M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 171	Press ~~Mis.~~
337.338	
Dated 20- 1- 1866.	

Not to be folded or roughly handled

No. 337. Read the following letter from the Consulting Engineer for Irrigation and Canal Company, to the Secretary to Government, Department Public Works, dated Madras, 5th January 1866, No. 137 :—

1. I have the honor, in continuation of my letter No. 126 of the 13th ultimo, to submit for the consideration of Government a letter, No. 499 of the 2nd instant, from the Agent and Manager Madras Irrigation and Canal Company, containing propositions for the modification of the rules at present in force in connection with the supply of water by the Company for the purposes of irrigation.

1 Letter in original from the Agent, No. 499, dated 2nd January 1866.

2. Mr. Henslowe, in the first place, refers to the recent correspondence regarding the rate to be charged for garden irrigation, and he considers that the rates entered by me in a proposed addition, No. IX. A, to the rules sanctioned in the Proceedings of Madras Government marginally noted, would be fair, so long as the rate per acre for field irrigation is 4 Rupees for one crop, but that should this rate be raised as proposed by the Board* of Directors, to 6 Rupees, he thinks that the garden rate should be proportionately increased.

Paragraph 3.

Revenue Department, No. 1,830, 5th October 1864.
Public Works Department, No. 2,937, 12th October 1864.

* Their Secretary's letter, No. 54, 3rd May 1865. Proceedings Madras Government, Revenue Department, 4th July, No. 1,527, Public Works Department, No. 1,944, 10th July 1865.

3. The rates which I suggested as maxima for garden irrigation were Rupees 15 per acre for the whole year, and Rupees 8 for the half-year, and, as mentioned in paragraph 5 of my letter No. 126, they were based upon the supposition that 6,000 cubic yards of water per annum would be required for an acre of garden land, and that this quantity at 400 cubic yards a Rupee, the maximum rate legalized for exceptional supplies, would amount to Rupees 15. These rates were, therefore, intended to be maxima, at least until circumstances should have shewn a change to be necessary, and they made, what was deemed, due allowance for all causes tending to render garden irrigation less remunerative to the Company than ordinary field irrigation. But for such causes, the gardens would be entitled to a supply at field rates, and it seems to me that, as yet, there are no sufficient grounds for supposing that two and a half times the proposed increased irrigation rate do not afford a sufficient margin, within which the Company will be glad to afford a supply to all gardens, the owners of which may desire irrigation from the Canal. I cannot, therefore, recommend that any increase of the maxima for garden irrigation already proposed should be sanctioned.

13th ultimo.

4. In paragraph 4 of his letter, the Agent suggests that as the rates for field irrigation were not included in the Rules for the distribution, &c., of water, but were fixed by an Order of Government, so those for garden irrigation should be similarly determined. To this proposition I see no objection, and it will, in such

No. 1,751, 18th August 1862.

case, be necessary only to remove Clause C. of the additional Rule IX. A. from its proposed place in the Rules, and, should Government approve of its provisions, include it in their Order.

5. In the next place, Mr. Henslowe hopes, with reference to the letter already mentioned from the Secretary to the Board of Directors, that the Government will consider that the time has arrived for reviewing the question of irrigation rates. The consideration of this subject was deferred pending the receipt of a Despatch from the Secretary of State, and should the Government now be in a position to dispose of the proposals of the Board, I think that circumstances are favorable to a revision of the rate for field irrigation because, in the first place, the extent of cultivation has hitherto been very limited, while the season of 1866-67 is likely to be the first in which the canal will be able to supply any considerable area; and it would be well that the Ryots should know, before the conversion of their lands from dry to wet is commenced, what the cost of the supply of water required is likely to be. In the next place, in connection with the latter part of paragraph 9 of Mr. Secretary Westwood's letter, it may be observed that probably Rupees 40 per acre is too low an estimate of the cost of the works. Taking the Canal with its distribution channels from Soonkasala to the Pennair, 178 miles, as the portion which will have to be fully completed before any other part of the Toombuddra project is taken up, it may be assumed, without much fear of error, that 125 lacs will be the lowest cost, and that 2½ lacs of acres will be the greatest extent of land which, with present arrangements for water supply, will be brought under irrigation. If this assumption be correct, the cost of the works per acre will be 50 Rupees. It may also be considered that, without reservoirs, the Company's Canal will not be able to supply water for a second crop to any thing but a very small extent, which therefore, as a source of revenue, may for the present be left out of consideration. Such being the case, the present rate of four Rupees an acre for one crop would afford a gross return of only 8 per cent., and allowing maintenance to cost 12 Annas an acre per annum, a low estimate considering the large establishment which will have to be charged to revenue, the net return would be 6½ per cent., from the whole of this area of land. Perhaps too it may be considered that it will take four years at least to complete the whole of the works, and to bring the whole area under wet cultivation, and that the average net return for the four years would not, after making allowance for the facilities which exist for watering the lands near the Main Canal, exceed two-thirds of the 6½ per cent. or 4⅓ per cent.

Proceedings Madras Government, No. 1,527, 4th July 1865, Revenue Department.

6. Thus, while admitting that these data, though perhaps as reliable as any which can at present be made available, will be liable to material modification as the Canal works make progress, and lands are brought under irrigation, it seems clear that the present rate of Rupees four an acre for one crop cannot be expected to afford an adequate return, and if such be the case, it follows that it would be advisable at once to raise it. Rupees six an acre for one crop would increase the gross return, on the same data, to 12 per cent., the net return to 10½ per cent., and the average for the next four years to 7 per cent.

7. The Board desire that six Rupees an acre a crop should be sanctioned, but it appears to me that the Company should first shew that there is a probability of their being able to supply water for a second crop, and that until this is done it will be better to wait until the first crop irrigation has been developed, before taking into consideration the rate for a second crop. And here it may be remarked that the Company would seem to be bound to afford the advantages of irrigation for one crop, if desired by the Ryots, along at least the whole length of Canal for which the requisite lands for the works have already been provided, viz., to the end of the 8th Section or 143 miles, in preference to restricting the supply to a more limited area, and thus perhaps rendering it possible to supply two crops. This need not prevent the Company watering the most accessible lands first, or making use of all material advantages with a view to the more speedy development of their irrigation, but while keeping in sight the advantages to the Company and to the State as well, which will result from the undertaking proving as early as possible commercially successful, it should not be forgotten that large concessions have been made to the Company for the express purpose of ensuring, as far as possible, the inhabitants of an extensive tract of country a supply of water, in order that the failure of the ordinary rain-fall may not occasion any great loss of crops.

Vide also the latter part of the Address of the Chairman of the Board at the 13th Ordinary General Meeting—*Home News, 4th December* 1865.

8. Under present circumstances, therefore, it appears to be advisable that the rate fixed for one crop should suffice to afford a return of not less than 5 per cent. on the whole expenditure, which will be incurred upon the part of the Toombudra project from Soonkasala to the Pennair, and as four Rupees are, as far as I can judge, unlikely to afford such a return for a considerable time to come, and six Rupees an acre will suffice to do so, provided this rate should prove generally acceptable to the Ryots, I think the sanction of the higher rate advisable, and it appears to me also that, if sanctioned, it should be understood that no further increase will be proposed until the irrigation down to the Pennair, or at least to the 143rd mile has been provided for, and the demand on the Canal, in comparison with its capacity for supply, ascertained.

9. In paragraphs 12 and 13 of his letter, the Agent suggests that, except in cases where a part of the area of a numbered field is above the level at which water can be supplied, no supply should be given except for the entire area of the field, and in paragraph 14, it is noticed, that the Chief Engineer proposes the alteration of the heading of column 5, Rule III. from "extent of land" to "area" of field, whose number is given in the preceding column. The proposal appears to me very reasonable, and, as likely to check fraudulent transactions, very advisable, and I would therefore recommend it to the favorable consideration of Government; and in the case of gardens, the entire holding should be charged for if water be supplied at all. The cases in which parts of numbered fields will be above water level are not likely to be many.

Rules for water distribution.

10. As regards the penalty which, in the latter part of paragraph 13, Mr. Henslowe recommends should attach to the fraudulent appropriation of water, it will perhaps suffice if the rule* lately sanctioned for the Godavery and Kistna Deltas be made applicable, and which provides that double the rate otherwise chargeable shall be exacted, and that the parties will, in addition, be liable to a criminal prosecution. It might also be allowable to the Company to offer rewards for information leading to the conviction of offenders before the Revenue authorities

* No. 9, Proceedings Madras Government, Revenue Department, 31st October 1865.

11. In paragraph 15 the Agent sums up the points demanding consideration, and they are—the prices to be charged for irrigation.

To fields, or ordinary, which I have proposed should be raised from four to six Rupees an acre for one crop, leaving the rate for the second crop for future determination.

To Sugar-cane, which may, as at present, be double that for the first crop ordinary, or 12 Rupees.

To garden cultivation for which a maximum of Rupees fifteen for the year, or Rupees eight for the half-year has been suggested by me, but agreed to by the Agent only supposing the ordinary rate to be Rupees four.

To dry crop flooding, in which no alteration of the existing rule is desired by the Board, and for any re-consideration of which there are no data at present available.

Next, the precautions to be taken to prevent fraud. The exaction of a double charge, with liability to criminal prosecution, supplemented by the offer of rewards tending to bring fraudulent appropriations to notice is recommended.

Lastly, any revision of the experimental rules now in force, which the Board of Revenue may think necessary to the better carrying out of the revised arrangements proposed; and on this point I will only remark that perhaps it would be advisable to enter the penalty clause in the rules, and to require that a copy of them should be posted up in every village within the irrigation limits, together with an extract from the Order of Government fixing the rates for irrigation of the several descriptions.

12. It will be noticed that the Agent desires it to be understood that his adoption of any new rule, or modifications of existing rules, must be subject to the confirmation of the Board of Directors. This reservation may be presumed not to extend to those points on which the Board have already, through their Secretary, expressed their wishes, should these latter be in accordance with the views of Government. At any rate no change in the price to be charged for field irrigation should be carried out, unless the Ryots can at the same time be informed that no further increase of charge will be made for a definite period.

Referred to the Revenue Department.

FORT SAINT GEORGE,
9th January 1866.

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government, P. W. D.

No. 338.

Miscellaneous.

ORDER THEREON, 20th January 1866, No. 171.

Forwarded to the Board of Revenue for their observations.

(True Extract.)

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

To the Board of Revenue.
,, the Public Works Department.

Exd. S. T. Augustin.

No. 499

Madras Irrigation & C. Co.

Madras 2nd January 1866.

From,

The Agent and Manager

Mr. Ar. & C.C.

To,

The Consulting Engineer

Mr. & Canal C.C.

Sir,

In continuation of my letter No. 467 of 12th Decr. 1865 I have now the honor to reply to yours No. 286 of 5th instant.

I perceive that the Board of Revenue has had under their Consideration (27 November) the subject of garden Irrigation and has called upon the Collector of Kurnool for a Report. and I may incidentally remark that I am at a loss to understand from what expressions of mine the Board inferred that "I had lost sight of the important point

point that the Company deals with the Government, and not with the Ryots" – My application was simply for the addition of a new Rule to the Code of Regulations drawn up by the Board itself.

So long as the maximum Rate for Field Irigation remains as originally fixed, at Rs. 4 per acre, the Rate fixed in your proposed new Rule IX A appears to me to be fair: but if the Government find upon consideration and further investigation that the Rate proposed by the Board of Directors is a more equitable Rate (namely Rs. 6/ is now more in accordance with the real value of the water – then of course it would be necessary to raise the Rate for Garden Irigation in proportion.

But the Rate for Field Irigation was not fixed by the Rules

Rules, nor does it appear in any part of them – it would probably therefore be advisable to keep the Question of Rate in reference to Gardens also separate, and deal with it as with the Rate for Field Irigation by a distinct Order of Government; and the Government will then be of opinion that the time has now arrived for reviewing this Question generally.

In May last the Board of Directors, through their Secretary, addressed the Government of Madras with a view to obtain their sanction to an arrangement by which it was proposed that the charge for water supplied from the Company's Works for the Irigation of Land should be Six Rupees per acre per Crop / July / Double that amount for Sugar Cane. One Rupee per acre for each occasional Flooding to dry Crops.

To that letter and the Arguments which it contains I would now solicit the attention of Government for the interval which has elapsed since the Rate was fixed at Rs. 4 I believe that changes have taken place in the circumstances of the Country and the Ryots which render it necessary that the question should be reconsidered.

From my Correspondence with the Provl. Chief Engineer at Kurnaal I learn that already in villages below our Canal, Land which before our works Commenced could be had for 7 or 8 Rupees an acre cannot now be purchased for 50 Rupees.

If this really be the case, it will I imagine readily be conceided that the Company,

to whose works is due this great enhancement in the value of property and consequent amelioration of the condition of the people is entitled to share in the increased prosperity and to receive an adequate return for its labours in supplying the element and cause of this increased prosperity.

The price of the water was fixed when its value could only be approximately estimated new facts such as that I have just proved must I apprehend form good grounds for revising that Estimate and if the Government is not in possession of evidence sufficient to justify their now coming to a conclusion and at once acceding to the

proposals

proposals of the Board of Directors, I would respectfully suggest that the necessary information be collected as to the existing rates for Irrigation under Tanks, and as to the enhancement of the value of Land irrigable by the Company.

I am informed that under some large existing Tanks in the Tirunaal District a Rate of Eight Rupees per acre or Rs is often exceeded, and this Rate from all I can learn appears to be one which could fairly be fixed as a maximum, rather than the Six Rs suggested by the Directors.

I entertain no doubt that as soon as the Government are in possession of sufficient data upon which to form a decision they will fix that maximum upon just and equitable principles without urging the Company to a liberality which would prove as detrimental to the Public interests as to those of the Company.

While adverting to the question of Rates generally I will refer to another question which has a general application to the transaction between the Government on behalf of the Company and the Ryots.

I find that Ryots in taking up waste Lands for Cultivation are not allowed to take up less than a Survey Number - and if a portion only be Cultivated Land Tax is levied on the whole

A

a Similar Rule should be
enforced in assessing the Rates
for our Water Rates, first because
it would require a large and
expensive Staff of Surveyors
to resurvey the patches of
land that Ryots might
choose to Cultivate under
irrigation - and Secondly because
a system of such partial
and irregular irrigation would
lead to innumerable frauds.
The following Illustrations of
this will have been supplied
me by Mr Latham "A man
possessed of an extensive Garden,
and having wells by which
/at an expense of Rs 6 or Rs 8
per month for drawing water/
he can irrigate the greater
part, applies for and takes
water for a small portion.
It only requires the turn
of a man's Key to send the
Company's

Company's water over any
portion, and he might irri=
=gate at any hour of the
night or day." Again "I have
walked over acres of the
Ground now under irrigation
with the Revenue Inde-
pendent Books professes
to show actual irrigation
in each numbered field.
There was in the Government
Plan a broad Straggling
road demarked, the
bound any Stones of a portion
of which were for in the
Kuruvumma field; but though
he was then Cultivating
the Road he had entered
no Cultivation against it
in his book".

It should I think be
settled and understood
that / except by previous written
Agreement, as for instance
when

when a portion of a plot of Land is above water level the Company does not irrigate such of such — and whenever a man uses the water supplied by the Company's Canal, and applies it for wet cultivation or garden Cultivation to any part of a Field or Number as demarked by Government, then he must pay water rate on the whole acreage of that number, and the Revenue Plans should be made available for determining the water assessment and to protect the Company from the pilfering of this water. This much I presume as in the case of Railways be enforced by some law under which any Magistrate may convict

making

making a man who takes the Company's water to a plot of Land fraudulently or. without declaring the same within 7 days liable to at least a charge a fine as shall be moved a revenue Stone namely Rs. 100. Mr. Latham Considers that the Revenue is as likely as any one to be implicated in concealing subsequent additions to the irrigation — but the Government and the Revenue Board are the best judges of the process made which ought to be adopted of protecting the interests of the Company. that is of the Public, against individual frauds.

Mr. Latham suggests that in Rule III Column 5 should be headed "Area" / rather than Extent of Land /

meaning

meaning the area of the field whose number is given in Column 4.

The points there which appear to demand consideration are :-

First
What rate does, and the language of the Contract, represent as nearly as circumstances will permit and as can be ascertained a fair charge for the water which will be supplied for Irrigation to the parties taking or availing themselves of it? When that is determined a Separate Order of Government should promulgate the price to be charged for such Cultivation of Fields.

Sugar Cane.
Garden Cultivation.
Dry Crops Grazing.

Second

Secondly - The precautions to be taken in order to prevent Fraud - by Legislative Enactment or Otherwise as Government may deem expedient.

Thirdly - Any revision of the Experimental Rules which may appear to the Board of Revenue necessary to attain the Objects aimed at as indicated above, and if here I may assume that subject to previous Sanctions I think the Rule suggested by you IX A unobjectionable - If in any adoption of any new Rule or Modifications of existing Rules must be subject to the Confirmation of the Board of Directors.

Dear

prosecution, supplemented by the offer of rewards tending to bring fraudulent appropriations to notice is recommended.

Lastly any revision of the experimental Rules now in force which the Board of Revenue may think necessary to the better carrying out of the revised arrangements proposed; and on this point I will only remark that perhaps it would be advisable to enter the penalty clause in the Rules, and to require that a copy of them should be posted up in every village within the irrigation limits, together with an extract from the order of Government fixing the rates for Irrigation of the several descriptions.

12. It will be noticed that the Agent desires it to be understood that his adoption of any new Rule or modifications of existing Rules must be subject to the confirmation of the Board of Directors. This reservation may be presumed not to extend to those points on which the Board have already, through their Secretary, expressed their wishes, should these latter be in accordance with the views of Government. At any rate no change in

Have the honor to be
Sir,
Your most Obt Servant
W. Hutchinson Esqr
Agent and Manager

No 4999
Rec'd 14/8/66
From
The Agent Manager
Rec'd 9/8/66. R. & Co
The Com: Cannes
Dated 2 Aug 1866.
Rec'd 4 "
Ans'd
Copy to Messrs Cowasjee Dinshaw & Brothers
In the Sanctions of
Govt to the alteration
in the rule, for the
levy of rate, to

in the price to be charged for field irrigation should be carried out, unless the Ryots can at the same time be informed that no further increase of charge will be made for a definite period.

I have the honour to be
Sir
Your Most Obed^t. Serv^t.

John Mullins Captain R.E.

Cons. Engr for I. & C. Co.