M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 28

(2) Date of repair 4/11/67

(3) Initials of the Referencer 14.2.68

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 921 Press

B.P. No. Mis.

Dated 17/6/1885 196 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
17th June 1875.

No. 129. Read the following Proceedings of the Board of Revenue, dated 11th May 1875, No. 1,236 :—

Read the following letter from J. HOPE, Esq., Acting Collector of Kurnool, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 16th December 1874, No. 462 :—

IN the Order of Government, dated 9th October 1874, No. 1,294, communicated with Board's Proceedings, Mis. No. 7,797, dated 4th November 1874, it is stated that, when the ordinary supply of a tank is supplemented by canal water, the ryots must "bear a full share of the additional expense incurred in obtaining it," and in paragraph 4, this share is fixed "at two-thirds of the price paid to the Company," "in the case of ryots receiving water for a first crop and for a mamul second crop." I beg to be informed how this share is to be calculated, whether, with reference to, or irrespective of, the remission that would have been granted on the Government demand, but for the "supplemental water" received from the canal. The expression "price to be paid to the Company" appears somewhat ambiguous.

2. I do not think that the fact of an incidental supply being obtained from the canal should be taken advantage of to levy the full Government demand in addition to two-thirds of the charge to be paid to the Company. To take an extreme case; supposing the Government tank did not receive its usual supply, and the entire supply was obtained from the canal, it would hardly be just that Government should levy its own water-rate of 4 Rupees, in addition to two-thirds of the Company's rate of 6 Rupees* the acre, and thus actually benefit to the extent of 2 Rupees an acre, simply by acting as the medium of communication between the ryots and the Company.

3. On the other hand, supposing the Government demand to be remitted, is the ryots' share to be fixed at two-thirds of the 6 Rupees, which in this case is "the price paid to the Company," or two-thirds of the 6 Rupees, less the Government water-rate of 4 Rupees the acre. If the former, the ryot apparently loses nothing by the transaction with the Company, and the whole additional expense would fall upon the Government, and the Government Order in question become practically a dead letter. The only other reasonable construction, therefore, of the Government Order seems to be to charge two-thirds of the difference of 2 Rupees the acre, which in the case supposed forms the additional expense incurred in obtaining canal water.

4. Similarly, if the tank received only half the quantity of water from its natural supply and the other half from the canal, the Government would be entitled, under the most favorable circumstances, to receive not more than half its demand, *i.e.*, 2 Rupees the acre (besides the ordinary dry assessment), and the price to be paid to the Company would probably not exceed 3 Rupees. Here the additional expense involved is the excess over the 4 Rupees water-rate, *viz.*, 1 Rupee, and it is two-thirds of this excess that, I think, should be charged to the ryots in the case of the first crop and a mamul second crop.

5. I beg the Board will let me know, at an early date, what construction is to be put on the Government Order, and whether or not any distinction is to be

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* The charge of 1 Rupee a thousand cubic yards nearly amounts to this sum.

made in levying the full cost from the Inamdars on the ground that no remission of the quit-rent is granted.

Submitted for the orders of Government.

2. The Board understand the conditions of the case reported by the Collector to be these:—The nunjai lands under a rain-fed tank require a better supply than that rain-fed tank can afford. The Canal Company accordingly run water into that tank, and charge Government at a rate equivalent to 6 Rupees an acre for the supply. The Government remit 2 Rupees of this charge and assess the ryots with 4 Rupees an acre additional to what they were paying before.

3. The Board cannot see any hardship in this; the lands under the rain-fed tanks were assessed with a 4 Rupees water-rate in consideration of their scanty water supply, or Rupees 2 less than the charge for canal water. If Government improve the supply the assessment may be fairly raised, and 4 Rupees an acre does not seem too much for the benefit of canal irrigation. The people will not ask for the water if they do not want it, and wanting it and knowing that it will be charged for at a certain rate, they will be able to determine whether it is worth while to risk their crop with the scanty supply in the rain-fed tank, or to pay a given rate per acre to have this supply supplemented.

4. Certain individuals whose lands are so circumstanced that they will get their crop by the rain-fed tank alone may suffer, but the body of cultivators will benefit, and as the parties aggrieved would naturally be cultivating the very best lands under the tank they can better afford than others to pay the additional rate.

5. The additional rate must of course be charged on the entire area cultivated under the tank, and only the chargeable portion of the sum paid to the Company is to be distributed over the Ayakut.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

No. 130. Order thereon, 17th June 1875, No. 921.

Irrigation, No. 2.

Instructions are requested by the Collector of Kurnool as to how the share of price of canal water, imposed on ryots by paragraph 4, G.O., 9th October 1874, No. 1,294, is to be calculated.

2. Mr. Hope is doubtful whether the remission that would have had to be made in default of the supplemental supply from canal is to be taken into account, and alludes to the expression "price to be paid to the Company" as ambiguous.

3. The price to be paid to the Company is to be calculated according to volume; it was 2 Rupees per 1,000 cubic yards at the date of the order in question, and has by G.O., Public Works Department, 25th May 1875, No. 1,420, been reduced to 1 Rupee per 1,000 cubic yards.

4. This reduction, which has been made subsequently to this reference, materially alters the aspect of the question, and it can scarcely occur now that the tank rate, *plus* the two-thirds cost of a supplemental supply will exceed the rate of 6 Rupees an acre charged on a full supply to land directly under the canal.

5. The case supposed by the Collector is an extreme one, for it assumes the water collected by the tank to be absolutely nil.

6. It must be considered that the original assessment on the tank land as pointed out by the Board was fixed with reference to the quality of the water-supply, and that the ryot receives full value in the shape of improved supply for the increased payment.

7. The clear meaning of the order is that two-thirds of the price of the additional water is to be charged to the ryots in addition to the full assessment, or the whole price in the case of Inamdars and of two crops on one-crop land, and the Government agree with the Board that there is no hardship involved.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Board of Revenue
„ the Public Works Department.

Fred. T. Wright.

[illegible] and [illegible], this share is fixed

Govt. of 1875 Madras

REVENUE

The BOARD of REVENUE

&c., &c.

[illegible] June, 1875.

Read.

G.O., [illegible] June 1875, No. [illegible]

[illegible]

Revenue Department

Proceedings of the Board of Revenue
dated 11th May 1875, No. 1236

Read the following

No. 462.

From,
The Acting Collector of
Kurnool

To,
The Secretary to the
Board of Revenue
Madras

Sir,

In the Order of Government dated 9th October 1874, No. 1294 communicated with Board's Proceedings Mis. No. 7707 dated 4th November 1874, it is stated that when the ordinary supply of a tank is supplemented by Canal water, the ryot must bear a full share of the additional expense incurred in obtaining it, and in para. 4, this share is fixed ut 2/3rd of the price paid to the Company" in the case of ryots receiving water for a first crop and for a Manual second crop" I beg to be informed how the share is to be calculated whether with reference to or irrespective of the remission that would have been granted on the Government demand but for the supplemental water received from the Canal. The expression "price to be paid to the Company" appears somewhat ambiguous.

I do not think that the t of an incidental supplying btained from the Canal should [illegible] to levy
the

the full Government demand in addition to 2/3rd of the charge to be paid to the Company. To take an extreme case, supposing the Government tank did not receive its usual supply and the entire supply was obtained from the Canal, it would hardly be just that Government should levy its own water rate of 4 Rupees in addition to 2/3rd of the Company's rate of 6 Rupees the acre, and thus actually benefit to the extent of 2 Rupees an acre simply by acting as the medium of communication between the ryots and the Company.

The charge of 1 Rupee a thousand cubic yards nearly amounts to this sum

3. On the other hand, supposing the Government demand to be remitted, is the ryot's share
to

to be fixed at 2/3rds of the 6 Rupees which in this case is the price paid to the Company or 2/3rds of the 6 Rupees less the Government water rate of 4 Rupees the acre. If the former, the ryot apparently loses nothing by the transaction with the Company and the whole additional expense would fall upon the Government and the G. O in question become practically a dead letter. The only other reasonable construction therefore of the Government Order seems to be to charge 2/3rds of the difference of 2 Rupees the acre which in the case supposed forms the additional expense incurred in obtaining canal water

4. Similarly if the tank received only half the quantity of water from its natural supply and the other half from the Canal, the Government would be entitled under the most favourable circumstances to receive not more than half its demand, i.e. 2 Rupees the acre (besides the ordinary dry assessment) and the price to be paid to the Company would probably not exceed 3 Rupees. Here the additional expense involved is the excess over the 4 Rupees water rate viz one Rupee, and it is 2/3rds of this excess that I think should be charged to the ryots in the case of the 1st crop and a manual 2nd crop

5. I beg the Board will let me know at an early date what construction is to be put on the G.O., and whether or not any distinction is to be made in levying the full cost from the Inamdars on the ground that no remission of the quit rent is granted.

Clr's Office } I have &c.
16th December 1874 } (Signed) James Hope
Ag. Collector

Submitted for the orders of Government.

2. The Board understand the conditions of the case reported by the Collector to be these: The Nunjai lands under a rain-fed tank require a better supply than the rainfed tank can

afford

afford. The Canal Company accordingly ran water into that tank and charge Government at a rate equivalent to 6 Rupees an acre for the supply. The Government remit 2 Rupees of this charge and assess the ryots with 4 Rupees an acre additional to what they were paying before.

3. The Board cannot see any hardship in this — the lands under the rainfed tanks were assessed with a 4 Rupees water rate in consideration of their scanty water supply or Rupees 2 less than the charge for canal water. If Government improve the supply the assessment may be fairly raised and 4 Rupees an acre does

not

not seem much for the benefit of Canal irrigation. The people will not ask for the water if they do not want it, and wanting it and knowing that it will be charged for at a certain rate, they will be able to determine whether it is worthwhile to risk their crop with the scanty supply in the rainfed tank or to pay a given rate per acre to have the supply supplemented.

4. Certain individuals whose lands are so circumstanced that they will get their crop by the rainfed tank alone may suffer but the body of cultivators will benefit and as the parties concerned would naturally [illegible] the very best lands under the tank they can better afford than others to pay the additional rate.

5. The additional rate must of course be charged on the entire area cultivated under the tank and only the chargeable portion of the sum paid to the Company is to be distributed over the Ayakut.

(True copy & Extract)

Acting Secretary

To,
The Secretary to Government
Revenue Department

G. O. 9 October 74 No 1294

Rev. 1875 Dept

No 1547

Proceedings of the Board of Revenue

Dated 11th May 1875

Dept

No 294

[illegible] 17 June 1875

Submitting to Govt. with remarks letter from Collr of Kurnool regarding the construction that should be put on G.O. No 1294 of 9th Oct/74 regarding charge to be paid by ryots under a tank when its ordinary supply is supplemented by canal water

No 129

Rev. Bd of Revenue

Submitting with remarks, letter from the Collr of Kurnool regarding what construction shd be put on G.O. No 1294 of 9 Oct/74, regarding charge to be paid by ryots under a tank when its ordinary supply is supplemented by canal water

Memo for orders

No. E. 11 May 1875

With reference to G.Or 9 October 1874 No 1294, deciding that ryots holding lands under rainfed Tanks should pay for water supplied from the Irrigation company's canals for raising a first crop or a second crop two thirds of the price paid to the Company, the Collector raises the question whether it is intended to calculate the share with reference or irrespective of the revenue that would have been paid under the Government demand for the supplemental water from the Canals & states his opinion that it could not be meant

It always [illegible] have been the intention of the G.O. 9 Oct 74. No 1294 to add to the ordinary water rate on lands under [illegible] tanks [illegible] where [illegible] supply. 2/3 of the [illegible] per acre [illegible] this charge [illegible] for supplying any deficiency in such tanks.

Thus

Ordinary water rate — Rs 6

charge for supplying [illegible] — 6

[illegible] — 12

But instead of charging

that the full Govt demand should be levied in addition to the 2/3rd of the charge to be paid to the Company for the following reasons.

1st Supposing the entire water supply was obtained from the Canal it would hardly be just that Government should levy its water rate of Rs 1 in addition to 2/3rd of the Company's rate of Rs 3 an acre; as they would be making a profit of 2 Rs an acre by simply acting as the medium of communication between the Ryot & the Company.

2nd If on the other hand it be supposed that the Government demand is to be remitted in such

the Ryot Rs 6. for the 2nd supply Govt. propose to charge Rs 4. making the total charge to the Ryot Rs 8 out of which Govt. will receive Rs [illegible] & the Compy. and will thus gain Rs 2. by [illegible] a 2nd crop having been raised instead of Rs 5 only the Ryot [illegible] payable. I presume in any case considering the theory of the Govt. demand on the Canal to be [illegible] profit to the Ryot by obtaining a wet crop instead of a dry one or none at all. I don't think there is [illegible] or [illegible] objection [illegible]

Practically I believe this ~~[illegible]~~ extreme case will seldom arise, and that the Govt. supply will only be a supplement to a partially deficient rain supply.

Say it averages 2/3 the full supply then the Co. charge to Govt. will be Rs 4 whereas that the Ryot will be charged Rs 2.10.8 or altogether Rs 6.10.8 for water in addn. to the [illegible] & the Govt. [illegible] Rs [illegible]

profit to the Compy. This again I don't think unreasonable or excessive.

But the fact remains that the Ryot will pay more for the water than if his lands were not under a Tank — but under only the Compy's channels. This is certainly somewhat anomalous. [illegible] anomaly however results from the fact that the Govt. has waived its right to levy any more from wet lands under Govt. channels than from dry crops. Thus they have conceded to the Ryot more in the one case than in the other. But in neither case can [illegible] deliberately by taking more from the Ryot than on the [illegible] of Landholders [illegible] they are entitled to take.

In both cases they take less than [illegible] in the wet crop [illegible] they might claim, but in the case of lands ~~[illegible]~~ under Tanks the [illegible] in the [illegible] [illegible] [illegible] [illegible] [illegible]

a case as the Ryot being only charged 2/3rd of Rs 3 per acre payable to the Company, the Ryot will be no loser at all, & the Government will have to bear the whole additional expense.

Thus, according to the Collr, the former arrangement being unfair & the latter unreasonable, he thinks the right interpretation of the order to be to charge 2/3rd of the difference between the assessment (or as he calls it, the water rate) & the price of water payable to the Company which is 3 Rs per acre, or in other words that it is only proposed to charge in addition to the assessment 2/3rd of 2 Rs or Rs 1-5-4 when the whole quantity of water required for forming the crop is supplied from the Company's Canal.

The Collector's

be [illegible] presently [illegible] accomplished that it would be manifestly unfair to the Govt. to charge both for the ordinary water of the tank which [illegible] & for that from the Company's Canal. - In the extreme case taken by [illegible] when the entire supply is drawn from the Company's Canal, the unfairness would seem to amount, in the opinion of the Collector, in the case of assessment, while under ordinary conditions [illegible] be considered, the levy of the special rate on account of the Canal water being considered sufficient for the special arrangement [illegible] for the ryots concerned & there the Collector's proposal seems to be [illegible] to reach the amount proportionately to the supply of water derived from the Tank [illegible] [illegible] to [illegible] the loss of revenue [illegible]

[illegible] water rate [illegible] assessed

The position of the ~~[illegible]~~ Within position, in so far as I understand the case correctly seem to be this -

1. In years of good rainfall the ryots under tanks pay only 4 Rs. water rate instead of 6 Rs paid by those ~~[illegible]~~ dependent on the Co's channels -
2. In years of total failure of rainfall the Tank ryots would pay 8 Rs instead of 6 Rs. paid by those under channels -
3. In years of partial failure - [illegible] not unfrequent occurrence in Kurnool when only 2/3 supply is required the Tank ryots would pay - R 6-10-8 ——

I cannot ~~[illegible]~~ but think that the charge in case 2 is excessive & that some means should be devised to ~~mitigate~~ this anomalous position devised by Govt. [illegible] being the medium of communication between the Co. & the ryots. R.L.

I do not quite understand the difficulty & agree with the Board.

We have to deal with a full crop brought to maturity by supplemental water and the charge by the Company against it for such supplemental water.

The Govt. is entitled

assessed water rate per acre	4 — — .
Company's price of water supplied per acre for 6 months	6 — . — .

to full assessment on a full crop - whatever that may be and however obtained - there is no claim for remission. But in the case under consideration, the crop has under exceptional circumstances been got by purchase of water to supplement a deficient rainfall and the cost of this is also chargeable on the cultivator. We have to apportion charges. It has been determined that this shall be borne in the proportion of 1/3 to the State

charging the ryot a corresponding amount on account of the Canal water & to charge in addition 2/3rd of the balance of price payable to the Company at 6 Rs per acre in consideration of the extra advantage afforded by the supply of Company's water. The maximum amount payable by the ryot, under this arrangement, ~~[illegible]~~ of that paid by him hitherto is 2/3rd of Rs 2 or 1-5-4 per acre; & the maximum charge to be borne by Govt. on account of the price of water due to the Company will be Rs (6 - 1-5-4) or 4-10-8. Of this [illegible] should be borne [illegible] [illegible] that by [illegible] will be collected from the ryot [illegible] under ordinary conditions when canal water is not supplied; & the [illegible] [illegible] no supply from Canal, the amount [illegible] to be remitted by Govt.

The Govt. will therefore be losers

This is as regards the [illegible] to be paid to the Company

only to the extent of Rs — or so under the most favourable conditions, viz. utter failure of rain water in the tank & full supply ~~from~~ of the canal water.

The ~~[illegible]~~ charge to Govt. then is only one half of the additional charge borne by the Ryot.

This is in accordance with the principle enunciated by Govt., that the Ryot will be a greater gainer than the Govt. by the difference of canal water with tank. But by their order of 9 Oct 1874, it was ordained that the Ryot shall pay the original assessment plus two thirds of the price of water supplied by the Company (Rs 4 + 2/3rd or 8 Rs per acre) & that the Govt. shall pay the remaining third or Rs 2 to the Company. The financial results of the Collector's proposal will practically be no difference to Govt. of the assessment on the tank & no increase in the maximum charge upon [illegible] in place of [illegible] ~~[illegible]~~ as at present ~~[illegible]~~ increase the amount realised by Govt.

These are the regards on the subject.

and 2/3rd to the Cultivator which is Equitable.

Supposing e.g. the full assessment of the tank irrigated land is Rs 4 per acre, this is paid in full on a full crop; but if Rs 6 have to be paid for supplemental water, the Ryot pays Rs 4 and the Govt. bears the loss of Rs 2 in consideration of not having to remit. In other words the Ryot pays Rs 4 full assessment + Rs 4 (2/3rd of additional water charge) = Rs 8 — (of which 8 to the Company + Rs 2 paid by Govt. to the Company

By the Collector's proposal
[illegible] to the Ryot 1-5-4
& Loss to Govt. — 4-10-8

By the orders of Govt.
maximum cost to Ryot 4 — —
& ~~[illegible]~~ to Govt. 2 — —

This is an Equitable arrangement
The Collector has simply

6

8

to collect the full assessment and apportion the additional charge — whatever it may be — in the ratio laid down.

6/7

Rev: Dt of Revenue

Submitting with remarks letter from Collr of Kurnool requesting to know what construction should be put on G.O. No 1294 of 9 Oct 74, regarding charge to be paid by ryots under plantation when the ordinary supply is supplemented by canal water

No 921 Revd Dept

17 June 75

[illegible] 1875

Instructions are requested by the Collr of Kurnool as to how the share of price of canal water, imposed on ryots by para 4 G.O. of Oct 1874 No 1294, is to be calculated.

Mr Hope is doubtful whether the compensation that would have had to be made in default of the supplemental supply from canal is to be taken into account & added to the compensation price to be paid to the Company

in the shape of improved
supply for the increased
payment.
The clear meaning
the order is ~~that~~
3 of the price of the
additional water is to
charged to the [illegible]
in addition to the
Bill apportioned in the
whole price in the case
of members of the
Corps in an [illegible]
the first agreed with
the Board that there
is on hand [illegible])

14/8/06 [illegible]
21 [illegible]