

(1) Number of pages 18
(2) Date of repair 30-4-62
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

REVENUE DEPARTMENT.

G.O. No. <u>185</u>	Press Mis. <u>—</u>
Dated <u>27. 1.</u>	<u>1871</u>

Not to be folded or roughly handled

1

*Proceedings of the Madras Government, Revenue Department,
27th January 1871.*

Read the following :—

No. 382. Proceedings of the Board of Revenue, dated 7th May 1870, No. 3,045.
Read the following letter from the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Repalli, 21st February 1870, No. 773.

With reference to the Circular Proceedings of the Board, No. 5,252, dated 12th November 1860, I do myself the honour to request the sanction of the Board for giving up for cultivation certain lands in the beds of tanks in the under-mentioned villages of Repalli Taluq :—

1. Thirteen acres of land situated in the bed of Chandavole Tank. The Tahsildar of Repalli Taluq reports that applications have been received, offering to take up this land for cultivation. The Superintending Engineer of the 2nd Division informed me that this might be given out for agricultural purposes, and that the whole of the tank, which is a very large one, may hereafter be cultivated when the Buddam project is completed. The lands in the bed of tanks are, of course, very valuable and rich, and likely to sell well if put up to competition.

2. In the village of Kaitepalli of Repalli Taluq there are four tanks. The extent of land yearly irrigated outside the tanks is acres 1,320, bearing an assessment of Rs. 7,350. The extent of the bed of the tanks is acres 1,108 according to Survey Accounts of which 600 acres of land are fit for dry cultivation after the water in them is drawn off. The ryots of Kaitepalli village applied for permission to raise dry crops on this land. It is reported that the beds of the tanks of this village were formerly cultivated with dry crops after the wet crop outside the tanks was cut. The Superintending Engineer informs me that he sees no reason why the tank-beds should not be cultivated as the water is drawn off. I was under the impression that such a practice had been condemned.

3. The pyra or later crop, such as Minumu (black gram), Bohbara, etc., cultivated in tank-beds will, of course, yield abundantly on such lands, and the ground will sell well in auction.

4. The question is raised whether any Puttah can be given for such lands when only dry cultivation is permitted, and that not allowed to be commenced till the water is drawn off. Shall we not put a strong temptation in the way of the holders of these lands to let off the water surreptitiously, so as to be able to commence cultivation early, and will not the bed of the tank be liable to absorb a larger quantity of water, if its surface is ploughed up every year? I offer these suggestions with all due deference to the opinion of the Superintending Engineer.

5. There are a number of tanks in the Repalli Taluq whose beds have greatly silted up, so that they can only hold a very few days' supply. There are at Bhat-tiprole, Bemavaram, Repalli, Arvapalli, Uppudi, Kuchinapudi, Nalluru Kamarazgadda. The aggregate area may be about 1,400 acres. I am informed that the Public Works Department have at present under consideration the idea of abandoning these tanks, and irrigating the lands below them with channels taken through their beds. If put up to auction the lands would sell for from Rs. 25 to Rs. 70 per acre. At the lowest estimate they would yield about Rs. 35,000, and at Rs. 6 an acre, the annual revenue would be about Rs. 8,400.

6. As a means of recruiting the revenues I would beg to draw attention to the resources of Government not only to these tank-beds and the large extent of land in the Koller Lake, if the lake can be drained, but also to the river lunkahs. In all these cases land is so valuable that it will fetch very large sums if put up to auction. I recently sold myself by auction some lunkahs in the Bunder Taluq, where the price rose to Rs. 74 and Rs. 75 an acre; the competition was so brisk. At present Government sacrifice a large amount of legitimate revenue by conceding to adjoining holders, without any charge, the right to occupy new accretion lunkahs adjoining their holdings; a man may have half an acre, a new accretion of 50 or 60 acres forms impinging on his holding for a few yards. Is he to be allowed to take this up without charge, when all the villagers are competing for it, and in auction it would fetch Rs. 4,000 or Rs. 5,000? Generally, the ryots are very dissatisfied with the present rule, and it would be every way preferable, in my opinion, to put all new lunkahs up to auction. If, however, it be thought advisable to concede some preferential right to an adjoining holder, I should limit his right to take up free out of the new accretion an extent equal only to the Survey number upon which it impinges, and no more.

In this letter Mr. Boswell requests sanction for giving up for cultivation the lands in the beds of certain tanks in the Repalli Taluq, which are stated by the Superintending Engineer to be either no longer required as reservoirs for water, or, at all events, to be available for dry cultivation after the water stored for irrigation has been drawn off:

2. The first tank instanced is that of Chandavole, in the bed of which 13 acres are said to be available for cultivation. The Superintending Engineer has been consulted, and does not object; he even states that when certain works are completed, the whole tank-bed may be given up to cultivation. There can be no objection to the 13 acres now reported on being given up; the only question is whether the land should be sold by auction or ratably divided amongst the villagers. The Board consider it best to sell lands, situated as these are, by auction; they are quite removed from the category of ordinary waste lands; they have become available for cultivation by the advancement of irrigation from the anicut works; they have been fertilized and enriched by the silt accumulations of years; and they are brought into the market suddenly in a state fit for immediate occupation by the operation of works constructed at the expense of the State. The State is clearly entitled to benefit to the extent of the marketable value of these lands.

3. It would, moreover, be a very difficult matter to apportion them fairly amongst the villagers in any other way than by sale. Having decided that they should be sold, it becomes a question whether the sale should be restricted to inhabitants of the village. The Board resolve that there should be no such restriction, because it would certainly fail of its object. Supposing an outsider wished to purchase, he would only have to commission any ryot to buy the land in his own name, and there would be nothing whatever to prevent its being next day transferred by the actual purchaser to his employer.

4. As regards the Kaitapalli tanks Mr. Boswell reports that the villagers are anxious to take up the beds for dry cultivation after the water has been drawn off.

5. In the Devi Division, on the opposite bank of the river, the Board are informed there are many tanks of a similar description; they are all fed by the river, and their beds are invariably cultivated with dry crops after the water has been drawn off. The beds are very fertile, and produce magnificent crops. The Board consider that there is no reason whatever why the Kaitapalli tanks should not be cultivated in the same manner.

6. There might be some difficulty in issuing Puttahs, if the lands were sold; but if given to the villagers, it is probable that no difficulty would be experienced in arranging matters. Mr. Boswell should inquire into the custom in Devi.

7. As regards the tanks at Bhatiprole, Bemaveram, etc., they are similarly situated to that at Chandavole, and when it is finally decided to abandon them as tanks, the land must be sold by auction. These tanks, however, must not be hastily abandoned. The Kistna works are far from complete, and the aid of reservoirs is needed in bad seasons. Tanks are also required to store water for drinking purposes during the months that the anicut-channels are dry.

8. Each case should be separately reported on, and the opinion of the Superintending Engineer invariably obtained before action is taken.

9. The last point raised by Mr. Boswell is regarding the disposal of newly formed lunkahs or accretions to the river-bank. Formerly all such formations were taken possession of by Government, and sold under the orders of Government. Objection was, however, taken to this practice, and some Civil Suits arose out of it. The result was that the practice was given up, and it was laid down that all accretions to the bank were to be considered *bona fide* the property of the owner of the adjacent land, and were consequently handed over to the Puttahdars of the field adjoining which the new land had formed. All new formations in mid-stream were declared to be the property of the State. The Board believe that this is the true law of the case.

10. The whole question is one of difficulty, but for the present the law must be acted up to. Mr. Boswell will, however, inquire into the existing practice, and report on it.

No. 383. Proceedings of the Board of Revenue, dated 8th November 1870, No. 6,544.

Read again Board's Proceedings, 7th May 1870, No. 3,045.

Read also the following letter from the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 8th September 1870, No. 4,079.

I HAVE the honour to acknowledge the receipt of the Board's Proceedings, No. 3,045, dated 7th May 1870, relative to giving out tank-beds for cultivation.

2. Adverting to paragraph 5 of the Proceedings, I beg to state for the information of the Board, that in some villages of the Divi Purganah the tank-beds have been classified and assessed by the Settlement Department. After the water

*Proceedings of the Madras Government, Revenue Department,
27th January 1871.*

in the tanks is drawn off the ryots cultivate the beds with dry crops, and pay dry rate assessment at Rs. 2-8-0 and Rs. 2 an acre. Such tank-beds are included in the ryots' puttahs, which I consider objectionable. Where it is the interests of the holders of lands in a tank-bed to commence their cultivation early, there is a strong temptation to let the water off surreptitiously. I found serious disputes of this kind in Vizagapatam District.

3. Instead of giving Puttahs for such lands, if they are to be given at all, I would give Cowles for one year as in the case of lands granted without a right to the trees, for tank-beds are the property of Government, and occasion may arise hereafter to prohibit cultivation; therefore Government rights should be reserved, and the cultivators of these tank-beds should have no right to dispose of their lands like private property or lands held on Puttah.

4. The ploughing up and cultivation of tank-beds render them liable to absorb a larger quantity of water than they otherwise would.

5. With respect to paragraphs 9 and 10 of Board's Proceedings under reply, I have the honour to inform you that under the Orders of the Board, dated 16th October 1866, No. 7,469, all accretions to the existing Kistna Islands in the occupation of ryots are given to them on application without being sold, and all new formations in the middle of the river which do not form accretions to any ryot's land, are sold in public auction to the highest bidder.

THE villagers of Kaitepalli in the Kistna District wish to cultivate 600 acres of land in the beds of four tanks after the water in them is drawn off. The tanks irrigate acres 1,320, assessed at Rs. 7,350. The beds were formerly cultivated in the manner now proposed, and the Superintending Engineer sees no reason why they should not be so cultivated again.

2. Many tank-beds are cultivated in other parts of the district. In some villages tank-bed land has been classified by the Settlement Department, and is entered in the ryots' Puttahs. The character of these tanks is so peculiar that the reasons for the general prohibition of cultivation in tank-beds do not apply to them. They do not drain tracts of country as is the case elsewhere, but they are filled from the river when in fresh by short channels which are closed directly the tanks are full. The same ryots who hold land under the tank take the land within the tank, so that there is no danger of their letting the water run to waste.

3. The Board are of opinion that cultivation should be allowed in the beds of the Kaitepalli tanks, annual Cowles and not Puttahs being given to the cultivators, so that the cultivation may be stopped if it is ever considered necessary to do so; but before issuing orders to this effect, the Board resolve to solicit the sanction of Government, with reference more especially to Government Order, 5th February 1868, No. 328.

No. 384.

ORDER THEREON, 27th January 1871, No. 185.

Irrigation, No. 5.

THE Government have no objection to the relaxation of the rule against the cultivation of tank-beds in those cases

*Proceedings of the Madras Government, Revenue Department,
27th January 1871.*

in which the tank has been brought under the command of a channel, and is therefore no longer necessary as a reservoir.

2. When this is not the case the rule should be maintained.

(True Extract.)

(Signed)

W. HUDLESTON,
Secretary to Government.

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

Krd. F. R. Bantleman.

10th of 113713

REVENUE.

THE BOARD OF REVENUE.

G. O. 27th January 1870. No. 165.

JANUARY.

Nos. 888-301.

Cultivation of lands in Kistna District—
Publication of the rule prohibiting it,
issued in the case specified.

No. 3,045.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th May 1870.

Read the following letter from J. A. C. BOSWELL, Esq., Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Repalli, 21st February 1870, No. 773:—

With reference to the Circular Proceedings of the Board, No. 5,252, dated 12th November 1860, I do myself the honour to request the sanction of the Board for giving up for cultivation certain lands in the beds of tanks in the under-mentioned villages of Repalli Talook:—

(1.) Thirteen Acres of land situated in the bed of Chandavole Tank. The Tahsildar of Repalli Talook reports that applications have been received, offering to take up this land for cultivation. The Superintending Engineer of the 2nd Division informed me that this might be given out for agricultural purposes, and that the whole of the tank, which is a very large one, may hereafter be cultivated when the Buddam project is completed. The lands in the bed of tanks are, of course, very valuable and rich, and likely to sell well if put up to competition.

(2.) In the village of Kaitepalli of Repalli Talook there are four tanks. The extent of land yearly irrigated outside the tanks is Acres 1,320, bearing an assessment of Rupees 7,350. The extent of the bed of the tanks is Acres 1,108 according to survey accounts, of which 600 Acres of land are fit for dry cultivation after the water in them is drawn off. The ryots of Kaitepalli village applied for permission to raise dry crops on this land. It is reported that the beds of the tanks of this village were formerly cultivated with dry crops after the wet crop outside the tanks was cut. The Superintending Engineer informs me that he sees no reason why the tank-beds should not be cultivated as the water is drawn off. I was under the impression that such a practice had been condemned.

3. The pyra or later crop, such as Minumu (Black gram), Bohbara, etc., cultivated in tank-beds, will of course yield abundantly on such lands, and the ground will sell well in auction.

4. The question is raised whether any Puttah can be given for such lands when only dry cultivation is permitted, and that not allowed to be commenced till the water is drawn off. Shall we not put a strong temptation in the way of the holders of these lands to let off the water surreptitiously so as to be able to commence cultivation early, and will not the bed of the tank be liable to absorb a larger quantity of water, if its surface is ploughed up every year. I offer these suggestions with all due deference to the opinion of the Superintending Engineer.

5. There are a number of tanks in the Repalli Talook whose beds have greatly silted up, so that they can only hold a very few days' supply. There are at Bhattiprole, Bemavaram, Repalli, Arvapalli Uppudi, Kuchinapudi, Nalluru Kamarazgadda. The aggregate area may be about 1,400 Acres. I am informed that the Public Works Department have at present under consideration the idea of abandoning these tanks, and irrigating the lands below them with channels taken through their beds. If put up to auction the lands would sell for from Rupees 25 to Rupees 70 per Acre. At the lowest estimate they would yield about Rupees 35,000, and at Rupees 6 an Acre, the annual revenue would be about Rupees 8,400.

6. As a means of recruiting the revenues I would beg to draw attention to the resources of Government not only to these tank-beds and the large extent of land in the Koller Lake, if the lake can be drained, but also to the river lunkahs. In all these cases land is so valuable that it will fetch very large sums if put up to auction. I recently sold myself by auction some lunkahs in the Bunder Talook, where the price rose to Rupees 74 and Rupees 75 an Acre; the competition was so brisk. At present Government sacrifice a large amount of legitimate revenue by conceding to adjoining holders, without any charge, the right to occupy new accretion lunkahs adjoining their holdings; a man may have half an acre, a new accretion of 50 or 60 Acres forms impinging on his holding for a few yards. Is he to be allowed to take this up without charge, when all the villagers are competing for it, and in auction it would fetch Rupees 4,000 or Rupees 5,000? Generally, the ryots are very dissatisfied with the present rule, and it would be every way preferable, in my opinion, to put all new lunkahs up to auction. If, however, it be thought advisable to concede some preferential right to an adjoining holder, I should limit his right to take up free out of the new accretion an extent equal only to the Survey number upon which it impinges, and no more.

In this letter Mr. Boswell requests sanction for giving up for cultivation the lands in the beds of certain tanks in the Repalli Talook, which are stated by the Superintending Engineer to be either no longer required as reservoirs for water, or, at all events, to be available for dry cultivation after the water stored for irrigation has been drawn off.

2. The first tank instanced is that of Chandavole, in the bed of which 13 Acres are said to be available for cultivation. The Superintending Engineer has been consulted, and does not object; he even states that when certain works are completed, the whole tank-bed may be given up to cultivation. There can be no objection to the 13 Acres now reported on being given up; the only question is whether the land should be sold by auction or rateably divided amongst the villagers. The Board consider it best to sell lands, situated as these are, by auction; they are quite removed from the category of ordinary waste lands; they have become available for cultivation by the advancement of irrigation from the anicut works; they have been fertilized and enriched by the silt accumulations of years; and they are brought into the market suddenly in a state fit for immediate occupation by the operation of works constructed at the expense of the State. The State is clearly entitled to benefit to the extent of the marketable value of these lands.

3. It would, moreover, be a very difficult matter to apportion them fairly amongst the villagers in any other way than by sale. Having decided that they should be sold, it becomes a question whether the sale should be restricted to inhabitants of the village. The Board resolve that there should be no such restriction, because it would certainly fail of its object. Supposing an outsider wished to purchase, he would only have to commission any ryot to buy the land in his own name, and there would be nothing whatever to prevent its being next day transferred by the actual purchaser to his employer.

4. As regards the Kaitepalli tanks Mr. Boswell reports that the villagers are anxious to take up the beds for dry cultivation after the water has been drawn off.

5. In the Devi Division, on the opposite bank of the river, the Board are informed there are many tanks of a similar description; they are all fed by the river, and their beds are invariably cultivated with dry crops after the water has been drawn off. The beds are very fertile, and produce magnificent crops. The Board consider that there is no reason whatever why the Kaitepalli tanks should not be cultivated in the same manner.

6. There might be some difficulty in issuing Puttahs, if the lands were sold; but if given to the villagers, it is probable that no difficulty would be experienced in arranging matters. Mr. Boswell should inquire into the custom in Devi.

7. As regards the tanks at Bhatumole, Bemaveram, etc., they are similarly situated to that at Chandavole, and when it is finally decided to abandon them as tanks, the land must be sold by auction. These tanks, however, must not be hastily abandoned. The Kistna works are far from complete, and the aid of reservoirs is needed in bad seasons. Tanks are also required to store water for drinking purposes during the months that the Anicut channels are dry.

8. Each case should be separately reported on, and the opinion of the Superintending Engineer invariably obtained before action is taken.

9. The last point raised by Mr. Boswell is, regarding the disposal of newly formed lunkahs or accretions to the river-bank. Formerly all such formations were taken possession of by Government, and sold under the orders of Government. Objection was, however, taken to this practice, and some Civil Suits arose out of it. The result was that the practice was given up, and it was laid down that all accretions to the bank were to be considered *bonâ fide* the property of the owner of the adjacent land, and were consequently handed over to the Puttahdars of the field adjoining which the new land had formed. All new formations in mid-stream were declared to be the property of the State. The Board believe that this is the true law of the case. *It has been found that*

10. The whole question is one of difficulty, but for the present the law must be acted up to. Mr. Boswell will, however, inquire into the existing practice, and report on it.

(A true Copy and Extract.)

(Signed) J. GROSE,
Acting Secret

To the Collector of the Kistna District.

Exd. T. Cartledge.

To the Acting Secretary to Government, Revenue Department,
with Board's Proceedings, 7th May 1870, No. 3,045.

Copy to the Officiating Collector of the Kistna District.

Exd. G. A. Turton.

The villagers of Kartepalli in the Kistna District wish to cultivate 600 Acres of land in the beds of four tanks after the water in them is drawn off. The tanks irrigate Acres 1,320 assessed at Rupees 7,350. The beds were formerly cultivated in the manner now proposed and the Superintending Engineer sees no reason why they should not be so cultivated again.

2. Many tank beds are cultivated in other parts of the district. In some villages, tank bed land has been classified by the Settlement Department and is entered in the ryots' puttahs. The character of these tanks is so peculiar, that the reasons for the general prohibition of cultivation in tank beds do not apply to them. They do not drain tracts of country as is the case elsewhere, but they are filled from the river when in fresh by short channels which are closed directly the tanks are full. The same ryots who hold land under the tank, take the land within the tank, so that there is no danger of their letting the water run to waste.

3. The Board are of opinion that cultivation should be allowed in the beds of the Kartepalli tanks, annual cowles and not puttahs being given to the cultivators, so that the cultivation may be stopped if it is ever considered necessary to do so; but before issuing orders to this effect the Board resolve to solicit the sanction of Government, with reference more especially to Government Order, 5th February 1863, No. 328.

(A true Copy and Extract.)

Acting Secretary.

J. Grose

No. 6,544.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th November 1870.

Read again Board's Proceedings, 7th May 1870, No. 3,045.

Read also the following letter from J. A. C. BOSWELL, Esq., Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 8th September 1870, No. 4,079:—

I HAVE the honour to acknowledge the receipt of the Board's Proceedings, No. 3,045, dated 7th May 1870, relative to giving out tank beds for cultivation.

2. Adverting to paragraph 5 of the Proceedings, I beg to state, for the information of the Board, that in some villages of the Divi Purganah, the tank beds have been classified and assessed by the Settlement Department. After the water in the tanks is drawn off, the ryots cultivate the beds with dry crops, and pay dry rate assessment at Rupees 2-8-0 and Rupees 2 an acre. Such tank beds are included in the ryots' puttahs, which I consider objectionable. Where it is the interests of the holders of lands in a tank bed to commence their cultivation early, there is a strong temptation to let the water off surreptitiously. I found serious disputes of this kind in Vizagapatam District.

3. Instead of giving puttahs for such lands, if they are to be given at all, I would give cowles for one year as in the case of lands granted without a right to the trees, for tank beds are the property of Government, and occasion may arise hereafter to prohibit cultivation; therefore Government rights should be reserved, and the cultivators of these tank beds should have no right to dispose of their lands like private property or lands held on puttah.

4. The ploughing up and cultivation of tank beds, render them liable to absorb a larger quantity of water than they otherwise would.

5. With respect to paragraphs 9 and 10 of Board's Proceedings under reply, I have the honour to inform you, that under the Orders of the Board, dated 16th October 1866, No. 7,469, all accretions to the existing Kistna Islands in the occupation of ryots, are given to them on application without being sold, and all new formations in the middle of the river which do not form accretions to any ryot's land, are sold in public auction to the highest bidder.

*Indicated in the Board's
the 13th of Nov. to the
Secret to the Board dated
8th Nov. 1870 No. 41:6544.
1870.*

Board of Revenue,

MADRAS.

PROCEEDINGS, 7TH MAY 1870, No. 3,045.

Encl.

Received

Recd. 3542/13

MAY.

No. 3,045.

Lands—in beds of certain tanks in Repalli Talook, Kistna District.—Orders passed with reference to Collector's proposal to give up, for cultivation.

No. 382

13
 The Board of Revenue
 has been directed to
 consider the application
 of the cultivators of the
 lands in the village of
 Kartepalli, who have
 petitioned for a
 reduction of the
 assessment on the
 lands in the village
 of Kartepalli, and to
 report to the Board
 in support of their
 petition.

[Signature]

1871

*1871
 Dec 14
 No. 6514*

1871
 No. 1870. Dec 14
 Board of Revenue,
 MADRAS. No. 3512

PROCEEDINGS, 8TH NOVEMBER 1870, No. 6514.

Dec 14 1870

Received 1/5

NOVEMBER.
 No. 6514.

of Kartepalli - 27 Jan 1871

*Re: of certain tanks—in Kartepalli village in
 Tristna District.—Sanction of Government re-
 quested to allow cultivation of, and to grant
 annual cowles to cultivators.*

No. 6514

No. 383

By Secy to the Govt

15

Rev. Dept.

1855

Gros of the Madras Govt

Under date the 27th Aug 1855

Read the following
Pro: of the Board of Revenue

Requesting sanction to
allow cultivation of beds of
certain tanks in Kartapalli
village in Pesta B. and to
grant annual cowles to
cultivators.

H.E. 8. Nov. 1855. N: 6544

J. D. S.

N

The Govt have no
objection to the relaxation
of the rule against the
cultivation of Tank beds
in those cases in which
the Tank has been brought
under the command of

a channel, and is therefore
no longer necessary as a
reservoir.

2. When this is not
the case, the rule should
be maintained

L.A.

They are now
in the hands of the
Government

11, 12, 13, 14, 15, 16, 17, 18, 19, 20
21 — Mr. DePue

1900

a channel, and is therefore
no longer necessary as a
reservoir.

2. When this is not
the case, the rule should
be maintained

L.A.

They are now
in the hands of the
Government

11, 12, 13, 14, 15, 16, 17, 18, 19, 20
21 — Mr. DePue

1900

N 382-2584

190
Cultivation of the
of certain trees
in Kistna River

Am

Proposed