M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1833 Press ~~Mis.~~

155-156

Dated 8-8- 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 8th August 1867.

No. 155. Read the following Proceedings of the Board of Revenue, dated 29th July 1867, No. 4,851.

Read the following letter from the Collector of Kurnool, to the Secretary to the Board of Revenue, dated 11th June 1867, No. 163:—

In reply to the Board's Proceedings, dated 5th June 1867, communicating Government Order, Revenue Department, No. 1,237, dated 1st June, I have the honor to inform you that I never intended my letter to Government should lead to the impression that the Kurnool Municipality really paid for the irrigation of any land, for such is not the case. The fact is simply that the Municipality pay 2,000* Rupees this year for water to the Company; of that water ryots, Inamdars and others, use a considerable quantity for irrigation purposes, and pay the water rate (Teerwajasty) to Government. The Municipal Commissioners, considering that the whole of the water supplied to the Municipality is actually their own property by right of purchase, deemed it necessary to apply to Government to pay them the money collected by the Government as Teerwajasty from cultivators within the limits of the Municipality. The Teerwajasty is certainly credited to the Irrigation Company, but as it is received into the treasury, the Commissioners were of opinion it would save trouble to have the money paid to them as collected by the Revenue Officers.

* To be supplied with water at 400 cubic yards per hour during the twenty-four hours of the day, or 800 cubic yards per hour for twelve hours daily.

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1. Resolved that the foregoing letter be submitted for the orders of Government, with reference to Government Order, dated 1st June 1867, No. 1,237, Revenue Department. Act XXX of 1865 empowers the Irrigation Company to levy a fixed rate for water supplied for purposes other than irrigation. The Municipality of Kurnool pay the Company 2,000 Rupees this year for water, for the supply of the inhabitants. Part of this water the inhabitants use for watering their fields, and it is stated are taxed at the authorized rates for irrigation, their payments being credited to Government in account with the Irrigation Company, and not to the Municipality. The Board are ignorant of the terms of the private arrangement between the Municipality and the Company, but if these do not restrict the Municipality in the use to which the water is applied within Municipal limits, then the Municipality are entitled to realize what they can for the water used within those limits for irrigation, and the levy of water cess by Government should be discontinued, past collections being refunded to the Municipality. It is obvious that, under such circumstances, the Irrigation Company cannot claim to be paid for the same water both by the Municipality and the landholder.

2. If, however, the terms of their agreement restrict the Municipality to the use of the water for other than irrigation purposes, and it is to water so used that Act XXX of 1865 applies, then the Municipality have no claim to water cess, and must be left to make their own terms with the Irrigation Company, so that they may not hereafter have to pay for more water than they require.

Proceedings of the Madras Government, Revenue Department,
8th August 1867.

No. 156. ORDER THEREON, 8th August 1867, No. 1,833.

Miscellaneous.

Referred to the Consulting Engineer for Irrigation, who has received the previous papers, for his remarks.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Consulting Engineer for Irrigation and Canal Company.
,, the Board of Revenue.

Exd. S. T. Augustin.

No. 1833. 2

Referred with the previous papers to the Consulting Engr. for Irrigation and Canal Companies for remarks. L.R.
8th August 67.

7 Copies to the Consulting Engr. for Irrigation & Canal Companies Despatch
14 — B.P. L.R. Reece

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