M.R.O. 14—13,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2642 Press ~~Mis.~~

538 - 539

Dated 27th October 1865.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
27th October 1865.

No. 538. Read the following Proceedings of the Madras Government in the Public Works Department:—

Communicating a letter from the Government of India, enquiring whether the system of Tuccavy advances exists in any form in this Presidency, in connection with irrigation works. } (Here enter 24th October 1865, No. 3,195.)

No. 539. ORDER THEREON, 27th October 1865, No. 2,642.

Miscellaneous.

Communicated to the Revenue Board.

(True Extract.)

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

To the Board of Revenue, with Proceedings Public Works Department, No. 3,195.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Public Works Department,
24th October 1865.

Read the following papers:—

No. 604. Proceedings of the Governor General of India in Council, Public Works Department (Account), dated Simla, the 26th September 1865, No. 866A:—

Abolition of Tuccavy advances for irrigating channels in connection with Government Canals.

Read the undermentioned documents:—

Letters from Government, North-Western Provinces, Nos. 922A., dated 14th March, and 2,866A., dated 7th July 1864, forwarding Revenue Returns of Canals in the North-Western Provinces, for the years 1861-62 and 1862-63, respectively.

Public Works Department Resolution No. 656C.-3,825, dated 15th August 1864, to Government, North-Western Provinces, reviewing those Returns, and pointing out principles to be observed in canal administration.

Public Works Department letter No. 421A., dated 24th August 1864, enquiring whether Tuccavy advances are now given on the Ganges Canal, and if so, requesting particulars of present outstandings, and the system followed to recover them.

Letter from Government, North-Western Provinces, No. 362, dated 30th January 1865, reporting the state of the Tuccavy advance accounts of the Ganges Canal.

Resolution.—In Public Works Resolution No. 656-8C.—3825, dated 15th August 1864, the Government of India reviewed the Revenue Reports of the Canals in the North-Western Provinces, for 1861-62 and 1862-63, and discussed, amongst other points, the question whether water-courses should be constructed and maintained at the cost of Government, or by means of Tuccavy advances recoverable from the cultivators. It was remarked that the actual original charge falls on the Government equally, whether the disbursements for such works are treated as Government expenditure or as Tuccavy advances, and that the actual ultimate charge falls on the cultivator equally, whether paid in the shape of a re-fund of Tuccavy or as a water-rate. The decision arrived at was that the water-rates should be increased, so as to be neither in excess of the capabilities of the land, nor short of an equitable return upon the capital sunk on the works, and that with such increased rates, the Government might take over the existing water-courses, and for the further undertake the construction and maintenance of works of this class at its own charge.

2. In reply to an enquiry regarding the Tuccavy advances on the Ganges Canal, the Government, North-Western Provinces, has reported that they are made in all the divisions of the canal (save one), for the construction of *gools* or minor water-courses, and that the recoveries are effected in two or more instalments, either through Collectors of Districts or the Canal Officers, whichever realizes the ordinary water-rent of the canal in question. The present outstanding balances in the several divisions, amounted at the commencement of the year, to Rs. 1,02,614, of which Rupees 67,622 (or nearly two-thirds) will be settled by Government taking over the *gools* and thus cancelling the debt. The amount seems otherwise irrecoverable, owing to the defective state of these water-courses, many of which appear to have been made without due consideration, or without the formal consent of the Zemindars interested, who may not unreasonably decline to pay for works which they did not agree to have made at their expense. Another difficulty in the way of recovering these advances, is the implied objection of the Sudder Board of Revenue to include them in the Jummabundies with the water-rent, on the ground that the advances are rather in the nature of a private debt than of Public Revenue, and should not be mixed up with the Government demand to be collected by the District Revenue Officers.

3. Further, the operation of the Tuccavy system on the Ganges Canal, has given rise to questions concerning the proprietary right in water-courses constructed by private individuals. The Lieutenant Governor, North-Western Provinces,

viewing these in the light of private property, recorded his opinion that, in the event of their resumption, the Government were bound to compensate the owners; but he is now inclined to doubt the correctness of that conclusion, and considers that so long as the right of use is left intact, there seems to be no well-founded ground of claim upon Government on any other account. In this latter view, the Government of India fully concurs.

4. The result of the enquiries made confirms the objections taken by this Department to the Tuccavy system, and the Government of the North-Western Provinces has promised to discourage resort to it, even for the construction of private water-courses. Orders have been issued to write off to debit of the canal, the outstanding balances for the *gools* about to be taken over by Government. The remaining balances which amount to about Rupees 35,000, should be easily recovered.

5. The account sent up from the North-Western Provinces clearly shows that, whatever may be the supposed rules for recovery of Tuccavy advances at regular intervals, they have not been acted upon. The recoveries since 1861 up to the end of 1864, are not equal to the amount outstanding at the former date. The fact appears to be that this sort of expenditure has not been sufficiently under control; that the Canal Executive Officers have been in the habit of making these water-courses, not only without formal authority, but sometimes without sufficiently consulting the parties concerned, and many of the water-courses are so defective from want of care in taking levels, that the Zemindars could not equitably be made to take them over. The idea seems to have been entertained that, because the expenditure was carried to the Executive Engineer's "Inefficient Balance," instead of being charged at once as expenditure in the public accounts, no charge on the State was really involved. But charges of this kind, if not carefully looked after, and if not dealt with under regular rules, are almost sure eventually to fall in whole or part upon the Government. Inefficient balances have been certainly abolished, and this expenditure is now carried to a recognized head 'Tuccavy Works' in the books of the Department; but the experience of the past seems to show that the clearance of this amount, by recoveries, is likely to be very tardy, and on the whole, there can be little doubt that the direct mode of charging all expenditure on water-courses to be constructed in future, as a part of the cost of the canal works, will be in every way, a more satisfactory arrangement than that which has been hitherto pursued.

6. On these considerations His Excellency the Governor General in Council is pleased to determine that the system of making Tuccavy advances for water-courses in the canals and irrigation works in the North-Western Provinces and Punjab, shall be finally abolished, and that henceforward all such works when constructed out of funds provided by the State, shall be sanctioned in a regular way and provided for in the Budget Estimate.

7. This rule need not prevent the aid of a Canal Officer being given to construct a water-course from the Zemindar's funds, when those funds are *first advanced* for the purpose.

ORDER.—Ordered that copies of the above Resolution be forwarded to the Governments of the North-Western Provinces and Punjab, for information and guidance; also, to the Financial Department, to the Local Governments and Administrations named in the margin, and to the Accountant General, Public Works Department, for information.

Governments of Madras, Bombay and Bengal.
Chief Commissioners, Central Provinces, Oudh and British Burmah.
Commissioner, Mysore.
Resident, Hyderabad.
Governor, Straits Settlements, Agents, Governor General, Rajpootana, and Central India.

(Signed) C. H. DICKENS, Lieut.-Colonel, R. A.,
Secretary to the Govt. of India, P. W. D.

To the Secretary to the Government of Madras, Public Works Department,

Proceedings of the Madras Government, Public Works Department,
24th October 1865.

No. 605. From the Secretary to the Government of India, Public Works Department (Account), to the Secretary to the Government of Madras, Public Works Department, dated Simla, 26th September 1865, No. 879 A.

With reference to Resolution No. 866, dated 26th September 1865, abolishing Tuccavy advances on Government Canals (of which a copy has been forwarded to the Government of Madras), I am directed to enquire whether the system of Tuccavy advances, either in cash or by work executed, exists in any form in the Madras Presidency in connection with irrigation works.

No. 606. ORDER THEREON, 24th October 1865, No. 3,195.

ACCOUNT, No. 74.

1. Communicated to the Revenue Department.

2. It will be intimated to the Government of India that the system of Tuccavy advances does not exist, in any form, in the Madras Presidency, in connection with works of irrigation.

Ordered that the following letter be sent:—

(Here enter No. 3,196, dated 24th October 1865.)

(True Extract.)

Colonel, R. E.,
Secretary to Government.

No. 2646
Communicated to the Revenue Board.

To the Revenue Department.
,, Superintending Engineers.
,, Controller of Public Works Accounts.

27th Oct 65.
R. Sec. Board of Revenue Bn. B. Copied. 3195 dated 24th Oct 65.

Exd. S. T. Augustin.

Revenue 1865 Oct.
Rec: of Govt for Oct. Collec.
No. 302.

Proceedings of the
Madras Govt in Rev.
Dept.

Dated 24th Oct.
Received 25th " 1865.
No. 3195.

Communicating
a letter from the Govt of
India enquiring whether
the system of Succession
Duties exists in any form
in this Presidency in con-
nection with irrigation
works.

No 2642 - 65 Pchidm

No 538 & 539.

Mitchell