"cultivated" portion alone, as Mr. E

Proceedings of the Madras Government, Revenue Department, 14th November 1872.

No. 69. Read the following Proceedings of the Board of Revenue, dated 16th August 1872, No. 1,605 :—

Read the following letter from W. S. WHITESIDE, Esq., Acting Collector of North Arcot, to the Secretary to the Board of Revenue, dated Punganoor, 22nd July 1872, No. 312 :—

I HAVE the honour to forward, copy of my Assistant Mr. Sewell's letter, No. 325, dated 8th instant, and to request definite instructions of the Board in regard to the course to be followed in enforcing the decree of Revenue Courts, under Regulation VI. of 1831, awarding mesne profits. The Regulation makes no provision for the execution of the decrees of the Revenue Courts and it will, I consider, be very hard upon the Village Officers who do Government work to compel them to go to the Civil Court for the recovery of their dues or emoluments attached to their offices.

2. The Government in their Order, dated 23rd February 1872, No. 335, consider that fresh legislation for this purpose is unnecessary, and that the enfranchisement of Village Service Inams, and other measures of reform, will meet the requirement of the case. But they still leave the question unsettled so far as it affects Districts like North Arcot, in which such measures have not yet been carried out. I request therefore specific instructions in this matter, to enable me to dispose of applications for execution of decrees made from time to time to Revenue Courts of this District.

ENCLOSURE No. 1.

From R. SEWELL, Esq., Assistant Collector, to the Acting Collector of North Arcot, dated Chittoor, 8th July 1872, No. 325.

I HAVE the honour to acknowledge the receipt of your docket, No. 1,034, enclosing copy of the Order of Government, (Revenue Department), No. 335, dated 23rd February 1872, (herewith returned) I can however gather nothing whatever from the Government Order relative to the point in question. They do not say how decrees for mesne profits by a Collector, under Regulation VI. of 1831 can be enforced. Undoubtedly they should be enforced, and in the present instances, the Judgment Creditors are suffering from the non-payment of the judgment debt, with no way of knowing how to recover it.

2. I have therefore the honour to forward you the two applications, and to request your definite instructions as to the course to be adopted. If you cannot yourself pass any order, will you kindly submit the applications to the Board of Revenue and request orders.

3. Can the debts be recovered under Act II. of 1864 ? Or are the Judgment Creditors to sue in the Civil Courts for the debt due on my decree under the Regulation ? The Advocate General seems to incline to the latter view.

(True Copy)

(Signed) W. S. WHITESIDE,
Acting Collector.

SUBMITTED to Government with reference to G. O., dated 23rd February 1872, No. 335.

2. In passing that order Government were of opinion that any amendment of Regulation VI. of 1831 in view to enabling Collectors to carry out that regulation

by the complete execution of decrees passed under its provision, was unnecessary because the ancient form of remuneration would shortly give place to money payments levied by Government under the Village Service Cess Act. Could that Act take immediate effect in all districts the serious difficulty complained of by the Collectors of Bellary and North Arcot would at once be remedied, but the Board are compelled to remind the Government that hitherto the Village Service Cess Act has been introduced only in districts where the revised assessment has come into force, Kurnool being the only exception to this course, and that many years must elapse before these two districts (Bellary and North Arcot) and many others besides, will be re-assessed. The Regulation will continue in force notwithstanding the altered form of Village Service payments and there would be no difficulty in adding a clause to provide for the execution of decrees awarding mesne profits. The only other course which occurs to the Board is the immediate introduction of the Village Service Act in all districts, but this is a measure beset with difficulties as to assets which can only be met under a revised assessment.

No. 70.

ORDER THEREON, 14th November 1872, No. 1,557.

Miscellaneous.

UNDER the circumstances stated there seems to be no alternative but to amend Regulation VI. of 1831. The Board will submit a Draft Bill.

2. The Board will, however, be requested to expedite the revision of establishments under the Village Cess Act. The postponement of this reform until the settlements are revised will entail considerable delay.

(True Extract.)

(Signed) D. F. CARMICHAEL,

Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

No. 2818
Rev. 1872. Dept.

Board of Revenue, MADRAS.

PROCEEDINGS, 16TH AUGUST 1872, No. 1,605.

Dept 22 aug 1/72
Encl.

To the Chief Secretary to Government, R. D.
Copy to the Acting Collector of North Arcot.
" Collector of Bellary.

No 69

Rd. G. A. Turton.

Received 26th Augt 1872
For Ord

AUGUST.

No. 1,605.

Decree of Revenue Courts under Regulation VI. *of* 1831—awarding mesne profits.—Letter from Collector of North Arcot requesting definite instructions in regard to course to be followed in enforcing, — submitted to Government, with remarks.

S.O. No 1557 – 14 Nov/72

C 29 Augt/72 R 24 Octr/72

Revenue Department.

REVENUE DEPARTMENT.

No. 2818

Pres: B. of Rev.

Dated 16th August 1872.

FOR ORDERS.

…de the circumstances
…ere been the subsistence
… but to amend Regn VI
… 1831 –
I would take the Board's
instructions before acting
in the matter of Collection
ment under the Village Cess
Act. If we are to wait

"cultivated"

until the settlements are revised. We should see no objection to Govt. I. O.

4

Revenue Department.

No. 1657.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 16th November 1872.

Read the following Proceedings of the Board of Revenue.

Submitting with remarks letter from Collector of North Arcot regarding course to be followed in enforcing Decrees of Revenue Courts under Reg. VI of 1831.

} H.E. 16 August 1872. No. 1605

When this is received it will be referred to the Legislative Department & that Department will appoint the Member to take charge of it.

Under the circumstances stated there seems to be no alternative but to amend Reg. VI of 1831. The Board will submit a draft Bill.

2. The Board will however be requested to expedite the revision of establishments under the Village Cops Act. The postponement of

reform until the settle=
=ments are revised will
entail considerable delay.

15/11/72

14 To the Board of Rev dtd 15th Nov/72

15

To the Bd of Rev dtd 16th Nov/72

Govt. of {1872} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated November 14th.

Recd. Encl.

G. O., 14th November 1872, No. 1,557.

NOVEMBER.
Nos. 69-70.

Decree of Revenue Courts under Regulatio VI. of 1831 (awarding mesne profits).—Board Proceedings submitting North Arcot Collector' letter, requesting definite instructions in regar to course to be followed in enforcing it, wit orders thereon.

12/1617

Proceedings of the Madras Government, Revenue Department, 15th November 1872.

Read the following :—

No. 71. Proceedings of the Board of Revenue, dated 13th September 1870, No. 5,714.

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 Masulipatam, 31st August 1870, No. 3,951.

THE Board of Revenue, in their Proceedings dated 25th July 1870, No. 5,022, upon Mr. C. G. Master's report on the irrigation works of the Kistna District, have recommended the adoption of unlimited option in the matter of taking or refusing water for irrigation purposes. The Board will see from my annual Settlement Report for Fasli 1279 that the liberal orders which were given effect to last year led to the giving up of irrigation for acres 4,432, assessed at Rs. 24,399; but though I anticipate that for some years the loss to Government will be even greater than this in the event of the concession of unlimited option, there are other objections also against the adoption of such a course. We have a temporary establishment of one Survey Ameen on Rs. 25 a month, one Assistant Survey Amin on Rs. 12, four Gumastahs on Rs. 6, and six Peons at Rs. 3 a month. These officials are, it must be admitted, very much under-paid; they have great opportunities, and we have no means of securing the immaculateness or properly checking their returns. They have to inspect annually and measure up all the lands which take water in the Nuzid and Devarakota Zemindaris, besides surveying and demarcating waste blocks applied for, for cultivation. They are so overworked that their returns are usually more than a year late, when it is quite impossible to test their correctness. This is the cause of very great inconvenience, but if unlimited option be granted in all Government villages for taking or refusing water, just as the principle may be, will it be impracticable to give it effect without a very large increase of establishment; while it will add enormously to the duties of the Revenue Inspectors who are already over-worked, will it not open a very wide door for fraud in the preparation of returns, and thus lead perhaps to a still greater loss of public revenue, while it will necessitate heavy charges in the increase of establishments.

2. Of course, it is not intended to extend the unlimited option to the holders of assessed nunjah lands. They pay a wet assessment whether they cultivate irrigated or unirrigated crops. When the means of irrigation are afforded, and the holders of dry lands with their eyes open find it profitable to convert their dry lands into wet, and continue to cultivate nunjah crops for three years in succession, I do not see that any practical hardship is entailed by classifying the lands after that as usual wet, and refusing the option of re-conversion. If lands become unfit for wet cultivation, all that the holder has to do is to obtain a certificate of the fact from the Department Public Works, when the water-rate is temporarily remitted, or if it be certified that the means of irrigation have permanently ceased, then the lands can be re-classified as dry.

3. When the State incurs a large expenditure on the execution of irrigation works, and when irrigation is profitable to the ryot, it can scarcely be said to be hard on the ryot after giving him three years' trial to say that after that if he elects for taking water, his lands shall be permanently classified as irrigated, and that he shall pay water-rate. Why should he have peculiar advantages when the

To Board of Rev Des 16th Nov/72

ryot who holds usual wet, who, if he finds it profitable to let his fields lie fallow for a year, will have to pay the wet assessment?

4. By the liberal concession of last year every ryot has now had an opportunity of refusing water after a fair trial, and if his land becomes unfit for wet cultivation from causes beyond his control, all he has to do is to get that fact certified by the Department Public Works, and the wet assessment is struck off.

5. The Board may perhaps see fit to submit this letter to Government with their remarks in continuation of their Proceedings of 25th July 1870, No. 5,022.

Mr. Boswell will be requested to state in detail what extra establishment will be required if unrestricted option is allowed as proposed by the Board.

No. 72. Proceedings of the Board of Revenue, dated 20th December 1870, No. 7,241.

Read again Board's Proceedings, 13th September 1870, No. 5,714.

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, Madras, dated Narsarowpett, 26th November 1870, No. 4,989.

With reference to the Board's Proceedings No. 5,714, dated 13th September 1870, requesting to state in detail what extra establishment will be required if unrestricted option of taking or declining water is granted to the ryots as proposed by the Board, I have the honour to submit the following report.

2. In this district there are five taluqs in the Kistna Delta; the number of villages in them is 684, paying an annual assessment of Rs. 16,67,094 including water-rate; of which 368 villages are under the command of the anicut-channels, and 162 under other sources of irrigation, such as rain-fed tanks and Kollair Lake, etc. The remaining are dry villages. The number of Revenue Inspectors now in charge of the said 684 villages is 19, at the average rate of one for every 36 villages, as detailed in the Statement given below:—

Taluqs.	Number of Villages.			Land Revenue including Water-rate.	Number of Revenue Inspectors in each Taluq.	Average Number of Villages in each Charge.
	Government.	Mokassas and Agraharams.	Total			
1	2	3	4	5	6	7
1. Bunder	72	10	82	1,22,802	3	27
2. Gudewada	197	46	243	3,74,671	4	61
3. Bezwada...	72	10	82	1,21,823	3	27
4. Repalli	149	25	174	5,37,860	5	35
5. Bapatla	91	12	103	5,09,938	4	26
Total...	581	103	684	16,67,094	19	36

3. It will be seen from the above statement that Repalli, Bapatla, and Gudewada, are the largest taluqs in the Delta; they contain many villages, yielding an annual revenue of above 10 and below 40,000 Rs. Before the revision of the taluqs there was one Samutdar (Inspector) for every 12 or 14 villages in each

taluq, who had every facility of visiting every village twice or thrice in each month, as all the villages in his range were within twelve miles from his station, and of checking cultivation and irrigation operations, and also of examining correctly the Adungal Accounts in all villages some days before the Jummahbandy. Under the present system the charge of each Revenue Inspector is so large that it is quite impossible for him to inspect all the villages in his range as often as he ought to be able to do and to check the cultivation operations.

4. If full option is given to the ryots to take or refuse anicut-channel water, the present ranges of Inspectors require alteration, and their number should be increased in order to enable them to institute a strict examination into the extent of lands proposed to be irrigated in each year in the manner pointed out by Mr. C. G. Master in paragraph 225 of his report on the irrigation works in the Kistna Delta, dated 4th November 1869, No. 50. I would, therefore, propose that on an average there should be one Revenue Inspector for every 20 villages including irrigated and dry. This would increase the number of Inspectors in each taluq as follows:—

Taluqs.	Number of Villages.			Present Number of Inspectors.	Proposed Number at 20 Villages each.	Increase.	Number of Peons required for additional Inspectors.
	Government	Mokassas and Agraharams.	Total.				
1. Bunder... ...	72	10	82	3	4	1	1
2. Gudewada ...	197	46	243	4	12	8	8
3. Bezwada ...	72	10	82	3	4	1	1
4. Repalli... ...	149	25	174	5	9	4	4
5. Bapatla ...	91	12	103	4	5	1	1
Total...	581	103	684	19	34	15	15

5. It will be seen from the above that 15 additional Inspectors and 15 Peons are required. They might be 3rd-class Inspectors on Rs. 20 a month each. The salary of each Peon should be Rs. 6 a month. The additional cost for the five taluqs will be Rs. 4,680 per annum as detailed in the margin, or 4 Annas per cent. on the collections, viz., Rs. 16,67,094.

	Rs.
15 Inspectors, at 20 Rs. each a month ...	300
15 Peons, at Rs. 6 each a month ...	90
Total...	390
Per Year...	4,680

6. Besides the above there are six Zemindari and Proprietary estates in the Delta, of which the largest are Nuzid and Devarakota, in which many villages are under anicut-channel irrigation. Every year examination is necessary to ascertain to what extent dry land has been newly converted from dry into wet, and for what lands irrigation has been refused. The number of irrigated villages in each estate is given below:—

Names of Estates.	Number of Villages taking Water.
Nuzid	91
Devarakota	30
Vallur	2
Chavendra	4
Proprietary Villages in Bunder Taluq	5

A Statement of Acres dec 16th Nov/72

7. I would propose for the first two large Zemindaris three Revenue Inspectors and three Peons on behalf of Government. Their duties should be limited to examining and surveying the irrigated lands in each village and rendering to the Tahsildars accounts of lands irrigated up to last fasli, and of those newly converted into wet in the year of examination, and of those re-converted again into dry. The monthly salary of each Inspector might be Rs. 15 and that of the Peon Rs. 6. This would involve an additional cost of Rs. 63 a month, or Rs. 756 a year. In other estates this duty can be undertaken also by the additional Inspectors now proposed.

8. Consolidated peishcush was fixed for Gudoor Pargana according to the new settlement rates. The only examination to be undertaken in this estate will be whether any additional land is irrigated yearly over and above the 8,000 acres, the water-rate of which is included in the peishcush. This work can be done by the present and proposed Inspectors for the Bunder Taluq. The Zemindar of this Pargana still retains on the estate the sharing system of assessment, and has not yet conformed to the orders of Government to introduce money-rents according to the new settlement rates (Government Order dated 23rd October 1867, No. 2,492, Revenue Department).

THESE papers will be submitted to Government with reference to Board's Proceedings, 25th July 1870, No. 5,022.

2. Mr. Boswell anticipates that if, as recommended by the Board, the ryots' option to take anicut-water is made entirely free, an extra establishment of Revenue Inspectors and Peons, costing altogether Rs. 5,436 per annum, must be entertained. It is clear, however, from the facts disclosed in his report that the greater portion, if not the whole, of this extra establishment is urgently required even now that a restricted option is all that is allowed. The Board reserve their observations on the details of the Collector's proposals.

No. 73. ORDER THEREON, 15th November 1872, No. 1,558.

Irrigation, No. 2.

THE Board will embody their proposals for the Kistna District with their general recommendations on the subject of Revenue Inspectors which the Government await.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Rev: 23d Oct: 1869 Nos 450-57
- 8th Dec: 1869 - 71-72
Copies Nos 2353-2874/70 -

Subject Paper
for Cir

Rev: 1870 Deptt
No: 3976.

Proceedings of the Board
of Revenue

Dated 20th December 1870
Desp: 20 " "
Received 21st "

S.O. No 1558 - 15th Nov/72

Water from Kistna
Anicut - Report
of Collr of Kistna Dis-
trict as to Extra Es-
tablishment that
will be required if
unrestricted Option
~~of taking~~, of taking
or declining is granted
to ryots, submitted
to Government

Revenue Department.

No. 1558.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 15th November 1872.

Read the following Proceedings of the Board of Revenue.

Collector of Kistna District requested to state in detail what extra establishment will be required if unrestricted option is allowed to ryots of District in matter of taking or refusing water for irrigation purposes. } H.E. 13 September 1870 No. 5714

Calling for report of Collector of Kistna District as to extra establishment that will be required if unrestricted option of taking or declining is granted to Ryots. } H.E. 20 December 1870. No. 7241.

Ordered to lie over for consideration with the revised rules called for in para 21 of the Proceedings of Govt dated 21st August 1872 No. 1239.

2. The Board will submit the remarks which they state in para 2 of their Proceedings dated 20 Decem 1870

The Bd's Lib Endorsg this Proceedings for the Kistna Anicut to the Chief Engineer for Irrigation & the Inspector of Roads & the Inspector of Canals for their information & report.

L.R.

Lib.

14 Bds Mtg of Rev dcs 16th Nov/72

1870 No. 7241, Hay
preserve.

79-125

Ltr.
Notice for inspection

Gobt. of {1872} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated November 15th.

Recd. Encl.

G. O., 15th November 1872, No. 1,558.

NOVEMBER.
Nos. 71—73.

Water for Irrigation Purposes from Kistna Anicut.—With reference to the Proceedings relating to extra establishment in connection with it, Board of Revenue requested to embody their proposals for the Kistna District with their general recommendations on the subject of Revenue Inspectors.