

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 162 Press
Mis.

319.320

Dated 19-1-1866.

Not to be folded or roughly handled

2. The Board are not disposed to hamper the liberal policy enunciated in their Standing Circular Order, under date 12th January 1863, No. 11, by laying down any precise limit of the kind referred to in paragraph 4. The Collector will exercise his own discretion in disposing of each case, as directed in paragraph 10 of the Order of Government. It will generally be sufficient if the Collector ascertain that no outlay has been made on the tank by Government for a series of years, and that the Department Public Works are satisfied that no such outlay would be remunerative to Government. The meaning of the term "out of repair for five years" must be taken to be, that a considerable portion of the land classed as irrigated has not been cultivated for that period, in consequence of no outlay having been made

*Proceedings of the Madras Government, Revenue Department,
19th January 1866.*

on the tank. As to the query put in paragraph 4 of the first letter above recorded, the Collector should require all applicants to make their own arrangements with the holders of any existing wet cultivation under the tank, and should only accede to the application on the understanding that the composition rate of assessment is to be paid for all the land included in the Nunjah Aaycut of the tank.

No. 320.

ORDER THEREON, 19th January 1866, No. 162.

Land Revenue.

1. In their Order of the 5th April last, the Government enquired whether some of the 907 tanks, reported by the Collector of Madras to be out of repair in that District, might not be made over to the Ryots on the terms sanctioned in their Order of the 23rd December 1862, regarding "ruined Tanks."
2. The Board in the Proceedings above recorded submit two reports from the Collector on the subject. From these it appears that the Collector has received only twenty-two applications for the transfer of ruined tanks, and of these only two have been complied with. In the other cases either the Public Works Department has undertaken the restoration of the tanks, or the applicants, on further consideration, have withdrawn their applications. The Collector ascribes the paucity of applications to the circumstance that none but unprofitable works can be made over to the Ryots, as in all cases where the Public Works Department report that the repair of the tanks will be profitable to Government, the tanks are reserved.
3. This procedure is inconsistent with the intentions of Government. It was not supposed that the restoration of the ruined tanks of the country would generally be unprofitable to the State, but it was felt that many years must elapse before the Government could supply funds for their restoration, and the Government came to the conclusion that it was better to offer such tanks on moderate terms to the Ryots for immediate restoration, than to retain them in their ruined condition till they could themselves restore them. At the same time the probability of Government being in a position to restore the works within a reasonable period was a consideration not to be overlooked, and Collectors were, therefore, vested with discretionary power to reject applications for ruined tanks. It is desirable that the Board should remind Collectors of this consideration, for if the figured Statement given in the margin of Mr. Fane's letter, dated 10th November 1865, No. 393, be correct, he has entirely misapprehended the order and intention of Government. The irrigable area of the first tank entered in that Statement is shewn to be nearly 80 Acres, of which 75 Acres, assessed at 232 Rupees, are cultivated, and only about 5 Acres, assessed at Rupees 1-10-2, waste. Such a tank cannot be considered "ruined;" and even if it needs repairs these must be of a very trivial description. Yet Mr. Fane appears to have made the tank over to the Merassidar of the village for Rupees 187, or 44 Rupees less than Government now realize. This is termed "a present sacrifice of revenue;" but even if the Merassidar cultivates all the waste, his total payment will only amount to Rupees 198, so that Government will permanently lose Rupees 34 per annum on the most favorable supposition. The chances, however, are that the Merassidar will come to the same conclusion as the Department Public Works, viz., that the repair of the tank will be unprofitable. The

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Government, it is observed, have been put to no expense, at all events for ten years, on account of repairs to this tank. The Board will call upon the Collector for full explanation of his proceedings.

4. In the second case, the cultivated area amounts to 43 Acres, assessed at Rupees 151, but the proportion of waste is large, viz., 245 Acres, assessed at 842 Rupees. This may, therefore, be considered a "ruined" tank by a liberal rendering of the terms.

5. The Government remark that in the Statement the assessment of the present cultivation is noted as the "future revenue" of the works; but it is doubtless understood that the owner of the tank is to pay the fixed rate on every acre brought into cultivation by his restoration of the work.

6. The Collector and the Board both use the expression "out of repair for more than five years;" but the tanks coming within the scope of the Government order are "ruined tanks which have been in that condition for five years." The Government consider it desirable to lay down, as a guide to Collectors, that when the cultivation under a tank bears the proportion of 25 per cent. to the irrigable area, the work is not to be considered "ruined."

7. The Government do not find that any report has yet been received on the working of their Order, dated 23rd December 1862, No. 2,673, and desire that the call be attended to without delay.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

„ the Public Works Department.

Exd. S. T. Augustin.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th January 1866.

Read again letter from the Collector of Madras, dated 21st July 1865, in Board's Proceedings, 14th September 1865, No. 5,699.

Read also the following letter from E. G. R. FANE, Esq., Collector of Madras, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Sydapet, 10th November 1865, No. 368 :—

1. With reference to the Board's Proceedings, dated the 14th September last, No. 5,699, I have the honor to state that the cultivation referred to in paragraph 5 of my letter of the 21st July was Nunjah raised by such small amount of water as the tank in its ruined state might hold, or by means of wells sunk at the private expense of the ryots.

2. In regard to the latter part of the Proceedings, I beg to state that it is impossible to give the extent of Nunjah cultivation under ruined tanks in the whole District without calling for a special report from the Taluk; but I give in the margin* the extent of waste compared with the cultivation in

					Waste.				Future Revenue at Rupees 2-8-0 an Acre.			
	Acres.	Rs.	A.	P.	Acres.	Rs.	A.	P.	Rs.	A.	P.	
Attanthangal ...	74	30	8	281	14	1	4	23	1	10	2	187 0 0
Sattangadoo ...	43	12	4	151	3	4	246	34	6	842	7	4 108 4 6

the two cases in which I have recently made over tanks to private parties.

3. In the case of Attanthangal, though a good portion of the Nunjah Ayacut was already under cultivation, and the making over of the tank to the applicant the Yegabogum Mirassidar would be attended with a present sacrifice of revenue to the extent of Rupees 44 per annum, I thought it best to make it over to the applicant, as the probable increase in the revenue was so small that it was not considered advisable by the Department Public Works to undertake its repairs. The same remarks apply to the tank in Sattangadoo also.

4. Should the Board finally decide that only ruined tanks that have an infinitesimal extent of Nunjah cultivation under them may be made over to private parties, I would beg the Board to define the limit of such cultivation. In the case of tanks other than rain-fed ones no such definition is required, as every such case will have to be reported upon to the Board, and their Orders obtained in the matter.

1. Submitted to Government with reference to the Order quoted by the Collector.

2. The Board are not disposed to hamper the liberal policy enunciated in their Standing Circular Order, under date 12th January 1863, No. 11, by laying down any precise limit of the kind referred to in paragraph 4. The Collector will exercise his own discretion in disposing of each case, as directed in paragraph 10 of the Order of Government. It will generally be sufficient if the Collector ascertain that no outlay has been made on the tank by Government for a series of years, and that the Department Public Works are satisfied that no such outlay would be remunerative to Government. The meaning of the term "out of repair for five years" must be taken to be, that a considerable portion of the land classed as irrigated has not been cultivated for that period, in consequence of no outlay having been made on the tank. As to the query put in paragraph 4 of the first letter above recorded, the Collector should require all applicants to make their own arrangements with the holders of any existing wet cultivation under the tank, and should only accede to the application on the understanding that the composition rate of assessment is to be paid for all the land included in the Nunjah Ayacut of the tank.

(A true Copy and Extract.)

E. H. Lee
Acting Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, 14th September 1865, No. 5,699.

Copy to E. G. R. Fane, Esq., Collector of Madras.

Exd. R. H. Lee.

No. 5,699.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 14th September 1865.

Read the following letter from E. G. R. FANE, Esq., Collector of Madras, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 21st July 1865, No. 215 :—

1. With reference to the Proceedings of the Madras Government, dated the 5th April, No. 738, conveyed in the Board's Proceedings of the 11th idem, I have the honor to state that, as observed by Government, many tanks now out of repair, might, with advantage, be made over to the Ryots at the special rate of Rupees 2-8-0 per acre.

2. Although the Order of Government on the subject of making over ruined tanks to private parties, was more than once published in the District Gazette, and notices in the shape of hand-bills were also distributed, and opportunities taken at the time of Jammahbundy to explain to the people the intention of the Order,* no more than twenty-two applications have been received, and in two of these cases only have the

* Board's Standing Circular, No. II. of 1863.

tanks been made over to the applicants. In the remaining cases, either the Public Works Department undertook the repairs of the tanks, or the parties declined to take them up on second consideration, and do the repairs themselves. A few applications are still pending, and will be disposed of in due course. The reason for these applications having been so very limited, I can attribute only to the fact that nothing but the really unprofitable works are allowed to be made over to the Ryots. Whenever an application is made by them, the Public Works Department are first consulted, and if they say the repairing the tanks would be profitable to Government, the Ryot's application is rejected, and hence the unsatisfactory result of an Order the Government hoped would have benefited the country.

3. While on this subject, I beg to bring to the Board's notice one or two points on this question on which I have some doubt, and will feel obliged by their favoring me with their orders on them.

4. In making over these ruined tanks, it frequently happens that the assessment of a portion of the Nunjah lands, included in their Ayacut, are assessed at less than the special rate, viz, Rupees 2-8-0 per acre. In that case, I want to know what assessment ought to be collected from the holders of such lands; whether the special rate sanctioned by Government, or the existing lower assessment only.

5. I also wish to know whether the Government mean by "ruined tanks" tanks entirely out of order, incapable of holding any quantity of water, and having no cultivation whatever under them, or whether they mean such only as have been out of repair for more than five years, and the repairing of which would not be worth the expense to Government. If the former is the meaning, I beg to observe that very few tanks can be made over to private individuals, as they all have some cultivation under them.

6. In the only two cases yet disposed of here, the tanks were rain-fed, and one had never been repaired since the Survey, and the other for more than ten years; but under both of them there was a small extent of land under cultivation.

Before disposing of the above letter, the Board resolve to request Mr. Fane to report what cultivation he refers to in paragraph 5, whether on irrigated or unirrigated land; and, if the former, the extent of the cultivation compared with the total extent of the land under the tank classed as irrigated.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

To E. G. R. Fane, Esq., Collector of Madras.

Exd. J. Wright.

No. 5 April 1865 - 459-60

Recd. 1866. Department
21st Jan 1866

No. 103
PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 4th January 1866.

Surf 29-10-65
E. 1-1

No. 46.

Dec 1865

Submitting with remarks letter from the
Collector of Madras forwarding information on
the cultivation found in ruined tanks.

21st Jan 1866

No. 319.

Rev. 162. Rev. 19th Sept 1865
 No. 103. Prop. of the Madras Govt.
 Read the following No. of the

Submitting with remarks letter
 from the Collyer of Madras forwarding
 information on the cultivation of
 in ruined tanks.

13th of Dec. 1865
 In their order of
 the 5th April last
 the Govt. enquired
 whether some of the
 90^y tanks reported
 by the Collyer of Madras
 to be out of repair in
 that Dist. might not
 be made over to the
 Ryots on the terms
 sanctioned in their order
 of the 23^d Dec. 1862 re
 garding "ruined Tanks".
 The papers now
 submitted are two reports
 of the Collyer to the B. of
 on the subject. It ap
 pears that the Collyer
 has received only twenty
 two applications for
 the transfer of ruined
 tanks and of these
 only two have been
 complied

325-20
 18.1.66

Encl. to the Prop. of the
 B. of Dec. 1865. The B. of
 Govt. D. O. dated 4th
 Jan. 1866.

Rev. 103/65

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 14th September 1865.

No. 5,699.

325-20
 18.1.66

Requesting certain information regarding the
 cultivation under ruined tanks

completed with. In the
other cases neither the
P.W.D. has undertaken
the restoration of the
tanks nor the appli-
cants on further con-
sideration have with-
drawn their applica-
tions. The Coll^r as-
cribes the paucity of
applications to the cir-
cumstance that none
but unprofitable works
can be made over to
them ^{by the} - as in all cases
where the P.W.D. report
that the repair of the
Tanks will be profit-
able to Govt, the
Tanks are reserved.

This procedure
is ~~clearly~~ inconsistent
with the intentions
of Govt. It was not
supposed

yes
won

undoubtedly
won

supposed that the
restoration of the ruined
Tanks of the country
would generally be
unprofitable to the
State - but it was
felt that many years
must elapse before
the Govt could sup-
ply funds for their
restoration, and the
Govt came to the
conclusion that it
was better to offer
such tanks on mo-
derate terms to the
ryots for ^{immediate} restoration,
than to retain them
in their ruined condi-
tion till they could
themselves restore
them. At the same
time the probability
of Govt being in a
position

position to restore the
works within a rea-
sonable period was a
consideration not to be
overlooked, and Col^{rs}
were, therefore, vested
with discretionary power
to reject applications
for ruined tanks. It
^{is desirable that}
~~would perhaps be~~
^{should}
well for the Bd to re-
mind Col^{rs} of this con-
sideration, for if the
figured statement given
in the margin of Mr
Fane's letter be correct
the Col^{rs} of Madras
has entirely misap-
prehended the order of
Govt. The irrigable
area of the first tank
entered in that state-
ment is shown to be
nearly 80 acres, of which
5 acres assessed at
232 Rs.

I wonder what the Vd
says to this

Mr. Fane has made a
great error in
assessing the tank
on the basis of the
Vd's

232 Rs. are auth-
orized and only about
5 acres assessed at
Rs. 1-10-3 make -
Such a tank cannot
be considered "ruined",
and if it needs re-
pairs even, they must
be of a very trivial
description. Yet Mr.
Fane has made the
tank over to the Me-
rissidar of the village
for Rs. 18/- or 44 Rs.
less than Govt. now
realise. This is termed
"a present sacrifice
of Revenue", but even
if the Merissidar cul-
tivates all the waste,
his total payment
will only amount
to Rs. 198 - so that
Govt. will permanently
lose

base Rs 34 per an-
num on the most fa-
vorable supposition.
The chances however
are that the Menas-
sidas will come to the
same conclusion as
the D.P.W.^{is} that the
repairs of the tank
will be unprofitable.

The Bd have taken
no notice of this case
which seems to me
to need full explanation.

In the second
case the cultivated
area amounts to 43-
acres assessed at
Rs 151, but the pro-
portion of waste is
large, viz 245 acres
assessed at 842 Rs.
This may therefore
be

it is ~~known~~
The put ~~have~~ been
put ~~500~~ ~~on~~ ~~the~~
Expend - at all events
for 10 years, in account
I would call for it
WM

of repairs 500 Rs tank
The W. with care
about the C. W.
for full Explan-
-ation of his
presenting.

WM

he considered a
"ruined" tank by a
liberal rendering of
the terms. - ^{the} ~~the~~ ^{fact} ~~fact~~ ^{that} ~~that~~ ⁱⁿ ~~in~~
the statement,
the asst of the pre-
sent cultivation is
noted as the "future
revenue" of the works.
but it is doubtless
understood that the
owner of the tank
is to pay the fixed
rate on every acre
brought into cultiva-
tion by his restor-
ation of the work.

The Bd and
the Bd ^{both} ~~will~~ use the
expression "out of re-
pair for more than
five years" but the
tanks coming within
the scope of Govt
order are "ruined
tanks"

tanks which have
 been in that condition
 for five years"
 The pit in side it etc.
 It may perhaps be
 in the way down as a guide to the
 desirable to state that I think so
 when the cultivation
 under a tank the
 bears a certain propor-
 tion to the irrigable
 area - say 25 or 50%
 the work is not to be
 considered ^{to be} finished
 at all even if not
 to be given up without
 the ~~3rd~~ sanction.

Altho the Govt do not find that any
 order is of 23rd Dec/62 what has yet been
 No 2673 no report has been received on the working
 yet been received from 162 No 2673 - and desire
 the ~~1st~~ on its working. that the call be attended
 This will now be call. in that delay
 ed for. Last call put. Thought to have been
 made early. W.V.

I.D.S. Paper
 in the
 about
 J.P.

Mr. To the O.D. of the
 21-10-62 O.D. of 26 Jan 1903

No 5 Mue 1885

Kala on Mue 1885

Revenue 1866 Sept 15
No: of 30 for Langs

No 162.

No: of the Chads and Post
2719 Langs: 1866

No: of the Board of Revenue:
8 July 1866 CA 1839.

No 8. 2 October 1866

No 2. 16 April 1866

Langs and on
Board's Proceedings with
reference to the disposal
of Mue and Tanks in
Chads District

No 26 the Board of R
25 April 1866 No
124 in

No 319 2320.