

MADRAS RECORD OFFICE.

Government of Madras.

Revenue

DEPARTMENT.

G.O. No.	973	Press ~~Mis.~~
368-70. Dated 30-6-1870 19		

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
30th June 1870.*

No. 369. Read the following letter from the Secretary to the Government of India, Home Department—Revenue, to the Secretary to the Government of Madras, dated Simla, 2nd June 1870, No. 2,698:—

THE Governor-General in Council has for some time past been satisfied that measures might be taken with great advantage in many parts of India for extending and improving the system of giving assistance to proprietors of land for the construction of permanent works of agricultural improvement. I am directed to request the attention of His Excellency the Governor in Council to this subject, and to state that His Excellency in Council will be glad to be informed of the views of His Excellency regarding the measures which might properly be adopted.

2. The Government has always, if not by extensive practice, at least by its legislation, recognized the duty which in this country devolves upon it of giving advances of public money for the promotion of agricultural improvements. The system of making such advances, usually called *tuccavee*, has existed more or less in the Bengal Presidency almost from the commencement of our rule. The existing law upon the subject is contained in Regulation II. of 1793, Regulation XIV. of 1793, Regulation III. of 1794, and Regulation VI. of 1795. The security is complete, since the land on which the improvement is made is declared by the law to be responsible for the re-payment of the advances, and they may be recovered by the same processes which are applicable to the recovery of arrears of land-revenue.

It appears to the Governor-General in Council that it would be desirable to consolidate and amend the existing law on this subject. The provisions of the old enactments that have been quoted are obviously incomplete, and they are in some respects hardly suited to the circumstances of the present time.

3. The system under which *tuccavee* advances for permanent improvements have been given in many parts of India is identical in principle with that which has been carried out in the United Kingdom, with admirable results, by means of the Land Improvement Acts. The Governor-General in Council believes that this principle may receive a much wider and more systematic development in India than has hitherto been given to it; and he believes that no sounder or more useful principle could be acted upon by a Government which desires to make the resources of the State available for the promotion of the wealth and improvement of the people. There is perhaps no country in the world in which the State has so immediate and direct an interest in such questions. The Government of India is not only a Government but the chief landlord. The land-revenue, which yields twenty millions of our annual income, is derived from that portion of the rent which belongs to the State, and not to individual proprietors. There can be no doubt that throughout the greater part of India every measure which can be taken for the improvement of the land and for increasing its productive powers immediately enhances the value of the property of the State and adds ultimately to the public resources without the imposition of any fresh burden on any class of the community.

4. The class of works, for the construction of which the assistance of the Government might properly be given to the owners and occupiers of land, would not be difficult to define. Advances of money should be usually given for that

description of work only which can be designed and carried out with a small amount of assistance under the direction of the local proprietors themselves. These advances should not be made for great works requiring in their design or construction engineering skill of a high order, or the employment of large bodies of labourers. Such works, if undertaken by the Government, must necessarily be undertaken through the Department of Public Works. The works for which advances might properly be made would commonly fall into some one of the following classes:—

- (1.)—Wells and other works for the storage, supply, or distribution of water for agricultural purposes, and the preparation of land for irrigation;
- (2.)—Drainage;
- (3.)—The reclaiming of land from rivers;
- (4.)—The protection of land from floods;
- (5.)—The reclaiming, clearing, and enclosing of waste lands for agricultural purposes;
- (6.)—The clearing of land from stones or other obstacles to cultivation.

5. It is believed that it would not be difficult to devise and bring into operation a system under which advances of money might be made by the Government for works of this description, mainly through the agency of the district officers of the Government, and with complete security against loss; and the benefits derived from such an application of capital to the permanent improvement of the land might be of almost incalculable importance. His Excellency in Council is disposed to think that there are no objects to which a portion of the loans, which it is proposed to raise every year for reproductive works, could be more advantageously and properly devoted. Such portion of the borrowed money of the year as in the opinion of the Government of India could be usefully lent for such purposes would be placed at the disposal of the Local Governments. The extension of irrigation canals and the development of our railway system will necessarily stimulate agricultural industry, and the importance of facilitating to the utmost the prosecution of minor works of land improvement will, under such circumstances, be specially great.

6. It appears to the Governor-General in Council that no elaborate machinery or expensive staff of officers would be necessary for the gradual development of a system which, in all essential respects, has long been known to and approved by the people. In the existing establishments of the Revenue and Public Works Departments it is probable that we possess already in the greater part of India an organization quite sufficient for the purpose. The character of most of the works would be so simple that the Collector or district officer on whom would fall the chief duty of making the advances and of supervising the execution of the works would find little difficulty in taking all necessary precautions to prevent the occurrence of abuses, and to secure the proper application of the money to the purposes for which it was advanced.

7. It appears to the Governor-General in Council that in revising the law upon this subject some such provisions as the following might be adopted.

8. Any person desiring to make an improvement in his land of the character referred to in the fourth paragraph of this letter would be authorized to make an application to the Collector for an advance of money to enable him to make the improvement.

The Local Government, with the sanction of the Governor-General in Council, would be authorized to make rules prescribing the manner in which such applications should be made, and in which inquiries relating to applications should be conducted; for determining the conditions under which advances might be made, and under which they would be re-payable; for securing the due expenditure of the advances, the due execution, inspection, and maintenance of the work for which the advance was made; and for the keeping and auditing of accounts.

9. Advances would ordinarily be made to the landlord or ~~to~~ ^{consent} tenants whose interest in the land exceeded the term fixed for the re-payment of the advance; but they might, with the landlord's ^{consent} be made to any tenant desirous of making an improvement on the land in his occupation.

10. On receiving an application for an advance the Collector would make such inquiry as appeared necessary in regard to the propriety of making the advance. If the result of such inquiry should be to satisfy the Collector that the proposed improvement would increase the annual value of the land in which the improvement is to be made to an amount exceeding the sum to be charged annually upon the land for the re-payment of the advance, he would be authorized (subject to the rules referred to in paragraph 8) to grant a certificate sanctioning an advance of money for the purpose of making the improvement. The certificate would state the amount of the advance, the conditions under which it was to be made, and under which it was to be re-paid by instalments or otherwise; and it would specify the land which, in the event of the conditions not being fulfilled, would become chargeable for the re-payment of the advance.

After the certificate was granted the Collector would be authorized to make the advance.

11. The law would provide that when any sum stated in the certificate became due, it would be recoverable from the person to whom the advance was made, or from any person who had become security for re-payment, as if it were an arrear of land-revenue due by the person to whom the advance was made, or by his security. If any sum could not be so recovered, it would be recoverable as if it were an arrear of revenue due on the land specified in the certificate.

Any sums expended by the Collector in accordance with the rules referred to in paragraph 8 in making local inquiries, or otherwise in carrying into effect the provisions of the law in behalf of a person applying for an advance, would be recoverable in the same manner.

12. It is hardly necessary to repeat that the present proposals refer only to advances for works of permanent agricultural improvement. The Governor-General in Council is aware that a vicious system formerly prevailed in some parts of India, under which nominal advances, called *tuccavee*, were often made to liquidate balances of Government revenue and for other temporary purposes. Such advances, unless under very exceptional circumstances, were clearly incom-

*Proceedings of the Madras Government, Revenue Department,
30th June 1870.*

patible with good revenue administration; and they had nothing in common with the system which it is now proposed to introduce.

13. The Governor-General in Council requests that His Excellency the Governor in Council will be good enough to state any opinions which he may hold in regard to the subject of this letter, and that he will favour the Government of India with any recommendations, the adoption of which may appear to him likely to increase the usefulness of the measures, of which a sketch has now been given.

14. If His Excellency the Governor in Council should concur with the Government of India in the views stated in this letter, and should consider legislation on the subject desirable, I am to request that His Excellency will state whether in his opinion it would be expedient to pass in the Council of the Governor-General a law applicable to Madras as well as to other parts of India, or whether His Excellency would prefer to deal with the subject in his own Council.

No. 370.

ORDER THEREON, 30th June 1870, No. 973.

Miscellaneous.

REFERRED to the Board of Revenue
for a full and early expression of their
views upon the proposal made by the

Government of India after consulting the Collectors on the subject.

(True Extract.)

(Signed) R. S. ELLIS,

Chief Secretary.

To the Board of Revenue.

Exd. F. R. Bantleman.

Memorandum.

In this paper the Govt. of India recognize the expediency of the State making advances of money to private individuals for the purpose of enabling them to make permanent improvements in their land - in the same manner as has been done under the Land Improvement Acts in the United Kingdom -

The works for which advances might properly be made are stated to be -

(1) Wells & other works for the storage, supply, or distribution of water for agricultural purposes.

Govt. of India

REVENUE.

THE BOARD OF REVENUE.

Dated June, 30th.

Recd. Encl.

G. O., 30th June 1870, No. 973.

JUNE.

Nos. 369-370.

Construction of Permanent Works of agricultural Improvements.—Letter from Government of India on the subject of giving assistance to proprietors of land in connection with it, referred to Board of Revenue for report.

Pro. of the Govt. of India
Calcutta 10th July 1870
No. 369-370

Pro of the Madras
Collection of 1891
Pro of the Madras
Collection of 1891

purposes and the preparation
of land for irrigation.

(2.) Drainage

(3.) The reclamation of land
from rivers

(4.) The protection of land
from floods

(5.) The reclaiming, clearing
and enclosing land of waste
lands for agricultural
purposes

(6.) The clearing of land
from stones & other obstacles
to cultivation

The works are to be of
a minor character to be
carried out under the direction
of the proprietors themselves.

5

The condition of the advance
would be that the proposed
improvement would increase
the annual value of the
land on which the improve-
ment is to be made, to
an amount exceeding
the sum to be charged an-
nually upon the land
for the repayment of
the advance.

It is for the Madras Govt
to determine if they wish
to legislate locally on
the subject or to advise
on the Imperial legislation
for this object.

Pro of the
Collector
No. 111
05/06/70

12/12

(2)

It is suggested that
this paper be referred
through the Revenue
Department to the
Board of Revenue for
a full & early expression
of their views upon this
important proposal
of the Govt of India

RM

yes - a promise may
be made & then
board through it is not
probable that much
will come of the
proposal. The letter
had better be signed
of the Revenue
Dept. It has nothing
to say to the Proprietors
Dept. in which it has
been circulated.

AJ

I am con. with Mr. Ar.
hitherto - & I would like to
to consult Mr. Ar. Our
Law already recognizes
advances & provides for
their recovery as advances to

carried out under the direction
of the proprietors themselves

21/6/70

Handwritten note: I am con. with Mr. Ar. hitherto - & I would like to consult Mr. Ar. Our Law already recognizes advances & provides for their recovery as advances to

11/11

Revenue Department

No. 973.

Proceedings of the Madras Government
Under date the 30th June 1870.

Read the following
letter from the Govt of
India, Home Department.

Requesting views of this
Govt on the subject of giving as-
sistance to Proprietors of land
for construction of permanent
works of Agricultural Improve-
ment.

(H.E. 2nd June /70 No. 2698)

Referred to the Bd.
of Revenue for a full and
early expression of their views
upon the proposal made by the
Govt of India after consulting
the Collectors on the subject.

RM

14 Board of Rev. Dept. July

Handwritten signature

Handwritten mark

