntad
Off. Secy to Govt
Legis. Dept.*

*I sent to His Act
J. M. Lawrence*

London 7 September 1865

Handwritten text, possibly a signature or date, located in the upper left quadrant of the page.

LD
R. N° 287/65.

No 1757 A.

From A. P. Howell Esq.
Under Secretary to the Govt. of India

To T. M. Busted Esq.
Acting Assist. Secretary to the Government of
Port of George

Dated Simla the 7th September 1868

Home Department

Sir,

I have the honor to return, with the assent
of the Governor General signified thereon, the
to enable the Govt. to buy a separate
"cess for the use of water supplied for
irrigation purposes in certain cases." } authentic copy of the law received
with your letter N. 291 dated the
31st of July.

In forwarding the Act, however, thus
assented to by the Governor General, I am directed
to observe that His Excellency has accorded his
assent to it on the understanding that the initial
words of the first section are not intended to be
compulsory and that no water rates will be
levied under the Act for water which has not
been used.

x have it in mind that
the Act is not used & that
the Govt. must
pay no
doubt of it

I have the honor to be
Sir,

Your most Obedient Servant

Wm. Mark
Under Secy. to the Govt. of India

Legislative Department

Proceedings of the Madras Government.

Read the following letter
from the Under Secretary
to the Government of India,
Home Department

Here enter 7th Septem^r No. 1757.

Order thereon, 28th Sept 1865
No. 375.

Ordered that a
copy of the Act aforesaid
to be by the Governor Genl,
and received with the
foregoing letter, be forwarded
to the Superintendent of
the Government Press, for
publication in the Fort
Saint George Gazette.

2. The agent of the Gov.
General to this Act will
be communicated to the

Wm

Legislative 1865. Department.

Office

The Under Secy to the

Govt of India

Home Dept.
No. 1757 of

Dated 7th 23
Sept 25th 3rd Oct 1865

No. 287

Returning, with the
for Govt of India, the Act
to enable the Govt to lay a
separate copy for the use
of other authorities for re-
spective purposes in
certain cases.
Jm 13

Council for the purpose
of making Laws and
Regulations as prescribed
in Rule No. xxxix of
the Council Rules.

3. Para 2 of the foregoing
letter from the Government
of India will be com-
-municated to the
Revenue Department,
where the necessary steps
will be taken for bring-
-ing the Act into opera-
-tion -

for Mr. Letty
with a copy
and forward
only

J.M.

To The Supt. Govt. Pwp with copy of the Act.
" Revenue Dept.

25/ 250

*From the Govt Secy
to the Madras Govt*

**Proceedings of the Madras Government, Legislative Department,
28th September 1865.**

No. 30. Read the following letter from A. P. HOWELL, Esq., Under Secretary to the Government of India, to T. M. BUSTEED, Esq., Acting Assistant Secretary to Government, Fort Saint George; dated Simla, 7th September 1865, No. 15.

Home Department.

I have the honor to return, with the consent of the Governor General signified on the 28th, the authentic copy of the law received with your letter, No. 291, dated the 31st of July.

2. In forwarding the Act, however, I am directed to observe that His Excellency has accorded his assent to it on the understanding that the initial words of the first Section are not intended to be compulsory, and that no water rates will be levied under the Act for water which has not been used.

No. 31. ORDER THEREON, 28th September 1865, No. 375.

Ordered that a copy of the Act as assented to by the Governor General, and received with the foregoing letter, be forwarded to the Superintendent of the Government Press, for publication in the Fort Saint George Gazette.

2. The assent of the Governor General to this Act will be communicated to the Council for the purpose of making Regulations, as prescribed in Rule No. XXXIX of the Council rules.

3. The foregoing letter from the Government of India will be communicated to the Revenue Department, where the necessary steps will be taken for bringing the Act into operation.

(True Extract).

Thomas M. Busteed

Acting Asst. Secretary to Government,
Legislative Department.

To the Superintendent Government Press, with copy of the Act.
Revenue Department. ✓

Ed. J. H. Burns.

With H. J. Rogers

