

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 62	Press ~~Mis.~~
120-121	
Dated	9-1-1866.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
9th January 1866.*

No. 120. Read the following Proceedings of the Board of Revenue, dated 28th November 1865, No. 7,584.

Read the following letter from the Officiating Director of Revenue Settlement, to the Acting Secretary to the Board of Revenue, dated Madras, 30th August 1865, No. 1,042-42:—

1. I have the honor to reply to the Board's Proceedings of the 13th ultimo, No. 3,965, paragraph 6, in which they request my opinion on the question of the water rate to be charged on lands irrigated by wells on the banks of rivers or channels, or by water raised from such rivers or channels, by artificial means.

2. As regards wells I find, on reference to the former papers bearing on the subject, that when in 1852, under the Board's Circular Order, 25th November 1852. orders of the Court of Directors, the assurance was given to the Ryots that the tax on lands cultivated by wells thereafter to be constructed at their own cost, would never be enhanced, except on a general revision of the District rates, the boon was coupled with the condition, that the well should not draw away water from a previously existing Government work.

3. Subsequently, it was laid down that new wells in Punjab land, should not be exempt from extra assessment, if within Board's Circular Order, 21st May 1855. ten yards of a tank bund, or within fifty yards of a river or channel, the Collectors being authorized, at their discretion, to dispense with the rule in the case of rivers or jungle streams in remote localities, and at the same time empowered in other cases, to charge double or treble Teerwajasti, or to prohibit the use of the well altogether.

4. Later, the Government were pleased to exempt from any charge for water, lands irrigated from natural pools or Board's Circular Order, 20th September 1859. jungle streams, in the improvement of which the Government have had no concern, and incurred no expense, always provided that the use of such water should not interfere with the supply to any Government work.

5. I do not suppose the Board have any intention to recommend the entire removal of the restrictions against the construction of wells so near a Government source of supply, as necessarily to interfere with it. I think those restrictions may be maintained with advantage, though perhaps the severity of the latter part of the Circular Order of the 21st May 1855 might be mitigated.

6. Next as regards the lands irrigated by water artificially raised from rivers or channels. The latter class has been Government Order, 6th August 1864, No. 1,409, paragraph 15, Clause 4. already provided for, and a deduction of one-fourth from the usual water rate allowed, as in the Godavery and Kistna Deltas. I do not quite understand the nature of the rivers in the Markapur Talook from which the artificial irrigation is derived, but assuming that they do not come under the head of jungle streams, the irrigation from which is under the existing orders free, I can see no grounds for treating the lands irrigated from them, more favorably than those

Revenue Department

22-62.

Proceedings of the Madras Government
Under date the 9th January 1866.

Read the following
Proceedings of the Board of
Revenue.

Submitting with remarks, let-
ter from the Off^r Director of Rev^y
Settlement giving opinion on the question
of the water rate to be charged on
lands irrigated by wells on the banks
of rivers or channels.

(Here enter 28th November
1865 No. 7584)

According to the
orders at present in force, wells
may be sunk free from assess-
ment as long as they are not
within 10 yards of a tank bund
or 50 yards of a river or channel
and if attempts are made to
sink them within that distance
collectors are empowered to
charge double or treble terra-
cotta and if necessary, to prevent

them from being dug or used altogether.

The Board now recommend that the restrictions on digging wells should be retained, and held to apply to all mechanical contrivances for raising water from tanks, rivers and channels, but that Collectors should be empowered to allow wells to be sunk or mechanical contrivances to be used within the prescribed distance when no private interests are involved and no other irrigation work will be injured; and that they should invariably charge three-fourths of the new water rate of the district on land so supplied with water whenever it is classed as "unirrigated."

The Governor in Council

Council observes that the Board have omitted to take into consideration the danger of permitting wells to be dug near enough to the embankment of a tank, river, or channel to impair its stability.

The restriction as regards wells dug in the vicinity of tanks must be retained, and the local officers should not be authorized to permit them to be dug in contravention of the rules in any case whatever.

With regard to the case of rivers and channels however, the Governor in Council is of opinion that the minimum distance may be reduced from 50 yards to 10 yards from the foot of the embankment.

JL

The mechanical con-
trivances alluded to by the
Board will chiefly be used
on the banks or bunds of irri-
gation works, and the first
consideration must be their
safety: as long as this is
assured their ^{of such contrivances} use may be
permitted subject to the con-
ditions and charges proposed
by the Board.

J. J.

J. J.

14 To the Board of Revenue Des. 10/1/1903
1903 The Off. Secy of Govt. S.

40
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G.D. about water-rails
 banks irrigated by well
 water to the banks

4/3/51
 9/12/51
 9/19/51
 22-8-07
 17-5-12
 29-4-13
 10/2/15
 4-8-15

Devenue 1866 Dept. H.
 No. of Capt. Lang.

1862.

No. of the Charles Fort.

29-2 January 1860.

As Board of Ave. &
 27 March 1866 No. 471

Authorizing the retention
 of the present restrictions
 in digging of wells near
 the River or Channel.

No 125 & 121.