M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 959 Press Mis.

184 - 185

Dated 8 th April 1869

Not to be folded or roughly handled

No. 184. Read the following Proceedings of the Board of Revenue, dated 18th December 1868, No. 8,872.

Read the following papers :—

Proceedings of the Madras Government, dated 10th September 1868, No. 2,350, Revenue Department.

ABSTRACT.—Forwarding, for Board's remarks, letter from the Consulting Engineer for Irrigation and Canal Company, on the subject of the Board's proposals in regard to the Irrigation Permits to ryots.

Proceedings of the Madras Government, dated 18th September 1868, No. 2,410, Revenue Department.

ABSTRACT.—Communicating Order of Public Works Department, sanctioning the entertainment of the new establishment required for the distribution of water from the Madras Irrigation and Canal Company's works, and directing that the charge be debited to revenue, as recommended by the Consulting Engineer.

Proceedings of the Madras Government, dated 5th October 1868, No. 2,559, Revenue Department.

ABSTRACT.—The sanction accorded in Government Order No. 2,883 of 1868, for the establishment required for the distribution of water from the Madras Irrigation and Canal Company's works, cancelled for the reasons given.

Official memorandum from the Consulting Engineer, Irrigation and Canal Company, to the Acting Secretary to the Board of Revenue, dated 7th October 1868, No. 73.

WITH reference to memorandum, No. 1,046, of the 3rd instant, from the Acting Secretary, Board of Revenue, the undersigned has the honor to forward copies of his letters, Nos. 202 and 63, dated 19th November 1866, and 31st May 1867, and to state that the three original letters * from the Agent, Madras Irrigation and Canal Company, called for in the above memorandum, have not been as yet returned by Government, to whom they were sent with letter, No. 44, of the 11th July 1867, from this Office.

* Dated 16th Nov. 1866, No. 314.
,, 29th May 1867, ,, 93.
,, 5th July ,, ,, 156.

(Signed) J. MULLINS, Captain R. E.,
Consulting Engineer, I. and C. Company.

ENCLOSURE No. 1.

From the Consulting Engineer, to the Agent and Manager, Irrigation and Canal Company, dated Madras, 19th November 1866, No. 202.

I HAVE the honor to inform you, in reply to your letter, No. 314, of the 16th instant, that I agree with you that it is to be regretted that the discussion regarding the proposed modification of some of the details, connected with water-supply under the Company's Canal, was not carried on in the prescribed manner, and it will certainly be preferable in the future, and will tend to save time, if the views of the Chief Engineer and of the local Officers be transmitted to you, and your matured proposals on the subject to which they may relate communicated to this Office.

2. A few remarks on the contents of your letter may be useful as tending, I hope, to remove what appear to me to be misconceptions as to the actual circumstances which have to be taken into

consideration, and which affect in no small degree the probable utility of the measures which you think necessary for the establishment of an efficient check upon the supply and use of the water.

3. Paragraph 4 of my letter to the Board of Revenue shows why I thought Permits, granted by the Company's Officers, would be of little use, and I may add that while, on the one hand, the completion of the village Revenue Survey Maps will at once lead to the remedy of nearly every inconvenience which you have mentioned; on the other hand, I believe, it would be economically impracticable to establish any really efficient and sufficient check in the absence of such maps. Looking then to the probability of the requisite maps being ere long available, it would not be advisable, I think, to organise an inspection establishment on the scale which would be necessary to check, on the ground, in detail, the correspondence of the land irrigated, with that entered in the applications for water received through the Revenue Officers.

5th October, No. 58.

4. I will write to the Superintendent of the Revenue Survey, and ascertain when it is probable that the Village Maps for the part of the district bordering on the upper five sections of the main canal will be ready, and I hope the reply may be so far favorable as to lead to the expectation that a proper basis for ascertaining that the water used agrees with that applied for, will shortly be available.

5. With regard to paragraphs 4 and 5 of your letter, I may mention that your Irrigation Revenue Account will have to be prepared not from any vouchers, such as the Irrigation Permits, but the entries of receipts will be based upon the information furnished by the Revenue Authorities. It is certainly essential that you should be in a position to check the accuracy of the information thus supplied, and I think you will be in a position to do so as soon as the Rules in connection with the Revenue Accounts have been decided upon. In the first place, you will receive monthly an Abstract Village Statement, showing the fields and their area for which water is required, and the area multiplied by the rate will be the amount with which the Company will be credited by the Collector, if the Chief Engineer undertake the supply, and no remission be granted. In the next place you will receive monthly a statement of collections made, with particulars of the irrigation on account of which they are made, and you will thus be able to see that all the sums due to the Company are properly brought to account.

6. If the Abstract Village Statement be correct, and its correctness will be easily ascertainable when the Village Maps become available, you will, after adjustments have been made for any refusals or failures of supply, know exactly what sums are creditable to the Company in the Collector's accounts, and, from the Collector's statement of receipts, exactly what amounts have been received, and you will thus be in a position to prepare the receipt side of the Revenue Account Current immediately on the close of each half-year.

7. I regret to hear that such great delays as those mentioned in the latter part of paragraph 7 and in paragraph 8 of your letter have been reported; and I am quite sure that the facts, which appear to have been already brought to the Collector's notice, will be inquired into with a view to the prevention of similar delays in future. It will be necessary that a column for the date of application should be added to the form given in Rule II., and then the Collector will be able to notice any unnecessary delay in the transmission of the applications to his Office.

8. I do not see any objection to the issue, by the Village Curnum, of an Irrigation Permit, in the form attached to your letter, to each applicant at the time of registry. It will be necessary to make some arrangement for the transmission of the two copies which are to go to the Company's Engineer, and probably the best plan would be to furnish the Curnum with ready addressed covers, and to let the ryot, who has made the application, be the bearer of the copies for the Engineer's Office, as he would have to visit the Office to show his copy of the Permit, or, when the Company has organised an establishment, a Peon might be sent periodically to the several villages to collect the triplicates and quadruplicates of the Permits issued since the last visit.

(True Copy.)

(Signed) J. MULLINS, Captain, R. E.,
Consulting Engineer, I. and C. C.

Proceedings of the Madras Government, Revenue Department,
8th April 1869.

ENCLOSURE No. 2.

From Consulting Engineer, to the Agent and Manager, Irrigation and Canal Company, dated Madras, 31st May 1867, No. 63.

IN reply to your letter, No. 93, of the 29th instant, I have the honor to inform you that the form of water-ticket therewith enclosed is certainly simple, and at the same time it will afford you the information which you consider necessary for record in your Office.

2. I think you may take it for granted that it will be necessary that the tickets should be printed in Teloogoo, the majority of the Curnums will be unacquainted with English, and they would be unable to understand, therefore, what information had to be filled in, were the headings in this language. The first two copies of each ticket need be in Teloogoo only, the other two would be either in diglott or Teloogoo on the face, and English on the back, and of course the English form would be blank, when delivered to the Executive Engineer.

3. I believe that it will be necessary to afford the Curnum some remuneration in proportion to the number of tickets he may be called upon to issue, because their preparation in quadruplicate will entail some additional labor upon these village officials, and it will be only fair to remunerate them, and at the same time it will probably be the best plan, if you wish the arrangements to be successful, to give those on whom its success will depend some reason for giving their hearty aid.

4. If the second copy of the ticket be the ryot's authority for using water, and be equivalent to a Permit from the Company, it may be found difficult to induce him to take the trouble to walk to the Executive Engineer's Office to present the other two copies, and if so, as the omission would interfere with the completeness of your records, the Company would have to arrange for the collection of the triplicate and quadruplicate from the Curnums, or, if preferred, the duplicate might require stamping at the Executive Engineer's Office, in order to give it the full validity of a Permit. The better arrangement will depend upon the details of the Irrigation Divisions and Sub-divisions, and the organisation of the conservancy establishments, and it is perhaps immaterial which plan is adopted for the present.

Official memorandum from the Agent and Manager, Madras Irrigation and Canal Company, to the Acting Sub-Secretary to the Board of Revenue, dated Madras, 16th October 1868, No. 415.

THE Agent and Manager, Madras Irrigation and Canal Company, has the honor to transmit copies of his letters* to the address of the Consulting Engineer on the subject of water-supply, as requested in memorandum, No. 1,866, of 9th October 1868, from the Acting Sub-Secretary to the Board of Revenue.

* No. 314 of 16th Nov. 1866.
,, 93 of 29th May 1867.
,, 156 of 5th July ,,

ENCLOSURE No. 1.

From the Agent and Manager, Madras Irrigation and Canal Company, to the Consulting Engineer, Madras Irrigation and Canal Company, dated 16th November 1866, No. 314.

THE Board of Revenue having kindly communicated to me a copy of your letter of the 5th October, No. 58, I feel compelled to enter into the discussion therein taken up, lest my silence should be misconstrued, though I should much have preferred postponing this discussion until the receipt of further instructions from the Board.

2. It appears to me to be inconvenient that a desultory correspondence between Mr. Latham and the Acting Collector of Kurnool should be permitted thus to initiate a discussion of some importance.

3. I entirely dissent from Mr. Latham's propositions so far as the form of Permit is concerned, and I was exceedingly sorry to see that form printed and circulated, because it is calculated to raise doubts on the question of rates to be levied, though that question has been definitively settled.

4. I regret that I cannot concur in the opinion of the Board of Revenue that the *Register* provided by the rules is all that is requisite. The Contract (Section 22) requires that an account, to be called "The Irrigation Revenue Account," shall be kept by the Company; that is, by the Agent who is the Company's only acknowledge Representative in India. Now it is impossible for the Agent to do this unless he be supplied with vouchers showing distinctly all the items of the supply afforded by the Canal Officers to the ryots, or to speak more correctly to the Government for the ryots.

5. The Rules provide for the form in which the *demand* for water shall be made by the Collector, (Rules 1, 2, 3,) and for the form in which his Village Accounts shall be kept (Rule 5); but they do not provide any mode for enabling the Agent to keep the account required by the Contract.

6. What I think is required is—

First—A clear indicationin each case of the precise plot of land to be watered; I had hoped that when my proposal was agreed to that "*fields*" should be charged for when irrigated, as shown in the Revenue Maps, that difficulty was got over; but I am now led to fear that those Maps are not in a sufficient state of completeness for the purpose.

Government Order, No. 662, of 15th March 1868.

Secondly.—Efficient and summary means of preventing the surreptitious use of water; and

Thirdly.—Some system by which the Agent shall regularly, and without delay, be kept informed of the number of fields actually supplied with water, with all details.

7. In the first instance, as the Collector is bound to forward to the proper Officer of the Company "within the 1st May" his demand for water, it is to be hoped that there will be sufficient time to make all necessary arrangements preliminary to the supply of water; but it does not follow that the water used will exactly correspond with the water demanded.

With regard to *after* applications, I am informed that it takes several months for the applications to reach the Canal Office; that is to say, if I understand Mr. Latham rightly, a ryot may apply for water, and the water be supplied, and yet the *application* may not reach the Company's Officer for several months later.

8. In a letter addressed by Mr. Latham to the Collector he observes that an application sent in to the Deputy Collector on the 21th July did not reach him till the 27th September. But he adds that "the Curnum had sent in no list since the 1st June; so that an application made on the 1st June would not reach him till the 27th September." Again, in the same letter, Mr. Latham states that "he finds many applications in the Curnum's books which have now reached him," and, further, that "the list of applications received by him, the list made by the Curnum, and the list "of the lands actually irrigated, differ so greatly that it is impossible to do justice to the Com-"pany, the Government and the cultivator."

24th October.

9. It is not for me to say how public Officers should be made to do their duty; but I cannot see why a poor ryot should find greater difficulty in obtaining a Permit than an influential ryot if only the Government wheels are made to run smoothly.

10. My own opinion is that just as a Pariah in Madras must be able to exhibit his Shigram License if called upon to do so, in like manner every ryot using our water ought to be able to show his authority for doing so, and if he be furnished by the Canal Officer with a Permit as such authority, a duplicate of that Permit sent to me would serve me as a voucher.

11. To adhere, however, more strictly to the rule that the ryot is to have no direct communication with the Company, forms of Permit might be kept by the Curnums or other proper Officers of the Government, constructed on some such principle as the one which I enclose in four parts. The counterfoil to be kept by the Curnum, the second part given to the ryot as his protection, the third and fourth to the Canal Officer, who would file one and send me the other.

ENCLOSURE No. 2.

From the Agent and Manager, Madras Irrigation and Canal Company, to the Consulting Engineer, Madras Irrigation and Canal Company, dated Madras, 29th May 1867, No. 93.

I HAVE the honor to acknowledge, with thanks, your No. 57, forwarding to me for information copy of a letter (No. 16) which you have addressed to the Collector of Kurnool.

There is no doubt that the Company's Officer on the spot ought to have an opportunity of checking the Collector's decision as to remissions.

It is also necessary that I should have the means in my Office of ascertaining the quantity of water sold.

I was about to refer to Mr Latham a simple form of Water-ticket which I had prepared Before doing so I should be glad if you would favor me with your observations thereon, and enclose it with that view.

I propose that the village Officer be furnished with books (like Cheque books) of these tickets in quadruplicates.

That upon the application of the ryot to the village Officer, the latter fill up the ticket, and retaining the counterfoil, hand to the ryot the remaining three parts.

Whereof the ryot will keep one as his justification for using the water, and will deliver the two others to the Engineer, who will file one, and immediately forward the fourth to me.

By this means the Curnum will have a record of the water applied for.

The ryot will have a document showing that he is entitled to the use of the water.

The Engineer will have authority for issuing the water, and the Agent will have a record of the water issued and to be accounted for.

I propose that on the back of the *second* part (that to be retained by the ryot) a translation be printed in Teloogoo, and if you are of opinion that the Curnum might be unable to fill up the form in English, the whole form might be printed in Teloogoo at the back.

The forms proposed by Mr. Latham and Mr. Minchin were far from simple, and contained matter which I deemed objectionable.

ENCLOSURE No. 3.

From the Agent and Manager, Madras Irrigation and Canal Company, to the Consulting Engineer, Madras Irrigation and Canal Company, dated Madras, 5th July 1867, No. 156.

I HAVE the honor to enclose proof of a "Water-ticket," for use under our Canal, and request that you will move the Government, if they approve of the form, to order its adoption.

2. The ticket is printed in English on one side and in Teloogoo on the other.

3. It is in quadruplicate, and I propose that it shall be used in the following manner:—

4. That every Curnum (or other village authority appointed by the Government) be furnished with a book containing a sufficient number of these forms.

5. That every ryot whose name appears in the list prepared by the Collector, of persons requiring water for irrigation, shall, before using the Company's water, apply to the Curnum for a ticket.

6. That the Curnum shall fill up the form (in all its four parts) and keeping the counterfoil as his register, deliver the three other parts to the ryot with directions to take them to the Irrigation Superintendent or other Officer authorised by the Company to deal with the water.

7. The Company's Officer will crop or stamp *one* of the three parts and return it to the ryot as his authority for using the water. Of the remaining two parts, the Company's Local Officer will file one and despatch the other to the Agent's Office, there to serve as a voucher. From these vouchers the account of water supplied by the Company will be prepared in the Agent's Office.

8. It will, I presume, be necessary to award to the Village Officers some remuneration for the trouble which this system may impose upon them. The Government will probably intimate what they consider a proper rate of remuneration; but I would suggest that a per-centage on the amount paid for water be adopted, rather than a uniform rate for each ticket.

9. I think the Government will concur in my view, that some such system as this is necessary, in order both that proper checks may be had upon the distribution of the water, and also that a proper record of the water supplied may be kept. If so, they will no doubt take such steps as may be necessary to enforce its observance by affixing a penalty (say the payment of double water-rate) to the offence of using the water without having first obtained a ticket.

10. I will take this opportunity of referring to the difficult question of settling the remissions, and suggest that inasmuch as the only grounds for remission recognised by the Government and the Company are—

Insufficient supply,
Inundation; or
Defect in the works.

It shall be made incumbent on the ryot at all times to give *immediate* notice of any damage of which he complains. For, whereas, the correctness or otherwise of his complaint may easily be ascertained by inspection within a week or ten days of the alleged damage, it cannot be so ascer-

tained at a general Jummahbundy long after the occurrence, except upon evidence which is rarely likely to be satisfactory.

Talook.	Village.	Name of ryot.	No. of Field.	Extent of land.	Amount of water-rate on first crop per acre.	Total demand for first crop.
				ACRES D.	RS.	RS. A. P.

With their Proceedings, dated 8th August 1864, No. 5,046, the Board submitted a revised draft of rules and forms of accounts which provided, *interalia*, that a register of applications for water from the Company's Canal should be maintained by the Revenue Officers of Government in the marginal form. The Register was to be closed on the 1st April, and the Collector was to forward by the 1st May, to the proper Officers of the Company a demand for the supply so required.

2. A similar Register was to be maintained of subsequent applications and of application for second crop irrigation, and a monthly abstract, in the form marginally given, was to be prepared from these Registers and furnished to the Officers of the Company.

Talook	Village.	No. of Field.	Extent of land to be irrigated for first or second crop (as the case may be.)
			ACRES D.

From Collector, 23rd May 1866, No. 118.

3. The Rules were sanctioned by Government on the 5th October 1864, and have been in operation ever since, though they have not yet received the ratification of the Directors of the Company, which the Agent seems to consider necessary.

4. In 1866, the Acting Collector of Kurnool, Mr. H. E. Sullivan, forwarded two letters from the Company's Provisional Chief Engineer, stating that the system was "too slow and complicated," and proposing a plan of permits and applications, in the form of a Cheque book. This system was to apply *only to subsequent* or supplemental applications, that is, applications received after the 1st April, and was not to supersede the registers above-mentioned.

5. Mr. Sullivan was in favor of the scheme, and the Deputy Collector on special duty was opposed to it, on the ground that it "would lead to extortion on the part of the Curnum."

Proceedings of the Madras Government, Revenue Department,
8th April 1869.

6. The Board called for certain information on the subject, and it then appeared that Mr. Latham's proposal was premature, and had not the sanction of the Agent. The further consideration of the subject was, therefore, postponed.

7. In July 1867 the Agent brought forward his own scheme, which is, in fact, very like Mr. Latham's. The further consideration of the matter was delayed by the Board till April 1868, in expectation of the receipt of the decision of the Directors of the Company on the original Rules and Forms. This expectation not being realised, the Board submitted their views to Government, in their Proceedings, dated 6th April 1868, No. 2,576, and Government, on the 20th June 1868, No. 1,740, called for the observations of the Consulting Engineer and the Agent. These have been forwarded to the Board for their further remarks.

8. The Agent's system is as follows:—

The Village Curnum is to be supplied by the Agent with books (like Cheque books) containing printed forms of Water-tickets in quadruplicate.

When a ryot applies for water, the Curnum is to fill in these four forms, and keeping the counterfoil, is to give the other three parts to the ryot, with directions to take them to the Irrigation Superintendent or other Officer authorised by the Company to deal with the matter.

The Irrigation Superintendent is to cross or stamp one of these, and give it to the ryot, as his warrant for using water, to file the third, and send the fourth to the Agent.

A ryot using water before he is in possession of, or without this stamped form is to be considered as fraudulently using the Company's water and charged double water-rate.

9. In their Proceedings of the 6th April last, No. 2,576, the Board suggested what they considered would be a simpler arrangement, in which the Government, in their Order of the 20th June, No. 1,740, expressed general concurrence; Mr. Henslowe, however, disapproves of the plan suggested.

10. On a full consideration of the question, the Board are of opinion that Mr. Henslowe's proposal should be negatived for the following reasons:—

Para. 5, G. O., 20th June 1868, No. 1,740.

I.—It is, as Government have pointed out, altogether inconsistent with the arrangement entered into between Government and the Company, whereby Government buy and pay for the water. The Company have nothing to do with the ryots individually. Mr. Henslowe's scheme, however, brings the ryot into direct contact with the Officers of the Company. The ryot applies, indeed, to the Curnum in the first instance; but the paper he gets from the latter is worthless, until stamped by the Company's Officer, and thus the transaction virtually becomes one between the Company and the ryot instead of one between the Company and the Government. Nor is this direct interference of the Company's Officers intended to stop here. The ryot is expected to have his Permit at hand to produce whenever required by the Company's Officers. The Board think it of very great importance that this principle, namely, that the agreement is between Government and the Company, should be strictly upheld, and it must be remembered that the Company are large gainers by this arrangement, as their dues are realised without delay or difficulty; whereas but for this intervention of the Government, they could only realise them,

when withheld by a Civil Suit against each defaulter, and further they are relieved from losses by bad debts, insolvency of ryots, etc., these falling on the Government who have to pay the Company for all the water supplied, though they may not and do not always realise its price from the ryots. These are substantial benefits.

II.—The arrangement is far too elaborate and likely to cause confusion, throws on the Curnums more than, if irrigation becomes general, they can perform without neglect of their other duties, and devolves on the ryots what is certainly not their business. In addition to the Registers which must be kept up for Settlement purposes, the Curnums will have to prepare four copies of every single application; while the ryot is saddled with the duty of taking three of these to the Company's Officer, who may be at a distance or absent. Mr. Henslowe states that this last objection would be admitted by him as "a reasonable one" were it not that the Company's Chief Engineer "strongly objects to the Company's Peons collecting the Permits," but obviously this is no reason why the task should be thrown on the ryots.

III.—The plan is really unnecessary. The Agent states that he requires vouchers of this kind in order to make up his Revenue Accounts, but it is obvious that for this purpose a periodical statement, giving the number and extent of the applications, will be quite as useful and more convenient than hundreds and eventually thousands of separate scraps of paper. It cannot be necessary that he should have a copy of each individual's application sent to him. The Chief Engineer's object again is evidently to have means of dealing directly with the ryots, which, in the Board's judgment, should not be permitted, unless the intervention of Government in the matter ceases, and the Company are left to deal with the ryots as they best can. The Register kept by the Curnum will give the Company's Officer all the information he really needs, to protect the Company's interests. It shows the name of each applicant, the number and area of the field for which water is desired, and the Survey Maps now being printed will, as the Consulting Engineer has pointed out, enable him to indentify any and every field. If he has reason to believe that water is being surreptitiously used, his course is to prefer a claim at once against the Government, not, as he evidently contemplates, to take action against the ryot. The Register and Map will at once afford indubitable evidence.

IV. The arrangement imports a new element into these transactions. Hitherto it has been the rule that Government should apply for the water, and the Company's Officers meet that requirement as far as practicable. Under the new system however, the ryot in fact applies for the water, and until the Company's Officer agrees to let him have it, the transaction is unaccomplished. The ryot is duly entered in the Curnum's books for the water; but may never get it, as of course if the Company's Officer's stamp is necessary, the right to withhold that stamp at his discretion must be conceded. If the stamp is a mere formality, which is never to be withheld, then it is useless to give the ryot the trouble of taking the document to the Company's Officer.

11. Irrigation is still in its infancy, and all these checks and formalities will only disgust the ryots and disincline them to take water. It is impossible that transactions of this nature, spread over a large tract of country, can be conducted with the nice precision of a retail business, and the attempt will only entail useless labor and expense, and as Government remark, discourage the use of the water.

12. All that the Company's Officers really need can be supplied by a very trifling alteration in the rules, namely, by sending them a copy not an abstract of the chief Register closed on the 1st April of each, and copies fortnightly of the subsequent Registers.

13. These should be signed by the Village Head and Curnum, not as at present by the latter. The Company's Officer can, if the Agent desires it, send him a copy. This arrangement would, the Board think, fully meet the requirements of all parties with the least inconvenience to any.

14. There is one point incidentally raised in this correspondence, which the Board think needs notice.

15. It will be observed from the Chief Engineer's letters that in his opinion the use of water before the Company's Officer has given his permission will amount to a surreptitious use of it, and *ipso facto* subject Government or the ryot to the double charge. So far as the ryot is concerned, the Board have always been under the impression that by surreptitious use of water was intended its use with the intention of evading payment for it. The honesty of the ryot's intention is proved by his application for water. The Company's Chief Engineer holds, however, that if the cheque system is introduced, the ryot will be surreptitiously using water and incurring the penalty if he uses it before the Company's Officer has stamped his Permit, though he may days previously have applied to and been registered by the Curnum. If, on the other hand, the present system be continued, and the ryot take water before the register reaches the Company's Officer, then the Company are "entitled to double rate from the Government, and the Government to single rate only from the ryot." The contract provides that at whatever rate the Government buy, they shall at the same rate sell the water, so that the argument is untenable. It is very desirable, however, that Government should definitively settle what is to constitute a wrongful use of water, subjecting the user to the penalty of double charge, which it may be remarked is not provided for in the contract, and has not the sanction of law. If the ryots are not to use the water till the Company's Officer has given them permission individually, they must in justice be allowed the privilege up to that time of withdrawing their applications, and the Company must bear the risk of loss.

16. As regards the other question on which the Board's opinion has been called for, namely, the employment of a "Water Bailiff" with an establishment of Peons, it seems to the Board that as Government do not buy the Company's water by volume or by a sufficiency for a fixed area, the Company may reasonably claim to be be allowed to satisfy themselves by an independent agency of their own, that they are really being paid for all the water they supply, *provided* that the cost of such agency does not fall on the State, and that there is no improper interference with the ryots, for whose purchase of or application for water Government are pecuniarily responsible. These conditions being fulfilled, the Board do not see that Government would be entitled to *veto* the proposal.

17. As matters stand, however, the Government have, and probably for some years to come will have, to provide the guaranteed interest on the Company's principal out of the public finances; and this gives them the right of refusing to sanc.

tion the expenditure, unless it can be shown to their satisfaction that there will be a proportionate increase of revenue not otherwise attainable at less cost.

18. Viewing the question in this light it seems to the Board that the proposed expenditure is out of all reasonable proportion to the revenue realised as yet. The establishment will cost Rupees 3,696 annually, independent of the proposed percentage on the receipts. Mr. Henslowe states that, up to June last water was sought for only 424 acres, equivalent to Rupees 2,544 at single rates. Since then there has doubtless been an increased demand, but as the object of the establishment is not to realise the rate on water *applied for*, this being collected and paid over by the Government and admitting of no frauds; but to detect cases in which water is being surreptitiously used without application or intention of payment, the irrigable area must obviously be very largely increased before it can be worthwhile to entertain so expensive a Preventive Establishment. It will in fact be more economical for the Company to run the risk of being defrauded of the rate on a few acres here and there, than incur an expense to cover which double water-rate on 308 acres would be required. But other means are available for meeting the object in view with sufficient efficiency for practical purposes. Water is not an article that can be used for irrigation without the use being apparent and susceptible of easy proof, and the fact of its use cannot be concealed from neighbouring landholders. The adoption of a system of rewards (similar to that adopted with marked success in the Customs Department) for information of surreptitious irrigation would answer all present purposes, probably as effectively and certainly more economically than the plan proposed by the Company's Agent. It must be remembered that Government have already an inspecting staff in every talook in the persons of their Tahsildars and Revenue Inspectors, and that matters are not so entirely in the hands of the Village Curnum as the Company's Officers seem to think.

19. If a Water Police were now necessary, the proposed establishment is not, in the Board's opinion, well organised for the duties it has to perform. As already stated the agreement is between Government and the Company; all that the Officers of the latter can do is to compare the land actually irrigated with that paid for; and if in any case they find that land is being surreptitiously irrigated to lodge their claim against Government. For such comparatively simple duties an Officer on Rupees 210 per mensem cannot be required. His pay alone would absorb the revenue from the 424 acres abovementioned, and if, as seems would naturally follow, when the Canal is compleled throughout its length, several such Officers are employed, the Company will be paying more as insurance than the risk is worth; when a Water Police becomes requisite, active and intelligent natives of the class now employed as Revenue Inspectors would be more suitable.

20. For these reasons the Board consider that Mr. Henslowe's proposal should for the present be negatived.

No. 185. ORDER THEREON, 8th April 1869, No. 959.

Irrigation, No. 7.

IN their Order, under date 20th June 1868, No. 1,740, the Government gave a qualified assent to certain proposals made by the Agent for the Irrigation Company, regarding the establishment of a system for the issue of Irrigation Permits in quadruplicate, the cost of the arrangement being borne by the Company. They, however, observed that inasmuch as the Company was not authorised to deal with the ryots individually, it seemed very questionable whether the Agent could need any particulars of the operations of individual ryots for the purpose of check, and they declined to sanction that part of the proposal which required the ryot to carry the quadruplicate, triplicate, and duplicate of the Permit to the Irrigation Company's Officer.

Proceedings of the Madras Government, Revenue Department,
8th April 1869.

2. After some further correspondence between the Company's Manager, Chief Engineer, and the Consulting Engineer of Government, the question was again referred for the observations of the Board of Revenue in the G. O., under date 10th September 1868, No. 2,350.

3. The Board have again given the subject their full consideration, and submit their views in the foregoing Proceedings. In the opinion of Government, they give ample reasons for the rejection of the proposals made by the Company's Officers. The cardinal objection to the scheme is, that it tends to make the application for water a transaction between the Company and the ryot, instead of between the Company and the Government. The advantages which the Company derive by dealing with the Government instead of the ryot are fully set forth in Section 1 of paragraph 10 of the Board's Proceedings, and the Government would be most averse to any change in this arrangement on other grounds.

4. The objection above adverted to would alone be sufficient to condemn the proposal; but the Board also point out that it would throw labor upon the Curnums which eventually they would be unable to undertake, and that it is after all quite unnecessary, for the purpose for which it is intended, as obviously a statement from a Government Officer giving the number and extent of applications would be quite as useful and more convenient as a voucher, than hundreds and eventually thousands of scraps of paper. It may be added that a voucher, signed by an Officer of Government, *i. e.*, by the party with whom the Company is dealing, must be of greater value than any voucher signed by a ryot with whom the Company are not authorised to deal.

5. It is absolutely necessary that both the Officers of the Government and of the Company should clearly understand that the Company have nothing whatever to do with the transactions of the ryots; that these are matters in which Government alone can interfere; and that the Company's remedy, in every case of water being surreptitiously used, is against the Government and not against the ryot. The Government are satisfied that if the Officers of the Company will bear this in mind, they will see the inapplicability to the circumstances of the case of the scheme proposed by them.

6. The arguments brought forward by the Board in paragraphs 17, 18, and 19 of their Proceedings against the employment, at any rate for the present, of the proposed Water Police also appear to Government to be conclusive. They are accordingly constrained to withhold their sanction from this proposal also.

7. The question of the double charge for the surreptitious use of water, however, needs consideration; and, as observed by the Board in paragraph 15 of the

Proceedings of the Madras Government, Revenue Department,
8th April 1869.

Proceedings, it is essential that it should be definitely settled what is to constitute a wrongful use of water, subjecting the user to the penalty of double charge. The Board of Revenue will accordingly be requested to call upon the Collector for his opinion on the subject, and the Consulting Engineer will ascertain the views of the Company's Officers on the point, and submit them, with his own remarks, for the orders of Government, through the Board of Revenue.

(True Extract.)

(Signed) R. A. DALYELL,

Acting Secretary to Government.

To the Board of Revenue.
,, the Consulting Engineer for Irrigation and Canal Company.
,, the Public Works Department.
,, Chief Engineer for Irrigation.

Exd R. R. Bantleman.

Revenue Vol.

No. 3992.

BOARD OF REVENUE, MADRAS.

1868.

PROCEEDINGS, 15TH DECEMBER 1868, No. 8,872.

Dep. P. 21 Dec. 1868 Encl. Received 22

DECEMBER.

No. 8,872.

Subject.

Irrigation—Board's opinion that proposals made by Mr. Henslowe, Agent Madras Irrigation and Canal Company, relative to supply of water from Company's Canal in Kurnool District for, should be negatived by Government.

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Reported to England 10th May. No 95 of 1869 Land Revn

Govt. of {1869} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated April, 8th.

Recd. Encl.

G. O., 8th April 1869, *No.* 959.

From the Consly Engr & Pt Co. 6 April 69 C No 1162

APRIL.

Nos. 184-185.

Water-supply from Irrigation Company's Canal, in Kurnool District.—Passing orders on the Agent's proposals on this subject.

Revenue Depart.

W 959

Proceedings of the Madras Govt. under date the 8th Apl. 1869

Read the following Ro. of the Bd. of Revenue

suggesting that the proposals, relative to supply of water from the Irrigation Co's Canal in Hurricote Dt. for Irrigation purposes should be regulated by Govt.

(U.L. 18th Decr 1868, No. 8,872)

In their order under date 20th June 1868, No. 1740, the Govt. gave a qualified assent to certain proposals made by the Agent for the Irrigation Company regarding the establishment of a system of Irrigation channels in the Godavery Delta, the cost of the arrangement to be borne by the Company. They observed that inasmuch as the Company was not authorized to deal with the ryots individually, it seemed very questionable whether

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purpose of check, and
they declined to sanction
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observations of the Board
of Revenue in the G.O. un-
der date 10th September
1868 No. 2350.

3. The Board have a-
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grounds.

4. This objection to
the proposal would alone
be sufficient to condemn
it, but the Board also
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throw labor upon the
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they would be pre-
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unnecessary, for the purpose for which it is intended, as obviously a statement from a Govt officer giving the number and extent of applications would be quite as useful and more convenient, as a number than hundreds and eventually thousands of scraps of paper. It may be added to that a voucher signed by an officer of Govt, i.e. by the party with whom the Company is dealing, must be of greater value than any vouchers signed by a Syot with whom the Company are not authorized to deal.

6. It is absolutely necessary that both the officers of the Govt and of the Company should realize that the Company have nothing whatever to do with the transactions of the Syots, that these are matters in which Govt alone can interfere, and that the Company's remedy in

Clear understanding

in any case of water being surreptitiously used, is against the Govt and not against the Syot. The Govt are satisfied that if the officers of the Company will bear this in mind they will see the impossibility to the circumstances of the case of the scheme proposed by them.

6. The arguments brought forward by the Board in paras 17-18 & 19 of their Bo: against the employment, at any rate for the present, of the proposed water boiler also appear to Govt to be conclusive, they are accordingly constrained to withhold their sanction from this proposal also.

7. The question of the double charge for the surreptitious use of water, however, still as consideration, and, as obtained by the Board in para 15 of their Bo:

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Govt of the [illegible]
[illegible]

1½ Copies to Mr. Price Despatch.
1 Copy — Consulting Engineer for Irrigation Co. Company
21 Copies — Mr. Price
1 Copy — Chief Engr. for Irrigation

60
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Entered all