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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. B.P. ~~No.~~	527	Press Mis.
Dated	21. 4. 1876	196 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 21*st April* 1876.

Read the following papers :—

No. 140. Proceedings of the Board of Revenue, dated 20th December 1875, No. 3,383.

Read again G.Os., dated 19th December 1873, No. 123, 30th May 1874, No. 217, 29th October 1875, No. 2,310; Board's Proceedings, 1st July 1875, No. 1,820, and 12th November 1875, No. 3,096.

Read also the following letter from H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 24th November 1875, No. 2,061 :—

With reference to the Board's Proceedings of 9th January 1874, (Miscellaneous No. 119), and of 12th June 1874, (Miscellaneous No. 3,920), I have the honor to submit the following observations.

2. In the first place, Government desire that the rights of Government in connection with the Ava may be clearly and definitely ascertained.

G.O., 12th December 1873, No. 2,994.

3. In the second place, Government desire to be informed on whom the expenditure on account of the contemplated improvements will fall; and that a careful estimate of the amount needed under the head of Compensation for Land be framed.

G.O., 20th May 1874, No. 1,339.

4. As to the rights of Government over land in the bed of the Ava, I have expressed my opinion in a report on a petition to the Board printed in their Proceedings, dated 1st July 1875, No. 1,820. In those Proceedings, the Board observe that I assigned no reason for my surmise that the lands in the Ava bed were fraudulently excluded from the assets of the estates at the time of Permanent Settlement. I thought the inference I drew sufficiently obvious. The custom of cultivating the lands is of immemorial antiquity, and the Inspectors might so easily be led to record that lands which they saw under water were uncultivable, that I prefer to believe that they were persuaded or induced to represent a state of things at variance with that then existing.

5. The Permanent Settlement Accounts show 704 acres in Mungapaka, 124 acres in Vadarapilly, "swamped by the lake." These lands belong to the Ankapilly proprietor. A similar description is given of $203\frac{1}{2}$ acres in Andalapilly and Kakarapalli of Kondakirla Estate: 2 Vissams (acres 4) of Personal Inams and 8 Vissams, 12 pirrahs (acres $17\frac{1}{2}$) of Service Inams entered in the Permanent Settlement Accounts are situate within the waterspread of the Ava. This is strongly suggestive of cultivation having been then carried on.

6. Kondakirla lapsed to Government in 1844. Its lands situate within the waterspread were then found to be held, part on a putta for Rupees 84-8-0, a second part on a putta for Rupees 14, a third part on the system of sharing produce. Two years afterwards Government issued a putta for all the lands in the third part for Rupees 310.

These three puttas have now been subdivided into thirty-four holdings. No remission was granted prior to Fasli 1284, when the Principal Assistant Collector ordered the water not to be let off, and the lands could not be cultivated.

7. Government never reserved any rights to the lands in the lake, nor would they have objected had the three proprietors who held parts thereof diverted the

feeders and reclaimed the whole bed. Government never claimed any rights over the lake as they might have done, *e.g.*, by letting the fishery which is valuable.

8. On the whole, I am decidedly of opinion that if Government want to extend irrigation under the Ava, and for that purpose render lands usually cultivable not cultivable, they must take up the land in the usual manner, paying full compensation based on the rent which the proprietors have received.

9. I now come to the second head of the question (paragraph 3 *supra*). The Government assumed management of the sluice and calingulah of the Ava when they seized the Kondakirla Estate; the channel which led from the Surada Nadi, feeds the Ava, is called the Kristamraz Channel, and feeds large areas of wet land belonging to the Ankapilly and Kassimkota Estates before it reaches the lake.

10. Government have assumed the management of the anicut and head works which they rebuilt in Faslis 1262, 1263, 1264, and charged the cost, Rupees 8,216, in shares as follow: Government 2,689, Kassimkota 2,367, Ankapilly 3,160.

11. If all irrigation works supplying both Ryotwari and Zemindari lands were declared to be under the management of Government, and if proprietors were chargeable rateably with sums expended on such works, it would perhaps be well in all districts. Without the sanction of law, such claim can hardly be enforced without previous agreement.

12. The provision of sufficient water-way for the drainage of the Ankapilly Ava at the point where it crosses the Kristamraz Channel at or near the present bridge on the Pudimadaka Road is incumbent on the Ankapilly proprietor. It is owing to his works higher up the Surada Nadi, which lead a great supply of water into the Ankapilly Ava in heavy monsoons, that this necessity is felt. To remedy this defect of the channel, the District Engineer proposes to alter the level of the Kristamraz Channel at this point, to build a new (1) bridge and (2) regulating dams above and below it, and to (3) build an aqueduct.

		RS.
Cost	(1)	2,000
	(2)	1,510
	(3)	5,825
		9,335

13. The proprietor of Ankapilly can no doubt be lawfully enjoined to provide that the flood-water whose excessive volume is due to his works does not occasion damage to his neighbours. It is a difficult matter, however, to decide how far the water flowing across the Kristamraz Channel is the result of local rain-fall seeking lower levels through its natural out-fall, and how far the small dams above Ankapilly have diverted the river water, and carried to the east of Munugapaka that which would naturally have passed away to the west. The proper remedy, however, seems to be by a suit for damages, as the Government, having so long themselves managed and controlled the channel, can hardly discover a remedy to be emergent which they have so long neglected to supply.

14. That the whole cost of the proposed work at the road-crossing ought to fall on the Ankapilly proprietor is by no means clear. The Government Engineers built the present bridge and must be supposed to have provided what they thought sufficient water-way. The dams and aqueduct and the alteration of level of the channel are, I understand, pronounced by Colonel Mullins to be the best means of passing the surplus water across the channel without injury thereto.

15. It will, I imagine, be at the proprietor's discretion whether he carries out the works needed himself, or consents to pay the cost of the works which the Department of Public Works proposes to execute. Provided his arrangements are effectual, I do not see how he can be compelled to prefer the employment of the Government staff to private agency.

16. Owing to the antagonism which has subsisted between the Engineer who has been in charge of the channel, which feeds Government lands at the lower end, and the proprietors whose lands the channel irrigated in its higher reaches, it is likely that the proprietors will be very unwilling to pay any thing that cannot be demanded as a clearly legal claim.

17. Some years ago when the cost of works at the head of the channel was ordered to be divided between the three estates (Kassimkota, Kondakirla, and Ankapilly), Mr. Smollet expressed with great emphasis his opinion that the claim which he made might be successfully resisted, inasmuch as the proprietors had never been consulted as to the works which were executed, and I recommend that an agreement be made beforehand as to the sharing of the cost of any works undertaken for the benefit of the three estates jointly.

18. Compensation for land is demanded at excessive rates, and I recommend that such land as may be found to be needed be taken up under the Act.

19. As to the necessity of any improvement to the Ava for the purpose of rendering the supply to the existing ayacut less precarious, it is not known to me that any person has advocated expenditure on this account. No remission has ever been granted to any of the lands with the exception of Rupees 3 in Fasli 1277 during the past ten years.

20. That the District Engineer has been unable to advocate the larger scheme I much regret. The forty-feet cutting near Modathur meets with no rock or difficult excavation, and the great area of wastedry land on that side which might be commanded gave a prospect of considerable returns.

21. In a letter to the District Engineer, whereof I enclose a copy, I have expressed my opinion that but slender returns are to be hoped from any improvement to existing irrigation. Enough is as good as a feast, and the lands under the Ava have enough. If you store them water for a second-crop, you sacrifice a thousand acres of land in the Ava bed; whether any second-crop cess could be levied or not is doubtful. That the compensation claimed for the lands in the bed would be very large I am well assured, and I cannot regard the prospects of successful resistance to the claim as cheerful.

22. In conclusion, I beg to request orders as to any further action the Board may wish me to take in the direction of ascertaining the rights of Government in connection with the Ava. There is no evidence that I can procure of any Government rights over lands in the Ava excepting the estimation thereof as unproductive in the Permanent Settlement Accounts. Although it may be that it was then productive it would be hard to prove this. If it was then unproductive and has since been reclaimed, the profits seem to me to fairly accrue to the proprietors. The existence of the maniems alone seems to me hardly proof sufficient of their cultivation at the time of settlement.

23. That some difficulty might have to be met in apportioning shares of proposed expenditure I have indicated. Outlay, however, for works and compen-

sation seems to me almost certain to be abandoned, as the District Engineer appears to have given up the extended scheme and the utility of the restricted scheme appears questionable.

ENCLOSURE No. 1.

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to the District Engineer, Waltair, dated 20th November 1875, No. 2,044.

WITH reference to your letter of the 11th ultimo, I have the honor to furnish you with the following opinion.

2. The contemplated improvements to the Kondakirla Ava will raise the area irrigated to 8,442¼ acres, as stated by the Range Officer.

Hereof 480 acres near Panchadarla appertain to the Visianagram Estates, 500 acres are Government waste said to be cultivable, if supplied, and 7,462¼ are for the most part now irrigated by the channels led from the Ava.

3. The result of your improvements to the Ava and its feeding channel will be to render somewhat less precarious a very valuable source of irrigation.

From the ryots' point of view, Government will be fulfilling its contract. He believes that contract (as expressed by the classification and taxation of the land as irrigated from a Government source) to bind Government to supply that land as well as possible.

4. That any thing like general consent will be obtained to any increased assessment in consideration of less precarious water-supply I do not believe. The land might be surveyed and a new settlement made, and the ryots would then have no alternative but to pay.

5. The Surada Nadi is inferior as a source of irrigation to the Nagavalli and Wamshadhara. These rivers have never, I believe, been reported to fail in irrigating the Chicacole Taluq. The lands thereunder pay a consolidated wet assessment of about 3¾ Rupees per acre on an average. My recommendation that Rupees 4-8-0 should be imposed was lately regarded by the Director of Revenue Settlement as an advocacy of an excessive rate for the country. In no respect do the two tracts differ. In Chicacole, the roads are better and the demand for export more active. In Survasidhi, the large villages and towns cause greater demand for inland consumption. The soil of Chicacole and its irrigation are superior. The climate and the people are of the same character in either district.

6. In the villages under irrigation at present 6 Rupees is now paid on an average, and some slight rise might, in my judgment, be imposed on a resettlement. I should, however, look on seven as a maximum average. As no measurement has ever been made of the lands, it is impossible to say whether much could be gained to the revenue by a survey. Probably not more than 10 per cent. This increase would not be due to the improvement of irrigation. No second-crop cess is leviable in the villages in question.

7. I am of opinion that after a survey and settlement you might expect an increase of 6,000 on these wet lands, if the irrigation be improved; without these processes the return will be *nil.*

As to the area of waste in the marsh towards the river's mouth at Kopaguntapalem, the soil is not promising, being highly saline. It is very possible that it might prove fertile when irrigated, and after population had been attracted, it might in this case be worth 5 Rupees an acre.

There is nearly 500 acres of Zemindari land near Velchur, and on this, provided the works succeeded in greatly improving the present supply, the Zemindar would, I believe, undertake to pay an extra rupee per acre.

8. You will observe that I regard the returns to be expected from the improvements to be most meagre and uncertain. The cause of this is in the nature of the scheme. In a climate like that of the Northern Circars, where three years out of five the most primitive irrigation works suffice, the need for elaborate works is little felt; the land proposed to be affected by the scheme already pays regular irrigated assessment, and the holders would regard it as a violation of custom to ask them for more. Unless the need of water be extreme, or the only source whence water is

to be taken be one only controllable by works requiring great skill in construction, water will not fetch a fancy price. Almost any scheme which will supply sufficient water to a good area of "dry" land will pay well; almost any scheme merely for improving the supply to land now rated as wet will be a failure financially.

9. The intention at one time entertained of cutting a channel through the high land south-east of the Ava to a point near Modathur has been apparently abandoned. On the line which such a channel would have taken, a large area of land now without any water-supply is to be found, and I regarded the project as promising well as long as the irrigation of this dry waste land was contemplated.

(True Copy.)

(Signed) H. St. A. GOODRICH,
Acting Collector.

ENCLOSURE No. 2.—Extract from Permanent Settlement Accounts.

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 27th November 1875, No. 2,084.

AFTER my letter of 24th November, No. 2,061, had been despatched, I received Proceedings of the Madras Government, Public Works Department, 1st October 1875.

To the four questions therein asked (in G.O., No. 2,833), I can only reply—

1*st*.—I believe that Government have no right to carry out the works without the consent of the proprietors and to charge them any shares whatever of the cost. I believe that the irrigation of Kassimkota and Ankapilly is so well supplied, that the want for improvements is little felt. If improvements were needed, the proprietors would, I have reason to believe, prefer to execute them themselves. Government have assumed the management of the channel, and repaired it at considerable cost twenty years ago. They inflicted one-third of the cost of the repairs upon Ankapilly Estate and one-third upon Kassimkota, although the Government revenue thereunder is 45 per cent., and the Government area irrigated 47 per cent. of the whole. I have already said that works to ensure the passing of the Ankapilly Ava surplus across the Kristamraz Channel are necessary. I now observe (from the Proceedings, dated 1st October) that the plans submitted need much modification.

2*nd*.—I have reported in my letter of 24th that the Act had better be put in force if land be needed. I have also expressed the opinion that the title of the Government to the Ava bed is doubtful, and that compensation might have to be paid if the cultivation thereof is prevented.

3*rd*.—Not Dalwa only but Sarwa crops have been grown for many years in the Ava bed. Mr. Fane, in 1851, writes of the Dalwa as a second crop, and may have intended to imply that Sarwa had been grown previously.

4*th*.—Remissions appear to have been about ·0002 of the revenue during the last ten years.

IN the letters read above, the Collector furnishes the information called for by Government regarding the ascertainment and maintenance of their rights in connection with the Kondakirla Ava, and as to the incidence of the expenditure requisite for the purpose of rendering the Kristamraz Channel efficient and the amount of land-compensation which will have to be paid.

2. As regards the first question, Mr. Goodrich states that the lands in the bed of the Ava were excluded from the assets of the estates concerned at the time of the Permanent Settlement, but that this was probably the result of some fraud which may be inferred from the fact that the custom of cultivating the lands is of immemorial antiquity, that their area is shown in the Permanent Settlement Accounts, and that certain Personal and Service Inams are situated within the waterspread of the Ava.

3. In his letter recorded in Board's Proceedings, dated 1st July 1875, No. 1,820, he points out first that the Ava is a natural lake, not a tank, on which ground he considers that the cultivation of part of the waterspread may be regarded as reclamation rather than encroachment; and, second, that Government succeeded in 1844 to such rights only as the ejected proprietor possessed, when the Kondakirla Estate lapsed; that the late proprietor never objected to cultivation in the bed; and that ever since the resumption of the Kondakirla Estate, Government have granted puttas for land so situated. On these grounds, Mr. Goodrich expresses his decided opinion that compensation must be paid for any land within the waterspread of the Ava rendered uncultivable by extension of irrigation.

4. With reference to the second question, Mr. Goodrich states that on the resumption of the Kondakirla Estate Government assumed the management of the sluice and calingulah of the Ava, and also of the head works of the Kristamraz Channel, a share of the cost of rebuilding which was charged to the proprietors of the Kassimkota and Ankapilly Estates. He considers that the Ankapilly proprietor is bound to provide sufficient water-way for the drainage of the Ankapilly Ava, where it crosses the Kristamraz Channel; but that it will be a difficult matter to decide what proportion of the cost of the works contemplated for effecting this object should be borne by him, and as Mr. Goodrich anticipates resistance to any claim that cannot legally be enforced, he recommends that the shares of the several estates concerned should be settled by agreement beforehand, and that the land required be taken up under the Act, excessive rates being demanded. He further states that there is no necessity for any improvement of the Ava for the purpose of rendering the supply to the existing ayacut less precarious, no remissions having been granted during the last ten years, and that the scheme for extension of irrigation appears to have been abandoned.

5. Mr. Goodrich's report appears to the Board conclusive as to the inexpediency of enlarging and improving the Ava with a view to benefiting existing cultivation. There has been no complaint of the insufficiency of the supply, and remissions have been inappreciable, nor would any improvement justify the levy of enhanced rates of assessment. Whatever claims might have been asserted to the lands in the waterspread of the lake at the time of the Permanent Settlement, they have been allowed to lie dormant so long that their assertion at this distance of time is attended with difficulty, and the Board do not recommend that the attempt should be made. Compensation must be paid for any lands within the water-

spread that have been ordinarily cultivated if kept out of cultivation by the operations of the Public Works Department.

6. It does not appear that any scheme for a material extension of irrigation is under contemplation. The Collector should report what has become of the Pengole River Scheme, *vide* Board's Proceedings, dated 24th November 1875, No. 3,204.

7. Provision for the passage of drainage from the Ankapilly Ava is necessary, and the proprietor should apparently bear a considerable portion of the cost, though not perhaps the whole. The Collector should negotiate with the proprietor after conferring with the District Engineer, and report specifically what arrangement can be made. The land required for the necessary works must be taken up under the Act, if the claims to excessive rates are persisted in.

8. It is also very desirable that a definite decision should be arrived at as to the storage of water in the Kondakirla Ava, and the extent to which it is to be let off for the purpose of cultivation in the bed, and that the settlement should be recorded for the avoidance of dispute hereafter. The Collector will negotiate with the holders of the land in question, and report what terms they are prepared to accede to, and whether they are reasonable.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 141. Proceedings of the Madras Government, Public Works Department, dated 23rd February 1876, No. 493.

Abstract.—Passing orders on Note by the Chief Engineer for Irrigation submitting letter from the District Engineer, Vizagapatam, regarding the Kondakirla Ava Project, Vizagapatam District.

No. 142. Proceedings of the Board of Revenue, dated 9th March 1876, Miscellaneous No. 2,147.

Read the following letter from H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Senugavarapucotta, 16th February 1876, No. 235:—

In answer to Board's Proceedings, dated 24th November 1875, No. 3,204, I have the honor to inform you that no proposal has been made to revive the scheme for extending the Koppaka Anicut and forming an Ava there.

2. The site is very favorable, but the proposed Ava would submerge three of the finest villages of the Uratla Estate with all their rich and well-watered lands.

3. The lands to be watered are mainly Zemindari and mainly already irrigated whilst the compensation to be paid would be enormous.

Submitted for the information of Government with reference to paragraph 6, Board's Proceedings, dated 20th December 1875, No. 3,383.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

Proceedings of the Madras Government, Revenue Department,
21st April 1876.

No. 143. **Order thereon, 21st April 1876, No. 527.**

Irrigation, No. 3.

Before disposing of the several questions referred for determination by the Revenue Department, in the Public Works Department G.O., dated 1st October 1875, No. 2,833, the Government consider it necessary to communicate the recent Proceedings in that Department, dated 23rd February 1876, No. 493, to the Board of Revenue with the request that it may be ascertained how much of the entire area of the Ava within the upper contour, as given in the Range Officer's letter, *i.e.*, 1521·17 acres, is excluded from the Permanent Settlement Accounts and how much of the area so excluded is now cultivated by the ryots of the Ankapilly Estate and the Government ryots severally.

2. The Government desire to have at the same time definite information on the following points:—

(1.) The amount of remissions granted during the last ten years for failure of irrigation in the villages supplied by river channels below the Godary Anicut.

(2.) The extent of Government land on which only a single crop is now raised and only a single crop assessment levied, and which would yield a second crop, if an increased supply of water were available; this with the amount of extra cess leviable to be specified severally under the Kondakirla Ava and the Kristamraz Channel, and collectively under other channels branching from the Surada Nadi below the Godary Anicut. It should be stated whether or not a second-crop assessment can be levied in each case, and if not, why not.

(3.) Whether or not the promised extra water rate of one Rupee an acre referred to in the Collector's letter, dated 30th December 1872, is intended to include second-crop cultivation.

(4.) The extent of Government waste or dry land which can be brought under wet cultivation if the requisite water-supply be available, and the charge leviable thereon; to be specified under each head as required in clause 2.

(5.) The extent of land required for the proposed improvements of the Kristamraz Channel and the amount fairly payable, if it is taken up under the Land Acquisition Act.

3. The Collector's reply regarding the result of the negotiation ordered by the Board in paragraph 7, with respect to the provision to be made for the drainage of the Ankapilly Ava, should be communicated to Government in due course.

(True Extract.)

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

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

Exd. A. Grubert.

Govt. of {1876} Madras.

REVENUE.

5

To

The Board of Revenue,

&c., &c., &c.

Dated April, 21st.

Read

APRIL.

Nos. 140—143.

Kondakirla Ava in Vizagapatam District.—Requesting definite information on certain points relating to the —.

527/6

IP-162

Proceedings of the Madras Government, Public Works Department, 23rd February 1876.

Read the following papers :—

No. 428. Endorsement of the Chief Engineer for Irrigation, dated Fort St. George, 9th February 1876, No. 193.

From K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Camp at Bimlipatam, 6th January 1876, No. 1,651.

1 Plan.
1 Tracing.
1 Copy of letter, No. 255, of 8th Dec. 1875.
1 Do. „ „ 66, of 25th May „

WITH reference to your Memorandum, No. 801, dated 21st July 1875, I have the honor to submit herewith a sketch map received from Mr. Brickwell on which all the levels taken in connection with the proposed channel west of the Punchadarla Hills have been marked, as well as the levels of the country south of a line drawn from the Ariyapalem calingulah to the Saradanuddy, together with a copy of that officer's letter, No. 255, dated 8th December 1875, which accompanied the map.

2. I beg to enclose also, for your information, a plan of the Kondakirla Ava Lake showing the contour lines, the extent of land occupied when the water is low, *i.e.*, about 2 inches below the crest of the calingulah, as well as the area that is usually cultivated within the bed, together with a copy of the Range Officer's letter, No. 66, dated 25th May 1875; and I request that both plans may be returned when no longer required.

From F. BRICKWELL, Esq., C.E., Assistant Engineer, in charge of Golgondah Range, to K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, dated Yellamunchilly, 25th May 1875, No. 66.

WITH reference to your No. 83, dated Waltair, 15th April 1875, I have the honor to submit herewith a plan (by banghy post) with levels marked thereon of the Kondakirla Ava, which I beg may be returned when no longer required.

2. I have the honor to state that it is not proposed to raise the level of the calingulah so as to submerge any land which has not hitherto been swamped—*vide* Chief Engineer's No. 183, dated 20th June 1873.

3. The plan submitted explains itself. The upper contour shown on it is at a height above mean sea level of 59·80 feet. It was intended to have been taken at a height M.S.L. + 60·21 feet, or 3 inches above calingulah crest level, (*vide* your office No. 1,610, dated Waltair, 2nd December 1873,) but owing to the dilatory way in which the Surveyor did his work, the water level subsided and the contour was run at the above height.

4. The lower contour marked on the plan as being at a height above M.S.L. of 54·32 forms the lower limit of the dry weather cultivation.

5. It will be observed that the height of the B.M. at Jada Dibbalu (which is said to have been tampered with) referred to in letter from Collector of Vizagapatam to District Engineer, dated 17th October 1860, No. 1-1,103 (published with Proceedings of Board of Revenue, 4th June 1869, No. 4,246) is 59·55 + M.S.L., or about $4\frac{7}{8}$ inches lower than crest of calingulah.

† Levels taken by Taluq Overseer Lafrenais.

6. The floors of vents of the sluices in the calingulah which supply the Government land under the Ava are M.S.L. + 53·40.

	ACRES.
7. The area of the land included within the upper contour is	1,521·17
That included within lower contour	635·50
Difference is ...	885·67

and is the extent of cultivation within the waterspread of the Ava.

8. Of this the principal portion to the north and east is cultivated by ryots of the Ankapilly proprietor. A small tract near the calingulah is cultivated by Government ryots of Andalapilly, and is, I believe, included in their puttas. The remainder is usually cultivated and sometimes left waste, according to the season; but none of the ryots holding under Government, except those of Andalapilly, have puttas for land within the tank bed, I believe.

9. The point requiring settlement, as far as the Ava Project is concerned, seems to be—whether the water is to be drawn off on the 15th December in each year *suddenly* or *by degrees as required for cultivation of land under the Ava, and irrigated by that reservoir.*

10. The cultivation in the tank bed is, of course, very objectionable, as leading to fraudulent attempts to let the water run to waste.

11. It would be well, therefore, to take into consideration whether this cultivation, or any part of it, can be got rid of, and at what cost, if compensation be found necessary.

12. Mr. Boswell when Principal Assistant Collector stated in his letter, No. 171, dated 17th November 1866, that the proprietor has no right to put down a first crop of rice in the Ava bed, as is now the custom. Rice is now planted within the waterspread of the Ava in June, or early in July, when the water is low and before the Ava fills. As the Ava fills up, the rice grows with it, and about 15th December is fit for cutting with the ears just above water. Hence the anxiety of the ryots to draw off the water on that date to enable them to cut the crop.

13. As far as a dalwa or cold weather crop is concerned, it is usually planted, I believe, much later.

14. Another great objection to drawing off the water suddenly on 15th December is, that it swamps the fields of Government ryots cultivating land under the Ava, just at the time when they are harvesting their crops, doing them great damage, if not floating away the rice which has been cut.

15. The question of the various rights, &c., in the Ava bed will, of course, have to be settled in the Revenue Department, but one plan of arriving at a conclusion on the subject was discussed between Major Beatty and myself, but which I have not seen put on paper. I venture to give it for what it is worth.

16. We supposed that if the proprietor and Government were to come to an agreement to abide by the quantities, &c., entered in the Permanent Settlement Accounts, and that then an accurate survey of the villages adjacent to the Ava were prepared by the Revenue Survey Department and the results compared with the Permanent Settlement, it would then appear whether the land in the Ava bed was included or not in that account.

17. If included, the land should be made over to the proprietor without further dispute. If not included, he should give up the same.

18. This seemed to us a fair and reasonable way of ascertaining the boundary and settling the matter, but there may be objections to it which have not occurred to me.

19. Mr. Daniel, lately Acting Collector, in his letter, No. 1,616, dated 27th October 1873, to the District Engineer, authorized us not to draw off the water from the Ava except as required for the purposes of cultivation under the Ava; but the question has again been raised, and I need scarcely remind you that the scheme for the improvements of the Ava depends upon the settlement of this question—*vide* Memorandum from Chief Engineer for Irrigation, to Secretary to Government, Public Works Department, dated Nursipatam, 8th October 1873, No. 716-B, paragraph 5, published with G.O., Public Works Department, 12th December 1873, No. 2,994.

From F. BRICKWELL, Esq., C.E., Assistant Engineer, in charge of Golgondah Range, to K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, dated Yellamunchilly, 8th December 1875, No 255.

WITH reference to your endorsement, No. 1,389, dated Waltair, 24th November 1875, I have the honor to draw your attention to this office No. 66, dated 25th May 1875, and its enclosure.

2. The actual boundaries of the Ava can only be settled by the Revenue Department. It has been held by this department that we were entitled to hold up the water in the Ava to a height of 3 inches above calingulah crest level, only drawing it off by degrees as required for cultivation under the Ava—*vide* Proceedings of the Board of Revenue, No. 4,246, dated 14th June 1869, paragraph 13, and Chief Engineer's Memorandum, No. 716-B, dated Nursipatam, 8th October 1873, paragraph 3, published with G.O., No. 328, dated 1st March 1875.

3. This view was upheld by the Revenue Department on a reference made to them by the District Engineer in 1873—*vide* letter from the Collector to the District Engineer, No. 1,616, dated Vizagapatam, 27th October 1873.

4. This again was reversed in 1875—*vide* Collector's letter to the District Engineer, No. 1,287, dated 24th July 1875.

5. Again, in Collector's letter, No. —, dated 24th November 1875, to the Secretary to the Board of Revenue, paragraph 8, it is most distinctly stated that, if Government wish to resume the lands in the Ava bed, they must purchase them in the usual way.

6. In paragraph 6 of the same letter the Collector in discussing the Kristamraz Channel Improvements Project adverts to an antagonism which has subsisted between the Engineer in charge of the channel and the proprietors as being a likely cause of their unwillingness to support the scheme. I should extremely regret having been the cause of this, and think it right to explain that the antagonism said to subsist has been incurred in resisting encroachments on the part of the proprietors, as referred to in the Collector's letter, No. 1,003, dated Vizagapatam, 3rd June 1875, to the District Engineer, paragraph 8. The antagonism has been shared by the Principal Assistant Magistrate who has taken decisive action in cases of damming the Kristamraz Channel when brought to his notice; and it seems obvious that the support of the proprietors would be too dearly purchased at the cost of a supine indifference to such doings.

7. It seems, therefore, clear from the foregoing that the question of the rights of Government to the Ava itself have been settled adversely to the project, and that the proprietors are unwilling to contribute any part of the cost of improving the Kristamraz Channel which cannot legally be levied; and I feel sure that, under these circumstances, no plan can be proposed which will bring in a return on the outlay equal to 12 per cent., which the Chief Engineer states is required.

8. I had the honor to submit an approximate estimate for a line *via* Madutore which was estimated to produce a return of from ¼ to 7½ per cent., *vide* my letter, No. 108, of 1st July 1875.

9. I have since then taken a trial line to the west of Punchadarla Hills as requested by the Chief Engineer, and found it very unfavorable.

10. The accompanying map which is more complete than the one submitted with my letter adverted to above, and which I beg may be returned, shows the trial line.

11. The existing Mahal Calwa or Main Ava Channel is made use of for the first two miles. The line then crosses the existing cultivation under the Ava to the village of Jagannathapuram, where the ground is much broken up into isolated conical hills. It then skirts the foot of the hills over very rocky soil to Punchadarla, a village of the Vizianagram Zemindar, of which the boundaries are shown by a thick broken red line. Here it is proposed to supply, after raising the water level two yards, the Dhurmasagaram tank and Veluchuru Ava, for which purpose land will have to be purchased from the Zemindar, and where it is proposed to store some of the water which is to be drawn off from the Ava on the 15th December under existing arrangements.

12. At the lowest computation the length of the channel from its commencement to the Poodimadaka road will be sixteen miles, probably two or three miles more if the channel be run on the most favorable ground, as regards levels, that can be selected. The starting level is Ariyapalem sluice floor M.S.L. + 53·63; allowing 1¼ feet per mile fall (probably more will be necessary in rocky ground to avoid a too great width of bed) the bed level near the Poodimadaka road will be M.S.L. + 33·63, and a reference to the plan will show that this will involve a cutting there of about 20 feet, and that a considerable portion of the waste land near Janguluru and Maduturu tanks is too high to be commanded, and that those two tanks cannot be supplied by the channel.

13. The land which will be most easily supplied by this line is colored light sienna on the plan. It is already irrigated by river channels, and pays an average assessment of about Rs. 6 per acre, except about 500 Acres of waste near Koppuguntapalem which will scarcely pay for the expensive works required to irrigate it.

14. The Collector in his letter, No. 2,044, dated 20th November 1875, to the address of the District Engineer, thinks that a return of Rupees 6,000 may be obtained from these lands (colored yellow on plan) if they are irrigated as proposed, and I have roughly estimated the cost of works only at Rupees 83,000.

15. It will be seen by the plan enclosed that many more cross sections are required in order to determine the most favorable location for the line of channel. A line of B Ms has been fixed along the bank of the Saradanuddy, and also along the Mahal Calwa and Poodimadaka road, so that there is every facility for taking them, but until the main questions of the rights of Government to the Ava bed, and of the improvements of the Kristamraz Channel are authoritatively decided, it is useless to do more in the matter.

No. 428-A. From K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Camp at Vizianagram, 28th January 1876, No. 1,744.

In continuation of my letter, No. 1,651, dated 6th January 1876, I have the honor to forward herewith, for your information, copy of a letter, No. 202, dated 11th October 1875, from the Assistant Engineer in charge of Golgondah Range, on the subject of the land to be brought under the influence of the proposed channels from the Kondakirla Ava; as, I think, some of the information contained in the letter has not been furnished to you before, and you may wish to have it to assist you in forming your final decision regarding the merits of the project.

1 Copy of letter, No. 202, of 11th October 1875, from Mr. Brickwell.
1 Copy of letter, No. 2,044, of 20th November 1875, from the Collector, Vizigapatam.

2. The tracing (revised and completed according to instructions in your Memorandum, No. 801, dated 21st July 1875) alluded to in Mr. Brickwell's paragraph 1 was sent to you with my letter, No. 1,651, dated 6th instant.

3. Regarding the extra water-cess which may be levied in consideration of the improved supply, the Collector was referred to, and a copy of his opinion is herewith submitted, (letter No. 2,044, dated 20th November 1875.)

From F. BRICKWELL, Esq., C.E., Assistant Engineer, in charge of Golgondah Range, to K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, dated Yellamunchilly, 11th October 1875, No. 202.

WITH reference to Memorandum, No. 801, of the Chief Engineer for Irrigation, dated Ootacamund, 21st July 1875, paragraph 4, (received with your No. 742, dated Waltair, 12th August 1875,) I have the honor to enclose herewith a tracing (to be kindly returned) showing the land which would be brought under the influence of the proposed channels from the Ava *viâ* the west of Punchadarla Hills.

2. The estimate for the proposed works is, I regret to say, not yet ready, but I hope to be able to submit it shortly; meanwhile I have the honor to request you to address the Revenue Department on the subject of the extra water-cess which may be levied in consideration of the improved supply.

3. As the whole project hinges on this question, and as the definite instructions referred to in paragraph 6 of the Chief Engineer's Memorandum referred to above should be received in this office before the cold weather sets in, to enable me to carry out any further surveys at that time,

if required, I have the honor to request you to take steps to obtain this information as soon as possible.

4. The total area (without deduction for village sites, roads, &c.) under command of the proposed works appears to be Acres 8,442·5. Of this, 500 Acres near the village of Koppuguntapalem are Government waste said to be cultivable if supplied with fresh water, and 480 Acres near Dhurmasagaram tank of Velcur appear to appertain to the Punchadarla estate.

5. With the exception of the Government waste (500 Acres) in the village of Kopuguntapalem, the above is now under wet cultivation. No remissions of any importance, so far as I am aware, have been given during the last three years. From the census report I gather that among eight of the villages commanded, the average rate of assessment on wet land is Rupees 6 per acre, the highest (Cattubole) being 14½ and the lowest (Razzala) 3 Rupees per acre.

6. Under these circumstances, I have the honor to request you to obtain the necessary information as to the extra water-rate, if any, which may be levied and collected if the water supply to these lands is improved as proposed, in order that I may ascertain whether the conditions under which sanction is likely to be obtained for the project as adverted to in paragraph 2 of the Chief Engineer's Memorandum referred to above are likely to be fulfilled.

7. As, under the circumstances set forth in paragraph 5, it seems at least doubtful if the project is of much value, in a financial point of view, I am extremely anxious to obtain the above information as soon as possible in order to prevent what may happen to be a useless expenditure of more time and money on the investigation.

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to K. F. NORDMANN, Esq., Officiating District Engineer, Vizagapatam, dated Vizigapatam, 20th November 1875, No. 2,044.

WITH reference to your letter of the 11th ultimo, I have the honor to furnish you with the following opinion.

2. The contemplated improvements to the Kondakirla Ava will raise the area irrigated to 8,442½ Acres as stated by the Range Officer.

Hereof 480 Acres near Punchadarla appertain to the Vizianagram Estates, 500 Acres are Government waste said to be cultivable, if supplied, and 7,462½ are for the most part now irrigated by the channels led from the Ava.

3. The result of your improvements to the Ava and its feeding channel will be to render somewhat less precarious a very valuable source of irrigation.

From the ryots' point of view, Government will be fulfilling its contract. He believes that contract (as expressed by the classification and taxation of the land as irrigated from a Government source) to bind Government to supply that land as well as possible.

4. That anything like general consent will be obtained to any increased assessment in consideration of less precarious water supply, I do not believe. The land might be surveyed and a new settlement made, and the ryots would then have no alternative but to pay.

5. The Saradanuddy is inferior as a source of irrigation to the Nagavalli and Wamshadhara. These rivers have never, I believe, been reported to fail in irrigating the Chicacole Taluq. The lands there under pay a consolidated wet assessment of about 3¾ Rupees per acre on an average. My recommendation that Rupees 4-8-0 should be imposed was lately regarded by the Director of Revenue Settlement as an advocacy of an excessive rate for the country. In no respect do the two tracts differ. In Chicacole the roads are better and the demands for export more active. In Survasidhi the large villages and towns cause greater demand for inland consumption. The soil of Chicacole and its irrigation are superior. The climate and the people are of the same character in either district.

6. In the villages under irrigation at present 6 Rupees is now paid on an average, and some slight rise might, in my judgment, be imposed on a settlement. I should however look on 7 as a maximum average. As no measurement has ever been made of the lands, it is impossible to say whether much would be gained to the revenue by a survey. Probably not more than

10 per cent. This increase would not be due to the improvement of irrigation. No second crop cess is leviable in the villages in question.

7. I am of opinion that, after a survey and settlement, you might expect an increase of 6,000 on these wet lands if the irrigation be improved; without those processes the return will be *nil*.

As to the area of waste in the marsh towards the river's mouth at Koppuguntappalem the soil is not promising, being highly saline. It is very possible that it might prove fertile when irrigated, and, after population had been attracted, it might in this case be worth 5 Rupees an acre.

There is nearly 500 Acres of Zemindari land near Nelchur, and on this, provided the works succeeded in greatly improving the present supply, the Zemindar would, I believe, undertake to pay an extra rupee per acre.

8. You will observe that I regard the returns to be expected from the improvements to be most meagre and uncertain. The cause of this is in the nature of the scheme. In a climate like that of the Northern Circars, where, three years out of five, the most primitive irrigation works suffice, the need for elaborate works is little felt; the land proposed to be effected by the scheme already pays regular irrigated assessment, and the holders would regard it as a violation of custom to ask them for more. Unless the need of water be extreme, or the only source whence water is to be taken be one only controllable by works requiring great skill in construction, water will not fetch a fancy price. Almost any scheme which will supply sufficient water to a good area of dry and lwill pay well; almost any scheme merely for improving the supply to land now rated as wet will be a failure financially.

9. The intention at one time entertained of cutting a channel through the high land south-east of the Ava to a point near Modutore has been apparently abandoned. On the line which such a channel would have taken a large area of land now without any water-supply is to be found, and I regarded the project as promising well as long as the irrigation of this dry waste land was contemplated.

Submitted for the information of Government with reference to G.O., No. 101, dated 12th January 1876.

2. Of the two plans transmitted with the District Engineer's earlier letter, one shows the area of the Kondakirla Ava at 5 or 6 inches below the full level, which is supposed to be 3 inches above the crest of the surplus weir (Ariyapalem calingulah), and also at what is called the hot weather contour, which forms the lower limit of the dry weather cultivation, and which* is somewhat less than a foot above the sill † of the calingulah under sluices.

* + 54·32
† + 53·40 or 53·63

0·92
R. O's., No. 66.

	Acres.
The area at the upper contour is	1,521·17
and that at the lower contour is	635·50
the difference being	885·67

It is mentioned that the greater part of the area between the contours to the north and east is cultivated by ryots holding under the Ankapilly proprietor. The information given is much less complete than was required by the instructions given in Proceedings, Madras Government, No. 2,994, of the 12th December 1873. In paragraph 16, 4th of the Memorandum therein printed, what was wanted was fully described, but the survey submitted is entirely wanting in topographical details, and the boundary lines of Government and proprietary lands have not been shown, neither has it been stated whether the absence of this information is due to these boundaries being unascertainable or otherwise. Then, again, nothing has been said about the contents

of the Ava at different levels, and yet upon these must depend the determination of the arrangements necessary for the due supply of existing cultivation on the one hand, and of any extension of cultivation deemed desirable on the other hand. It is clear that the order of the investigations laid down in that Memorandum has not been attended to, and that the instructions given with regard to the Ava have not been attended to. Had the contours and cross sections been taken as prescribed, the data for determining what is necessary in the interests of the lands under the Ava, and of those in the bed also, would have been available. At present the rights of Government and of the proprietors may be capable of determination from the settlement records, but it cannot be shown what compromise, if any, in the interests of both may be feasible.

3. There are a few matters referred to in the correspondence submitted which may be considered worthy of attention.

R. O's., No. 66, paragraph 12.

1st.—The reference to the practice of cultivating an early instead of, or in addition to, a late crop in the bed of the Ava, contrary to the late Mr. Boswell's opinion as to the right in this respect.

R. O's., No. 66, paragraph. 14.

2ndly.—The injury done to crops under the Ava by the discharge of large quantities to surplus on and after the middle of December.

R. O's., No. 66, paragraphs 16, 17, 18.

3rdly.—The suggestion made for the determination of the areas in the Ava bed which were included as arable in the permanent settlement.

8 Annas a cubic yard.

4. With regard to the extension or improvement of irrigation under the Ava, the tracing and papers show that two off-takes for Irrigation channels have been proposed, the one starting from the southeast of the Ava, and for this an approximate estimate was prepared on which the gross return anticipated was calculated to be 7¼ or 7½ per cent. The addition of indirect charges would have reduced this nearly to 5 per cent., and it was thought that there was but little chance of a project for this line of channel being sanctioned. It involved a cutting two miles long and 40 feet deep at the watershed to start with, and, though the rate for this cutting was deemed capable of reduction, the lie of the country is certainly not favourable.

At Koppaguntapalam.

5. The District Engineer was requested to have all levels which had been taken recorded on the survey, and further to state whether water could not be conveyed from the Ava calingulah by a line running west of the Punchadarla hills. It has now been explained that there are only 500 Acres of Government land not already irrigated which could be brought under cultivation, and this area is situated in a position quite unsuitable for irrigation from the Ava, if there be no intermediate land to irrigate. It would apparently be much cheaper and more convenient to water it from the Saradanuddy by an off-take in the neighbourhood.

6. Altogether it is by no means probable that any great extension of cultivation under the Ava will be found practicable. The sketch map shows that much of the land to the southwest is already irrigated by river channels, and it does not appear that this irrigation is ineffective. Then a large proportion of the lands is proprietary, and it is not likely that any additional rate could be obtained from lands of this class. All that

appears to be feasible is to improve and perhaps slightly extend the irrigation under the Ava, and what can be done in this direction must depend a good deal upon the final decision arrived at as to the rights of the Government in connection with the storage of water therein.

(Signed) JOHN MULLINS, Lieut-Col., R.E.,
Chief Engineer for Irrigation.

No. 429. ORDER THEREON, 23rd February 1876, No. 493.

IRRIGATION, No. 45.

THESE papers will be communicated to the Revenue Department in continuation of G.O., No. 101, dated 12th January 1876. It is observed that the information furnished regarding the Kondakirla Ava is very much less complete than was required by G.O., No. 2,994, of the 12th December 1873. Should further details of the ground within the full level contour be essential to the settlement of the rights of Government, the Collector will intimate to the District Engineer what particulars are needed, and the latter will then lose no time in furnishing them. The District Engineer will explain why the instructions have been so imperfectly attended to, and why the prescribed order of the investigations connected with this Ava has not been conformed to.

(True Extract.)

C. M. Walker Major-General, R.E.,
Secretary to Government.

To the Revenue Department.
" District Engineer, Vizagapatam.
" Chief Engineer for Irrigation.

Exd. W. J. Lewis.
90 Spare Copies.

Revenue Department
No. 1059

Govt. of {1876} Madras.

6

PUBLIC WORKS.

To

THE REVENUE DEPARTMENT,

&c., &c., &c.

Dated February 23rd.

Issued

Recd. Mar: 11th Encl.

G. O., 23rd February 1876, No. 493.

S.O.R. 527 - 21 April 1876

FEBRUARY.

Nos. 428-429

No 141

Kondakirla Ava Project, Vizagapatam District.—Passing orders on Note by the Chief Engineer for Irrigation submitting letter from the District Engineer, Vizagapatam, regarding the

C. 20. apl. /76 R. 21. apl
C 18/3/76

No. 1,820.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st July 1875.

Read the following letter from H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 29th May 1875, No. 941 :—

I HAVE the honor to report on the Petition, No. 509 of 1875, referred to this office in Board's Order thereon of 15th March 1875. This letter will also incidentally discuss the subject of the reference of the Board (Miscellaneous No. 119 of 1874) calling for report on the subject of G. O., dated 12th December 1873, No. 2,994. The subject of the latter reference is the advisability of undertaking the improvement of the Kondakirla Ava. It will be answered fully as soon as the Engineers furnish me with estimates.

2. The subject of the petition involves the consideration of the past and present condition of the lake, and the latter reference could not be disposed of without a full discussion of the petitioner's claims.

3. The oldest resident ryots of the villages around the Ava do not remember to have heard from their fathers of a time when the bed of the lake was not annually cultivated at the subsidence of the water. I stayed at Kondakirla for jamabundi during March, and again during April, to meet Mr. Brickwell and Mr. Narsingarow, and found that abundant evidence that the custom dated from a time beyond the memory of the present generation was procurable. That the permanent settlement accounts should exclude the lands annually swamped is by no means surprising, there was probably some fraud in their exclusion. Unquestioned possession and use for more than two generations may be pleaded by the proprietors, and Mr. Minchin, in every word of whose report I agree, says: "it is clear that the cultivation of the land in the waterspread of the reservoir has received full confirmation from the district authorities."

4. Two circumstances must be considered in estimating the Government claims. (1) The land is not a tank bed, but the bed of a natural lake whose existence is not due to the present or any former Government: although the revenue official of the south rightly considers tank beds to be like the trump card invested with a peculiar sanctity, the cultivation of part of the waterspread of a natural lake may be called reclamation rather than encroachment. (2) Government succeeded to such rights as the ejected proprietor possessed when the Kondakirla Estate lapsed. The elder ryots to whom I spoke at the jamabundi on the subject, all testified to the fact that the late Kondakirla proprietor never objected to cultivation in the bed, and that it always went on in his time; and from the time that Government resumed Kondakirla they have, for more than thirty years, granted puttas for, and drawn revenue from, lands of Kondakirla situate within the bed excluded from permanent settlement accounts, but customarily cultivated just as the Munagapaka lands have been.

5. I will now recapitulate the history of the case since the lapse of the estate, premising that the proceedings of the Revenue authorities in that matter were characterised by extreme harshness, and their procedure was found by the Civil Court to have been illegal.

6. The waterspread of the Ava extends over parts of the lands of three villages, Munagapaka and Vadrapully, both of the Ankapilly Estate, and Kondakirla now belonging to Government. In the former two villages the lands swamped by the Ava were shown by the permanent settlement accounts to be in extent K. 25 V. 14, or about 828 acres: they were excluded from the assets whereon the peishcush was fixed. It is open to argument whether, as these lands were included within the boundaries of the estate granted, any restriction was imposed on the proprietor from reclaiming them as he might reclaim other wastes.

7. Kondakirla lapsed to Government in 1844. The calingula and sluices of the Ava are in one of its villages, and Government assumed the management of the issue of water from the Ava, as the irrigation below these sluices is mainly enjoyed by Government villages. No second-crop cess has ever been levied in these villages.

Col. Mullins says he found paddy planted two months old in Octr 1873 - G.O. 12 Dec 73 9025.

8. The practice of cultivating in the bed of the tank a Dalwa crop during the months December to May has always existed, and, in my belief, the great quantity of vegetable matter which has accumulated from the debris of water-weed and the stubble of cultivation and silt brought into the lake in freshes have been gradually raising the bed. At the first consideration of the case by Mr. Fane in 1851, nothing was said of any Serva crop (grown during the rains). A great extent of the land in the waterspread is however now cultivated with the coarse paddy grown further north in Tamparas and jhils, which is reaped from boats and grows in deeply-flooded marshes. Mr. Fane may have intended to imply that a first crop was grown as he speaks of the Dalwa as a second crop.

x Vide compatible with our arrangement which allowed water to stand as high as [illegible] the [illegible] 3 years

9. Government having control of the sluices from 1844, it seems that the interests of the villages irrigated from those sluices were primarily considered, and the lands within the bed were kept swamped longer than had been the custom previously. In 1851, the Ankapilly proprietrix complained to the then Principal Assistant Collector, Mr. Fane. The following is the passage of his order most requiring notice now: "As the lands from the Jodudibhalu (two hillocks) to the Saitan Channel in the bed of the lake belong to the proprietrix, the water from the Jodudibhalu to the Saitan Channel should be gradually taken away annually from the 15th day of December, *the commencing time* for cultivation, in order that she may be able to raise *a second crop as usual*; and that whenever it may be necessary that the cultivation should begin *before that date*, upon the same being intimated, the authorities may, according to justice, cause the water in the lake to diminish." This order was ratified by Mr. Smollett, who, in 1855, ordered the letting off of the water in the month of October to prevent swamping Munagapaka fields. Mr. Read, in 1857, recognized the practice; and Mr. Fane as Collector, in 1860, again had the subject before him. He then wrote that if the Engineer thinks the retention of water after 15th December more profitable, the proprietrix will receive compensation which he estimates at 400 Rupees a-year. Mr. Boswell, in 1866, and Mr. Hutchins, in 1868, passed orders directing that water should be let off to enable the bed to be cultivated.

10. Mr. Carmichael's observation that the improvement of the Ava was surrounded with peculiar difficulty owing to the cultivation of its bed, led the Board to require a report which Mr. Minchin furnished in May 1869. I concur in all his conclusions.

527/12

11. The subject of what amount of compensation a Court of Law or arbitrators will be likely to award will be discussed by me when I forward the estimates, which I expect soon to receive from the Engineers. A part of the cost of the improvements to the Ava will be the loss of revenue to the amount of 603 Rupees annually for land cultivated in the part of the bed belonging to Government. Mr. Snaith refused remission of this sum during the past Fasli, although in pursuance of his order water had been maintained so as to keep these lands swamped after the 15th December, and they could not be cultivated. The amount of the demand for the past year was remitted by me. The puttas of the ryots have never been cancelled, and compensation for the lands about* 130 acres must, I presume, be paid to them if the improvements be carried out.

12. Mr. Fane's order of 1860 marks the point of departure from the custom up to that time prevailing to let off the water for the purpose of admitting of cultivation within the bed. He says. "If the Engineer think retention of water more profitable, the proprietrix will receive compensation." No compensation has ever been paid, and it was not until 1873 that the water was retained after December 15th. It does not appear whence Mr. Fane contemplated to meet claims for compensation, nor how it could be "more profitable" to incur the cost thereof, for no second-crop cess on the ryots below the calingula was ever proposed. Mr. Snaith's plan of requiring their assessment from the holders of Government lands whose cultivation by the effects of his own order he prevented, commended itself I believe, to him only.

13. There is no evidence conclusive as to the area covered by the lake when full now and formerly. I believe that the lake was formerly a sheet of deep water, and is now a sheet of water, deep at the southern end and shallow as regards most of its area, by reason of the large alluvial deposit of the waters brought into it from the Sarada Naidi, and the increasing accumulation of debris of vegetable matter.

14. The charge of the channels should remain with the Department of Public Works. The interests of the Munagapaka and Ankapilly ryots clash with those of the men of Kondakirla. The former will always find it to their own interest to commit great waste and damage by retaining water when low and letting it off when superabundant, in a manner which must injure the supply to Kondakirla. Party feeling has made the quarrel a hot one, and the behaviour of the Munagapaka people is so mischievous that no part of the control can be abandoned to them. The District Engineer will, in submitting his scheme for the improvement of the Ava, discuss the arrangements proposed for the supply of Kasimcota and Munagapaka, and the disposal of the drainage of Ankapilly.

15. I cannot recommend the leasing of Kondakirla to the proprietor of Ankapilly. In any case the submission of the Irrigation scheme should be awaited before such a proposal were considered. The scheme promises well; the cost will, I believe, not exceed five lakhs, and 7½ per cent. will be returned.

ENCLOSURE No. 1.—Petition.

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* Besides Service and Private Inams.

THE above letter contains the Collector's report on an appeal preferred by the proprietor of the Ankapilly and Munagapaka Estates against an order of the Acting Principal Assistant Collector, Mr. Snaith, declining to recognize the petitioner's claim to have the water of the Kondakirla Ava let out gradually after the 15th of December every year, so as to admit of the cultivation of a "Dalwa" crop in the waterspread of the lake. The claim is based upon a practice of long standing, which has been recognized by successive district officers since 1851, when an order was passed by the Principal Assistant, Mr. Fane, sanctioning the custom, subsequently confirmed, in 1855, by the Collector, Mr. Smollett.

2. In their Proceedings of the 8th October 1866, the Board called for a report on the subject, and in disposing of the Collector's report in their Proceedings of the 14th June 1869, No. 4,246, stated that they are not prepared to acquiesce in the Ankapilly claims to cultivate a portion of the waterspread in spite of their having been recognized by subordinates, and if the claims are allowed, the Board believe that additional peishcush might legally be imposed, as these lands were not assessed to the permanent settlement. A project for the extension of irrigation from the Ava was at the same time brought forward, and the whole question is still under the consideration of the district officers. In connection with the scheme the rights of Government must be clearly and definitely ascertained, as directed in G. O., dated 12th December 1873, No. 2,994, and it would be premature to pass a final decision on petitioner's claims until the scheme is submitted in a complete shape. Mr. Goodrich does not assign any reason for his surmise that there was some fraud in the exclusion of the lands within the waterspread of the Ava from the permanent settlement accounts.

3. There is no doubt that the custom has prevailed for a considerable period and has only recently been interfered with by the district officers; the Board accordingly resolve to direct that the arrangements in force before Mr. Daniel's order was passed, shall be allowed to continue until the whole question of the future treatment of the Ava is ripe for settlement, on the express understanding that the rights asserted by the petitioner are not to be held to have been in any way conceded thereby.

4. The petitioner will be referred to the Collector.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

To the Acting Collector of Vizagapatam.
M.S. Endorsement to Petitioner.

Exd. W. H. French.

1875.

Board of Revenue,

MADRAS.

PROCEEDINGS, 1ST JULY 1875, No. 1,820.

Encl.

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4926 of 75

Received

JULY.

No. 1,820.

Appeal—preferred by proprietor of Ankapilly and Mungapaka Estates in Vizagapatam District against an order of Acting Principal Assistant Collector, declining to recognize petitioner's claim to have the water of Kondakirla Ava let out gradually after 15th December every year so as to admit of cultivation of a "Dalwa" crop in the waterspread of the lake.—Orders passed on —, and petitioner referred to Collector.

527/14

No. 3,204.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th November 1875.

Read the following letter from R. J. MELVILLE, Esq., Acting Collector of Vizagapatam, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 30th December 1872, No. 1,591 :—

WITH reference to Board's Proceedings, dated 22nd October 1872, No. 2,047, I have the honor to forward a statement giving the number of acres in each of the villages referred to in this office letter, No. 1,114, dated 21st September 1872, on which the ryots agree to pay an extra water-rate of one rupee. The total number is 6,674 acres and 52 cents.

2. At the ensuing Jamabandi the Principal Assistant Collector intends to take up the subject of Nagd Mof or money remission. This item amounts in the taluq of Sarvasidhi to Rupees 1,019-12-8, and in that of Golgondah to Rupees 1,990-10-8. It is intended, as far as possible, to carry out the instructions of Mr. Fane when Collector in 1861, and call upon the ryots occupying land on which such remission is allowed to pay full sist or relinquish the land. A large sum of Rupees 1,810-1-8 is remitted from the rent of Golgondah and seven other rented villages. The present lease expires with the fasli; it will, therefore, be possible to reimpose the full assessment should such a course prove desirable. The amount of money remission in the villages to be affected by the proposed improvement in the Ava amounts to Rupees 21-2-6 only.

3. From two letters which I enclose it will be seen that Colonel Fischer, late Superintending Engineer of No. 1 Division, is now of opinion that the result proposed to be attained by works in the Kondakirla Ava can be attained effectually and with more economy by constructing an anicut across the Pengole river near Koppaka somewhat above the existing anicut. With the anicut is to be connected a reservoir capable of containing 150 million cubic yards of water. The estimated cost of the work is below three lakhs of rupees, and the annual return is calculated at half a lakh of rupees. This is supposing a water-rate of Rupees 2½ per acre paid on 20,000 acres. The calculation is, to my mind, rather a sanguine one. From the 20,000 acres must be deducted the Acres 6,674 odd on which the ryots agree to pay an additional rupee per acre.

From this 20,000 acres must also be deducted uncultivable land. The rate of Rupees 2½ is high for this district, and it is doubtful whether the ryots would agree beforehand to pay so heavy a rate. In other respects the scheme seems a good one as far as the unprofessional reader can judge. I am not competent to express an opinion as to the comparative merits of this and the Kondakirla Ava scheme. By that now proposed the question of compensation, which is sure to crop up in the Ava scheme, will be avoided. The supply of water seems ample even taking into consideration that the rainfall this year was above the average and could not be calculated on in an ordinary season.

ENCLOSURE No. 1.

From Lieutenant-Colonel J. F. FISCHER, R.E., Acting Superintending Engineer, 1st Division, to R. J. MELVILLE, Esq., Acting Collector of Vizagapatam, dated 2nd November 1872, No. 5-A.

I HAVE the honor to report, for your information, that I examined the Pengole river this morning for a reservoir, and found a very good site about a quarter mile above the existing anicut. I find this river discharges in heavy freshes from 1½ to 1¾ million cubic yards per hour, and rises from 5 to 6 feet in the anicut at such times; the length of this work is about 300 feet, and a reservoir dam would have to be of the same dimensions. I am unable to give you full information regarding the water-supply of the river until I have examined more fully the records, but from what I saw to-day I believe there will be no difficulty in constructing such a work for the purpose of irrigating the lands of the Sarvasidhi Taluq and far more economically than could be done from the Kondakirla Ava. Mr. Turner will take up this project as soon as possible if you approve of further investigations being made, but he will require the services of a surveyor and lascars as Mr. Fletcher must soon return to the Jeypore Ghaut works, and I trust you will be good enough to recommend such an establishment being entertained for this work and the Chicacole river investigations. I see no reason why we should not distribute 120 million cubic yards of water from the Pengole river during the monsoons. This is enough for 15,000 acres of land, and at Rupees 2 an acre water-rate, I think the project will pay from 15 to 20 per cent. as far as I can judge at present.

ENCLOSURE No. 2.

From the same Officer, dated Dowlaishweram, 26th November 1872, No. 3,048.

IN continuation of this office letter, No. 5-A, of the 2nd instant, I have the honor to forward a statement of the register of water flowing over the Kpopaka anicut during the months of June, July, August, September, and October 1872. The season, as far as I have been able to observe, is a very fair average one for rainfall in the Vizagapatam District, so that the results shown in this letter may be considered as exhibiting the average supply which could be stored in the proposed reservoir.

2. The length of the anicut I take at 300 feet; its actual length is 290 feet, but there are some under and head sluices and a small vent in the body wall through all of which water escapes, but which it is impossible to allow for accurately, and in my calculations I have used a co-efficient of ·667 for weirs and made all entries by quarters or halves omitting other fractions without being able to make any allowance for velocity of approach, which is always very great in such large jungle streams. I find then the quantities of water passing down the river in each month to have been as below :—

In June... ...	... 27	million	cubic yards.
,, July... ...	... 78¼	,,	,,
,, August ...	... 27	,,	,,
,, September	... 280¼	,,	,,
,, October ...	... 173½	,,	,,
Total ...	586¼	,,	,,

3. At two cubic yards per hour per acre, one acre requires for a month's supply about 2,000 cubic yards of water; in the first three months the reservoir would have received only 132½ million cubic yards of water; in June of course [illegible] would be supplied for cultivation, but in the other two months if all the supply were drawn off there would be enough for 33,000 acres of land; and in September and October there was abundance of water to have matured the crop on this full area, but I should be disposed to limit the extent of this to 20,000 acres of land and to construct the reservoir to contain 150 million cubic yards of water, or about one-fourth the total above given. Much of the water shown in the statement as passing over the anicut would be stored in the reservoir and utilized from it without filling such a tank and escaping as surplus, and the reservoir will then probably in ordinary seasons distribute a much larger quantity than it is calculated to contain, but the project, limited as I have made it, will, I think, be remunerative enough, for, with a water-rate of Rupees 2½ per acre, the return would be half lakh from 20,000 acres, and we did not estimate the work to cost three lakhs of rupees, which would be a return at the rate of 16⅔ per cent.

4. In limiting the capacity of the tank to 150 million cubic yards of water and 20,000 acres of cultivation, I have had in view the frequent failures of the north-east monsoon on that part of the coast as well as the small supplies received in the early months of the south-west monsoon; the supply in September may be called upon to supplement either in any year and as 20,000 acres of land requires a store of 40 million cubic yards for one month's supply; if the tank filled in the early or latter part of this month, the store would suffice to carry on the cultivation, and leave a considerable quantity in it for use during the dry weather after November's requirements have been supplied, when it will be of the greatest benefit in any bad seasons for drinking purposes both for man and beast.

5. I trust the information I have been able to put together in a short time will be sufficient to induce the Revenue Board to move in the matter and recommend the project for the consideration and orders of Government. This is, I am convinced, the only way to benefit the Sarvasidhi Taluq by irrigation, and the land in this is chiefly Government property; if the Zemindars will not join in the improvement of the country, there is, I fear, nothing for it but to enforce the Land Act, for the district cannot be allowed to suffer from famine or scarcity looking only to the Government for relief.

ENCLOSURE No. 3.—Statement.

IN his letter above recorded the Collector submitted certain information called for in Board's Proceedings, dated 22nd October 1872, No. 2,047, and forwarded certain letters from Colonel Fischer, Superintending Engineer, proposing the construction of an anicut across the Pengole river near Koppaka and [illegible] formation of a reservoir for the irrigation of the tract of country specified in lieu of the Kondakirla Ava scheme, by which course it was stated that the question of compensation involved in the latter project would be avoided.

2. The disposal of this letter has unfortunately been delayed by an oversight, and it would be useless at this distance of time to forward the papers to Government. The Board believe that Colonel Fischer's scheme is under investigation in connection with the Ava project. The Collector will state whether such is the case, and what prospect there is of an early settlement of the question. The disposal of the matter depends upon the reports called for with reference to G.Os., dated 12th December 1873, No. 2,994, and 20th May 1874, No. 1,339, Public Works Department, and the Collector should expedite his reply as recently directed with reference to G.O., dated 1st October 1875, No. 2,833, Public Works Department.

3. The manner in which the fixed remissions alluded to in the letter above recorded have been dealt with should be reported.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

To the Acting Collector of Vizagapatam, with two original enclosures returned.

Exd. J. W. Fischer.

1875.

Board of Revenue,

MADRAS.

PROCEEDINGS, 24TH NOVEMBER 1875, No. 3,204.

Encl.

Received

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4926/75

NOVEMBER.
No. 3,204.

Kondakirla Ava Scheme—in Vizagapatam District.—Calling for further report with reference to Colonel Fischer's proposal for the construction of an anicut across the Pengola river near Koppaka and the formation of a reservoir for the irrigation of the tract of country in lieu of —.

Read the following papers:

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No. 140

No. 3,383.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 20th December 1875.

Read again G.Os., dated 19th December 1873, No. 123; 30th May 1874, No. 217; 29th October 1875, No. 2,310; Board's Proceedings, 1st July 1875, No. 1,820; and 12th November 1875, No. 3,096.

Read also the following letter from H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 24th November 1875, No. 2,061:—

WITH reference to the Board's Proceedings of 9th January 1874 (Miscellaneous No. 119), and of 12th June 1874 (Miscellaneous No. 3,920), I have the honor to submit the following observations.

2. In the first place, Government desire that the rights of Government in connection with the Ava may be clearly and definitely ascertained.

G.O., 12th December 1873, No. 2,994.

3. In the second place, Government desire to be informed on whom the expenditure on account of the contemplated improvements will fall; and that a careful estimate of the amount needed under the head of Compensation for Land be framed.

G.O., 20th May 1874, No. 1,339.

4. As to the rights of Government over land in the bed of the Ava, I have expressed my opinion in a report on a petition to the Board printed in their Proceedings, dated 1st July 1875, No. 1,820. In those Proceedings, the Board observe that I assigned no reason for my surmise that the lands in the Ava bed were fraudulently excluded from the assets of the estates at the time of Permanent Settlement. I thought the inference I drew sufficiently obvious. The custom of cultivating the lands is of immemorial antiquity, and the Inspectors might so easily be led to record that lands which they saw under water were uncultivable, that I prefer to believe that they were persuaded or induced to represent a state of things at variance with that then existing.

5. The Permanent Settlement Accounts show 704 acres in Mungapaka, 124 acres in Vadarapilly, "swamped by the lake." These lands belong to the Ankapilly proprietor. A similar description is given of 203½ acres in Andalapilly and Kakarapalli of Kondakirla Estate: 2 Vissams (acres 4) of Personal Inams and 8 Vissams, 12 pirrahs (acres 17½) of Service Inams entered in the Permanent Settlement Accounts are situate within the waterspread of the Ava. This is strongly suggestive of cultivation having been then carried on.

6. Kondakirla lapsed to Government in 1844. Its lands situate within the waterspread were then found to be held; part on a putta for Rupees 84-8-0, a second part on a putta for Rupees 14, a third part on the system of sharing produce. Two years afterwards Government issued a putta for all the lands in the third part for Rupees 310.

These three puttas have now been subdivided into thirty four holdings. No remission was granted prior to Fasli 1284, when the Principal Assistant Collector ordered the water not to be let off, and the lands could not be cultivated.

7. Government never reserved any rights to the lands in the lake, nor would they have objected had the three proprietors who held parts thereof diverted the feeders and reclaimed the whole bed. Government never claimed any rights over the lake as they might have done, *e.g.*, by letting the fishery which is valuable.

8. On the whole, I am decidedly of opinion that if Government want to extend irrigation under the Ava, and for that purpose render lands usually cultivable not cultivable, they must take up the land in the usual manner, paying full compensation based on the rent which the proprietors have received.

9. I now come to the second head of the question (paragraph 3 *supra*). The Government assumed management of the sluice and calingulah of the Ava when they seized the Kondakirla Estate; the channel which led from the Surada Nadi, feeds the Ava, is called the Kristamraz Channel, and feeds large areas of wet land belonging to the Ankapilly and Kassimkota Estates before it reaches the lake.

10. Government have assumed the management of the anicut and head works which they rebuilt in Faslis 1262-1263-1264, and charged the cost, Rupees 8,216 in shares as follow: Government 2,689; Kassimkota 2,367; Ankapilly 3,160.

11. If all irrigation works supplying both Ryotwari and Zemindari lands were declared to be under the management of Government, and if proprietors were chargeable rateably with sums expended on such works, it would perhaps be well in all districts. Without the sanction of law, such claim can hardly be enforced without previous agreement.

12. The provision of sufficient water-way for the drainage of the Ankapilly Ava at the point where it crosses the Kristamraz Channel at or near the present bridge on the Pudimadaka Road is incumbent on the Ankapilly proprietor. It is owing to his works higher up the Surada Nadi, which lead a great supply of water into the Ankapilly Ava in heavy monsoons, that this necessity is felt. To remedy this defect of the channel, the District Engineer proposes to alter the level of the Kristamraz Channel at this point, to build a new (1) bridge and (2) regulating dams above and below it, and to (3) build an aqueduct.

		RS.
Cost	(1)	2,000
	(2)	1,510
	(3)	5,825
		9,335

13. The proprietor of Ankapilly can no doubt be lawfully enjoined to provide that the flood-water whose excessive volume is due to his works does not occasion damage to his neighbours. It is a difficult matter, however, to decide how far the water flowing across the Kristamraz Channel is the result of local rain-fall seeking lower levels through its natural out-fall, and how far the small dams above Ankapilly have diverted the river water, and carried to the east of Munugapaka that which would naturally have passed away to the west. The proper remedy, however, seems to be by a suit for damages, as the Government having so long themselves managed and controlled the channel, can hardly discover a remedy to be emergent which they have so long neglected to supply.

14. That the whole cost of the proposed work at the road-crossing ought to fall on the Ankapilly proprietor is by no means clear. The Government Engineers built the present bridge and must be supposed to have provided what they thought sufficient water-way. The dams and aqueduct and the alteration of level of the channel are, I understand, pronounced by Colonel Mullins to be the best means of passing the surplus water across the channel without injury thereto.

15. It will, I imagine, be at the proprietor's discretion whether he carries out the works needed himself, or consents to pay the cost of the works which the Department of Public Works proposes to execute. Provided his arrangements are effectual, I do not see how he can be compelled to prefer the employment of the Government staff to private agency.

16. Owing to the antagonism which has subsisted between the Engineer who has been in charge of the channel, which feeds Government lands at the lower end, and the proprietors whose lands the channel irrigated in its higher reaches, it is likely that the proprietors will be very unwilling to pay anything that cannot be demanded as a clearly legal claim.

17. Some years ago when the cost of works at the head of the channel was ordered to be divided between the three estates (Kassimkota, Kondakirla and Ankapilly), Mr. Smollett expressed with great emphasis his opinion that the claim which he made might be successfully resisted, inasmuch as the proprietors had never been consulted as to the works which were executed, and I recommend that an agreement be made beforehand as to the sharing of the cost of any works undertaken for the benefit of the three estates jointly.

18. Compensation for land is demanded at excessive rates, and I recommend that such land as may be found to be needed be taken up under the Act.

19. As to the necessity of any improvement to the Ava for the purpose of rendering the supply to the existing ayacut less precarious, it is not known to me that any person has advocated expenditure on this account. No remission has ever been granted to any of the lands with the exception of Rupees 3 in Fasli 1277, during the past ten years.

20. That the District Engineer has been unable to advocate the larger scheme I much regret. The forty-feet cutting near Modathur meets with no rock or difficult excavation, and the great area of wastedry land on that side which might be commanded, gave a prospect of considerable returns.

21. In a letter to the District Engineer, whereof I enclose a copy, I have expressed my opinion that but slender returns are to be hoped from any improvement to existing irrigation. Enough is as good as a feast, and the lands under the Ava have enough. If you store them water for a second crop, you sacrifice a thousand acres of land in the Ava bed; whether any second-crop cess could be levied or not is doubtful. That the compensation claimed for the lands in the bed would be very large I am well assured, and I cannot regard the prospects of successful resistance to the claim as cheerful.

22. In conclusion, I beg to request orders as to any further action the Board may wish me to take in the direction of ascertaining the rights of Government in connection with the Ava. There is no evidence that I can procure of any Government rights over lands in the Ava excepting the estimation thereof as unproductive in the Permanent Settlement Accounts. Although it may be that it was then productive it would be hard to prove this. If it was then unproductive and has since been reclaimed, the profits seem to me to fairly

accrue to the proprietors. The existence of the maniems alone seems to me hardly proof sufficient of their cultivation at the time of settlement.

23. That some difficulty might have to be met in apportioning shares of proposed expenditure, I have indicated. Outlay, however, for works and compensation seems to me almost certain to be abandoned, as the District Engineer appears to have given up the extended scheme and the utility of the restricted scheme appears questionable.

ENCLOSURE No. 1.

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to the District Engineer, Waltair, dated 20th November 1875, No. 2,044.

WITH reference to your letter of the 11th ultimo, I have the honor to furnish you with the following opinion.

2. The contemplated improvements to the Kondakirla Ava will raise the area irrigated to 8,442½ acres, as stated by the Range Officer.

Hereof 480 acres near Panchadarla appertain to the Vizianagram Estates, 500 acres are Government waste said to be cultivable, if supplied, and 7,462½ are for the most part now irrigated by the channels led from the Ava.

3. The result of your improvements to the Ava and its feeding channel will be to render somewhat less precarious a very valuable source of irrigation.

From the ryots' point of view, Government will be fulfilling its contract. He believes that contract (as expressed by the classification and taxation of the land as irrigated from a Government source) to bind Government to supply that land as well as possible.

4. That anything like general consent will be obtained to any increased assessment in consideration of less precarious water-supply I do not believe. The land might be surveyed and a new settlement made, and the ryots would then have no alternative but to pay.

5. The Surada Nadi is inferior as a source of irrigation to the Nagavalli and Wamshadhara. These rivers have never, I believe, been reported to fail in irrigating the Chicacole Taluq. The lands thereunder pay a consolidated wet assessment of about 3¾ Rupees per acre on an average. My recommendation that Rupees 4-8-0 should be imposed was lately regarded by the Director of Revenue Settlement as an advocacy of an excessive rate for the country. In no respect do the two tracts differ. In Chicacole, the roads are better and the demand for export more active. In Survasidhi, the large villages and towns cause greater demand for inland consumption. The soil of Chicacole and its irrigation are superior. The climate and the people are of the same character in either district.

6. In the villages under irrigation at present 6 Rupees is now paid on an average, and some slight rise might, in my judgment, be imposed on a resettlement. I should, however, look on seven as a maximum average. As no measurement has ever been made of the lands, it is impossible to say whether much could be gained to the revenue by a survey. Probably not more than 10 per cent. This increase would not be due to the improvement of irrigation. No second-crop cess is leviable in the villages in question.

7. I am of opinion that after a survey and settlement you might expect an increase of 6,000 on these wet lands, if the irrigation be improved ; without these processes the return will be *nil*.

As to the area of waste in the marsh towards the river's mouth at Kopaguntapalem, the soil is not promising, being highly saline. It is very possible that it might prove fertile when irrigated, and after population had been attracted, it might in this case be worth 5 Rupees an acre.

There is nearly 500 acres of Zemindari land near Velchur, and on this, provided the works succeeded in greatly improving the present supply, the Zemindar would, I believe, undertake to pay an extra rupee per acre.

8. You will observe that I regard the returns to be expected from the improvements to be most meagre and uncertain. The cause of this is in the nature of the scheme. In a climate like that of the Northern Circars, where three years out of five the most primitive irrigation works suffice, the need for elaborate works is little felt ; the land proposed to be affected by the scheme already pays regular irrigated assessment, and the holders would regard it as a violation of custom to ask them for more. Unless the need of water be extreme, or the only source whence water is to be taken be one only controllable by works requiring great skill in construction, water will not fetch a fancy price. Almost any scheme which will supply sufficient water to a good area of "dry" land will pay well; almost any scheme merely for improving the supply to land now rated as wet will be a failure financially.

9. The intention at one time entertained of cutting a channel through the high land south east of the Ava to a point near Modathur has been apparently abandoned. On the line which such a channel would have taken, a large area of land now without any water-supply is to be found, and I regarded the project as promising well as long as the irrigation of this dry waste land was contemplated.

(True Copy.)
(Signed) H. ST. A. GOODRICH,
Acting Collector.

ENCLOSURE No. 2.—Extract from Permanent Settlement Accounts.

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 27th November 1875, No. 2,084.

AFTER my letter of 24th November, No. 2,061, had been despatched, I received Proceedings of the Madras Government, Public Works Department, 1st October 1875.

To the four questions therein asked (in G.O., No. 2,833), I can only reply—

1st.—I believe that Government have no right to carry out the works without the consent of the proprietors and to charge them any shares whatever of the cost. I believe that the irrigation of Kassimkota and Ankapilly is so well supplied, that the want for improvements is little felt. If improvements were needed, the proprietors would, I have reason to believe, prefer to execute them themselves. Government have assumed the management of the channel, and repaired it at considerable cost twenty years ago. They inflicted one-third of the cost of the repairs upon Ankapilly Estate and one third upon Kassimkota, although the Government revenue thereunder is 45 per cent., and the Government area irrigated 47 per cent. of the whole. I have already said that works to ensure the passing of the Ankapilly Ava surplus across the Kristamraz Channel are necessary. I now observe (from the Proceedings, dated 1st October) that the plans submitted need much modification.

2nd.—I have reported in my letter of 24th, that the Act had better be put in force if land be needed. I have also expressed the opinion that the title of the Government to the Ava bed is doubtful, and that compensation might have to be paid if the cultivation thereof is prevented.

3rd.—Not Dalwa only but Sarwa crops have been grown for many years in the Ava bed. Mr. Fane, in 1851, writes of the Dalwa as a second crop, and may have intended to imply that Sarwa had been grown previously.

4th.—Remissions appear to have been about ·0002 of the revenue during the last ten years.

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In the letters read above, the Collector furnishes the information called for by Government regarding the ascertainment and maintenance of their rights in connection with the Kondakirla Ava, and as to the incidence of the expenditure requisite for the purpose of rendering the Kristamraz Channel efficient and the amount of land-compensation which will have to be paid.

2. As regards the first question, Mr. Goodrich states that the lands in the bed of the Ava were excluded from the assets of the estates concerned at the time of the Permanent Settlement, but that this was probably the result of some fraud which may be inferred from the fact that the custom of cultivating the lands is of immemorial antiquity, that their area is shown in the Permanent Settlement Accounts, and that certain Personal and Service Inams are situated within the waterspread of the Ava.

3. In his letter recorded in Board's Proceedings, dated 1st July 1875, No. 1,820, he points out first that the Ava is a natural lake, not a tank, on which ground he considers that the cultivation of part of the waterspread may be regarded as reclamation rather than encroachment; and, second, that Government succeeded in 1844 to such rights only as the ejected proprietor possessed, when the Kondakirla Estate lapsed; that the late proprietor never objected to cultivation in the bed; and that ever since the resumption of the Kondakirla Estate, Government have granted puttas for land so situated. On these grounds, Mr. Goodrich expresses his decided opinion that compensation must be paid for any land within the waterspread of the Ava rendered uncultivable by extension of irrigation.

4. With reference to the second question, Mr. Goodrich states that on the resumption of the Kondakirla Estate Government assumed the management of the sluice and calingulah of the Ava, and also of the head works of the Kristamraz Channel, a share of the cost of rebuilding which was charged to the proprietors of the Kassimkota and Ankapilly Estates. He considers that the Ankapilly proprietor is bound to provide sufficient water-way for the drainage of the Ankapilly Ava, where it crosses the Kristamraz Channel; but that it will be a difficult matter to decide what proportion of the cost of the works contemplated for effecting this object should be borne by him, and as Mr. Goodrich anticipates resistance to any claim that cannot legally be enforced, he recommends that the shares of the several estates concerned should be settled by agreement beforehand, and that the land required be taken up under the Act, excessive rates being demanded. He further states that there is no necessity for any improvement of the Ava for the purpose of rendering the supply to the existing ayacut less precarious, no remissions having been granted during the last ten years, and that the scheme for extension of irrigation appears to have been abandoned.

5. Mr. Goodrich's report appears to the Board conclusive as to the inexpediency of enlarging and improving the Ava with a view to benefiting existing cultivation. There has been no complaint of the insufficiency of the supply, and remissions have been inappreciable, nor would any improvement justify the levy of enhanced rates of assessment. Whatever claims might have been asserted to the lands in the waterspread of the lake at the time of the Permanent Settlement, they have been allowed to lie dormant so long that their assertion at this distance of time is attended with difficulty, and the Board do not recommend that the attempt should be made. Compensation must be paid for any lands within the waterspread that have been ordinarily cultivated if kept out of cultivation by the operations of the Public Works Department.

6. It does not appear that any scheme for a material extension of irrigation is under contemplation. The Collector should report what has become of the Pengole River Scheme, *vide* Board's Proceedings, dated 24th November 1875, No. 3,204.

7. Provision for the passage of drainage from the Ankapilly Ava is necessary, and the proprietor should apparently bear a considerable portion of the cost, though not perhaps the whole. The Collector should negotiate with the proprietor after conferring with the District Engineer, and report specifically what arrangement can be made. The land required for the necessary works must be taken up under the Act, if the claims to excessive rates are persisted in.

8. It is also very desirable that a definite decision should be arrived at as to the storage of water in the Kondakirla Ava, and the extent to which it is to be let off for the purpose of cultivation in the bed, and that the settlement should be recorded for the avoidance of dispute hereafter. The Collector will negotiate with the holders of the land in question, and report what terms they are prepared to accede to, and whether they are reasonable.

(True Copies and Extract.)

Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with [illegible] Permanent Settlement Accounts, to be
returned, and copies of Board's Proceedings, dated
1st July 1875, No. 1,820, and 24th November 1875, No. 3,204.
,, the Acting Collector of Vizagapatam.

Exd. W. H. French.

19 Decr/73 No 123 Mis.
30 May/74 — 217 Mis
29 Octbr/75 — 2710 Mis

Rev: 1875 Dept.
No 4926

1875.

Board of Revenue,

MADRAS.

Proceedings, 20th December 1875, No. 3,383

Despd 24 Decr 75 Encl. 2/3
S.O. No 527. 21 April 1876 10

Received 25

DECEMBER.

No. 3,383.

Kondakirla Ava—in Vizagapatam Distric —Submitting to Government report of Collecto regarding their rights in connection with —; an as to the incidence of expenditure requisite fo rendering the Kristamraz Channel efficient, an the amount of compensation which will have t be paid, and requesting Collector to furnis certain further information in connection there-with.

No 140

C. 20 Apl/76 R 21 Apl
e 14/3/76
C/ March/76 R 8 March/76

527/20

MISCELLANEOUS No. 2147

REVENUE DEPARTMENT.

No 141

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 9th March 1876.

Read the following

No 235

From

H. St A. Goodrich Esqre,
Ag Collector

To

C. A. Galton Esqre,
Acting Secretary to the Board of Revenue
Madras

Sir,

In answer to Board's Proceedings dated 24th November 1875 No 3204, I have the honor to inform you that no proposal has been made to revive the scheme for extending the Koppaka Anicut and forming an Ava there.

2. The site is very favorable, but the proposed ava would submerge three of the finest villages of the Uratla Estate with all their rich

and well watered lands.

3. The lands to be watered are mainly Zemindari and mainly already irrigated whilst the compensation to be paid would be enormous.

Vizagapatam
Collector's Office,
Srungavarapucotta
16th February 1876 -

I have &ca
(Signed) H. Goodrich
Acting Collector -

Submitted for the information of Government with reference to para 6 Board's Proceedings dated 20th December 1875 No 3383.

(True Copy & Extract)

C. A. Galton
Ag Secretary

To
The Secretary to Government
Revenue Department

Memo 521/21 21

Some later papers
t Engineer's No. 1589/
ist been prepared for
l but they are not of
importance in connection
e subject of this file
and to the pencil
s on the back of the
30., I must explain
writing para 6 of the
nment in Proly of the
mmary 1876, I overlooked

C. No. 4926/76

Revenue 1876 Despt
No. 1035

PROCEEDINGS OF THE BOARD
OF REVENUE,

G.O. No. 527 - 21 April 1876

Dated 9th } March 1876.
Despatched 9 }
Read 10:

SUBJECT.

Submitting for information of Government, letter from Collector of Vizagapatam reporting that no proposals have been made to revive the scheme for extending the Koppaka channel.

No. 142

C. 20. Apl/76 R. 21. Apl

para 14 of "memo for orders".

the remissions under the channels taking off from the river below the Godavary Anicut and these amounting to nearly 5400 Rupees yearly on the average are by no means unimportant.

The prospects on the other hand of extension of irrigation to lands not hitherto irrigated are limited.

I do not quite understand what is meant in the latter part of para 1 of the draft G.O.

532/24

by the sentence "The boundaries of the area within this contour line can be ascertained from the offices of the P.W.D." – They know only the boundary as determined by a contour run at a fixed level and there would seem to be no boundary, on which they can give information, except the full area contour

Para 2. – Not knowing what

details the permanent settlement accounts will give, I cannot say whether the determination of the full level contour is of importance but supposing that contour to be rightly supposed to start from 3 inches above the Ariya pollein calingulah crest, this line would be an essential boundary. If the accounts will give the boundary of the area as it was supposed to be at the time the settlement was made there will be something tangible to go upon & a drawing of this boundary line laid down on the survey will at once show the difference between it & the upper contour, and consequently, approximately, the lands within the waterspread which was intended to be cultivated late in the year.

The draft does not refer to the damage to crops under the

Endorsement in Prodg
23 Feby 876 para 3-2

Ava by the discharge of large quantities of water to waste. If such damage be material probably the landholders under the Ava would have something to say to this matter. It may be well to mention that the reformation of the arrangements of the Kristampy Channel & the putting a stop to irregularities are matters not necessarily dependent upon the extension of irrigation under the Ava to new lands. It may & probably will be well worthwhile to do so much if the Government have a right to retain water in the Ava up to any reasonable level. The project for making new channels to irrigate lands heretofore unirrigated is the part of the scheme which is not promising. I am not quite sure too that the Collector rightly apprehends the grounds on which it has been suggested that the Proprietors should contribute to the cost of the improvement of the Kristamraj channel. They have interfered greatly with the rights of the cultivators under the lower part of the channel & under the Ava by diverting all the water when there was little & closing the head sluice when they did not want water. A remedy may be applied by putting a stop to these practices, when undoubtedly the ryots holding under the Proprietors would suffer greatly – Or these practices may be rendered unnecessary by improving the channels & in that case the Proprietors' liability to bear part of the cost is clearly based upon the advantages of which they would

not be deprived by putting
a stop to improper practices
If they are to understand
that in no case will they
be prevented from constructing
dams, closing the head
sluice, leaving the calingulas
for the Ankapillay drainage
open ~~thus~~ depriving the
ayacut water, ~~will~~ of course
it is easy to understand that
they have no interest in the
improvements which are
only to ensue to ~~their~~ benefits

which they now enjoy.

5/27/32

21/3/26

Hon W. S. Ellis CB
1-4-76

Cir 3-4-76.

527
34

Sunday

My dear General

I don't know whether Mullins is in Madras. If so, will you ask him to look at this Draft Order in the Revenue Dept and ask him if he approves of it, or would wish any modification or addition.

If Mullins is away perhaps

537/36

My dear Carmichael

Please look at the enclosed
I do not quite understand
from Mullins whether he
wishes any alteration or
addition made to this
draft. Perhaps you could
ascertain this before sending
the order out. Yrs truly
3/4/76 R Willis

1st – 6
2nd – 7½
3rd – 10

Revenue Dept.

521/38

Memo for Orders.

Pro: Board of Revenue.

Relating to fresh report of Collr regarding their rights in connection with Kondakirla Ava, in Vizag. Dt &c. } R. E. 20: Dec/75 N. 3383

JMB
7/3

These Proceedings refer to a project for improving the Kondakirla Ava and its feeder, Kristamaraz Channel, in the Vizagapatam District.

2. Kondakirla Ava is a lake, about five miles square, supplied from the Godavary Anicut in the Saradanadi river by the channel above named

? 2½ square miles
1521 acres

named. The greater part of its water spread is situated in two villages belonging to the Ankapilly Estate and the remainder in two Govt. villages. The Ava supplies irrigation to 14 Govt. villages and 3 villages belonging to the Estate above named.

3. The ryots of the Zamindari villages have been in the habit of letting out the water of the Ava in order to cultivate a dalwa or late cold weather crop in its water spread, thereby diminishing the supply to Govt. lands. This practice, which has long been the subject of complaint and contention, was first brought to the notice of the Board of Revenue in a ×report on the state of the

Irrigation

26: Oct/66 N. 2903

Irrigation works in the District generally in 1866, and although a * series of correspondence has ensued in reference to this lake, no definite result has yet been come to.

* G.O. 22nd March/69 N. 750. Rev: Dept
" 15: May/71 " 1334. P.W. Dept
" 10: July/72 " 1663 — Do. —
" 22: Oct " " 2493 — Do —
" 20: Jany/73 " 183 — Do —
" 12: Jany " " 2554 — Do —
" 20: May/74 " 1339 — Do —
" 1: March/75 " 328 Rev: Dept
" 8: Sep " " 2542 P.W. Dept
" 29: idem " " 1435 Rev Dept
" 1: Oct " " 2883 P.W. " "
" 4: Jany/76 " 5 Rev " "

4. The present position of the matter, however, may be briefly described as follows:—

5. In an exhaustive report dated 8: Oct/73, embodying the results of his personal inspection of the lake and its supplying channel, Kristamraz, Col: Mullins, the Chief Engr for Irrigation, ×recommended, that the rights-

of

× para 4

of Govt. to the Lake should be enforced to the fullest extent, as its preservation as a reservoir was of very great importance in connection with the efficient irrigation of Govt. lands in that part of the District, and no substitute for it could be found. Colonel Mullins at the same time, submitted certain proposals for restoring the Kistamraz[×] Channel, which had been very improperly interfered with by the Zemindari villages, to an efficient state. This report was communicated to the Revenue Dept. with G.O. in the P.W. Dept. dated 12th Dec/73 No 2954 "in order that the rights of

Govt.

Govt. in connection with the Kondakirla Ava may be clearly and definitely ascertained and effectively maintained," and subsequently an approximate estimate for the proposed improvements having been submitted by the Supg. Engr., it was also communicated to the Rev. Dept. in P.W. Dept. G.O. dated 20th May/74, with the request that "consideration may be given as to the incidence of the expenditure which may be requisite to render the Kistamraz channel efficient and capable of meeting the requirements of all the cultivation under it, and that as reliable an estimate as possible may

be

[×] This channel irrigates the lands belonging to two estates, Ankapilly and Kasimkota and also certain Govt. lands.

be framed of the amount of land compensation which will have to be paid." A decision on these several points, however, has been delayed from various causes, and upon detailed estimates, therefore, since received for the proposed works, and of which the cost amounts to Rs 27,760* as shown in the margin, the Govt. in P. W. Dept. G.O. dated 1st Oct 1875 No. 2833, asked for an early decision, recapitulating the questions to be determined thus:—

1st. As to the share of the outlay to be borne by Govt. and the proprietary estates respectively

2d. As to the compensation to be paid for the land requisite in connection with the contemplated improvements.

As

	Rs.	
* Widening the Kistamma channel & raising its banks.	6,560	
Sluices for irrigating and drainage channels –	2,310	
Alteration to Head Sluices of the Godavary anicut, providing screw shutters &c. —	875	
Sundry minor works –	1,170	
Compensation for land –	7,200	18,115
Works required to pass the Arukapilly Ava drainage under the channel.		
Aqueduct —	5,825	
Regulating dams –	1,510	
Bridge at the crossing of road —	2,000	9,335
Screw shutters to the sluices of the calingulah of Kondakula Ava —		310
	Total Rs	27,760

3d. As to whether the Kondakula Ava is to be maintained as a reservoir, or its capabilities subordinated to the cultivation of dalwa crops in its bed.

4th. As to remission of Govt. revenue in past years.

6. The present Proceedings of the Board of Revenue and the Collector's letters embodied therein contain definite replies to these questions, of which the effect on the whole is to show, that the improvements proposed are not required and not likely to bring about the results anticipated, and that the title of Govt. to

the bed of the Ara is, under the circumstances of the case, not capable of being successfully established.

7. As to the cost of the proposed works being shared in between the Govt. and the proprietary estates (1st question), the Collector writes thus:-

"I believe that Govt. have no right to carry out the works without the consent of the proprietors and to charge them any shares whatever of the cost. I believe that the irrigation of Kasaimkota and Ankapilly is so well supplied that the want for improvements is little felt. If improvements were needed, the proprietors would, I have

reason

reason to believe, prefer to execute them themselves."

Mr Goodrich, however, makes an exception in the case of one item of proposed works, i.e. the provision for the passage of the drainage of the Ankapilly Ara which belongs to the Ankapilly Estate and which now crosses the Kistamraz channel. This will be noticed separately.

8. As to compensation for lands required for the improvements contemplated (2d question), the

lands belong to proprietary estates and the rates of compensation demanded are excessive. The Collector considers, that if any land is required, it had better be taken up under the Act.

5. As regards the bed of the Ava (3d question); it is no doubt excluded from the assets

on

on which the Zamindari Peishcush was fixed; but at the same time there is little doubt that portions of its bed have been cultivated now for a long period, if indeed they were not at the date of the permanent settlement itself. The Ava originally belonged to two Estates Ankapilly & Kondakirla; the latter lapsed to Govt. in 1844, & hence the interest the Govt. now possess in it. When Kondakirla lapsed, some of its lands within the waterspread of the Ava were found occupied by its ryots; those now thus held on Pattah pay an annual revenue of Rs. 603x to Govt. Mr. Goodrich has held personal enquiries at Kondakirla at the last

jamabandi;

Collr's letter para 11 in
Bd. Pro: 1 July /75 - 2º 1820.

Jamabandi", & "the oldest resident ryots of the villages around the Ava do not remember to have heard from their fathers of a time when the bed of the Lake was not annually cultivated at the subsidence of the water." × 21 1/2 acres of personal & service inams entered in the permanent settlement accounts are situated within the waterspread of the Ava. × Mr Goodrich suspects, that the exclusion of the whole of the remaining portion of the waterspread from those accounts was a fraud, but ⊗ considers it can hardly be proved now. The practice in question has, moreover, been frequently ‡ recognized by the Distt Authorities; first by

do Para 3.

Do Para 3 & letter 12 Nov/55 No 3096 (in Bd's Pro: 20 Dec/55 No 3383 para 4).

⊗ Letter 12 Nov/55 para 22

‡ CWs letter para 9 Bd's Pro: 1 July/58 No 1820.

by Mr Crane as Asstt C.W. in 1851, by Mr Smollet as C.W. in 1855, by Mr Read in 1857, & by Mr Crane as C.W. in 1860.

10. Under these cir:cumstances, the Board, agreeing with the C.W., state their opinion on this point in the following terms:- "Whatever claims might have been asserted to the lands in the waterspread of the Lake at the time of the permanent settlement, they have been allowed to lie dormant so long, that their assertion at this distance of time is attended with difficulty." & they "do not recommend that the attempt should be made. Compensation must be paid for any lands within the waterspread that have

been ordinarily cultivated ~~if~~ kept out of cultivation by the operations of the Public Works Deptmt. The Board, however, consider it very desirable, that a definite settlement should be come to & recorded as to the storage of water in the Ava & the extent to which it is to be let off to admit of a dalwa cultivation in its bed, & have directed the Collr. to negotiate with the parties concerned & report the result.

11. With regard to remissions of Govt. revenue in past years, the Collr. reply is they are nil, none having been granted with the exception of Rs. 3 in Fusly 1277 (A.D. 1867-68). There is evidently a misapprehension in

this

this respect & it will be noticed hereafter.

12 The Kristnaraz channel supplies direct irrigation chiefly to lands belonging to the two estates of Ankapilly and Kassimkota & but to a small extent to those which originally belonged to the Kondakirla estate & now belong to Govt. by reason of its lapse. But the Ankapilly & Kassimkotta proprietors have apparently little motive to contribute towards the cost of the proposed improvements. Their ryots are represented× to be now only too well off at the expense of the Govt. ryots, whose lands are situated lower down the channel. ~~Now~~ When the supply of water in the channel is scanty, they take, by means of their cross dams,

× Dt. Engrs. letter paras 4 to 6. S.O. 20 May/74 No. 1339. P.W.D.

dams very nearly the whole of it for their own lands, & when the channel is in flood, they shut up the sluices at the head works to prevent their lands being flooded owing to the want of proper escape for the Ankapilly Ava drainage.

13 The question in fact seems to be reduced to this:— whether the benefits likely to accrue to Govt. by the rectification of existing defects & a fuller development of the resources of the Ava as a reservoir & of the Kristamraz channel as its feeder are such as would justify the whole outlay being borne by Govt. — This necessarily includes the question of dealing with the cultivation of the waterspread of the Ava — The materials available for forming a decision on this point (the Collr. has furnished almost none) are incomplete; but it is submitted that

that, as far as they can be gathered from the previous correspondence, they do not quite support the Collr's *ispe* ipse dixit — This Officer takes it for granted, that the Govt. revenue in no way suffers at present, & that it is not capable of any material improvement — Mr. Goodrich writes: "it is not known to me that any person has advocated expenditure on this account." Further on he adds, "enough is as good as a feast, & the lands under the Ava have enough."

14 It is to be observed, however, that the proposed improvements are intended not merely for the better irrigation of lands directly supplied by the Ava & the Kristamraz channel, but to provide a sufficiency of irrigation for +8,142 acres assessed at Rs. 65,139 now

+ Collr. Mullins's report paras 5 & 12
G.O. P.W. Dept. 12 Dec/73
No 2994.

now imperfectly supplied by other channels taken off from the Saradanade below the Godavery Anicut, & on which remissions averaging Rs. 5,393 are annually granted; those granted in Fusly 1282, in which year the then Collr. first brought forward the proposal of improving the Ava, having been as much as Rupees 19,816 - Colonel Mullins in his report above alluded to, & which has led to the submission of the revised ~~profet~~ project now before Govt., calculates+ that, with the improvements proposed by him, the Kristamrazu channel would afford, at the lowest, a supply of

92

+ His letter paras 11 to 13.

92 millions of Cubic yards, which would suffice to irrigate 20,000 Acres, and, that the Ava with its present Capacity is capable of supplementing the supply from river Channels to the extent necessary to irrigate 10,357 Acres. Kondakurla Ava has been often reported as presenting great natural advantages. Mr. Minchin, the then Collector, in his+ letter of the 12th May 1869, stated that in this reservoir

water

+ para 10 in G.C. P.W. Dept. 15th May 1871 No. 1334.

water might be stored to ensure the irrigation of half the Sarvasidhi taluk, and that were no other course possible, he would advocate the Ankapilly proprietors being bought out.

15 Even as regards the lands, (*3344 acres) directly supplied by the Ava and the Kristamraz channel; although there may have been no remissions thereon, the past history of the case does not show, that the existing state of things

with

with respect to their irrigation is satisfactory. In his letter+ dated 11th May 1866, which marks the beginning of the correspondence relating to this case, the Principal Assistant Collector, Mr. Boswell, opens the subject by stating that, owing to the cultivation of the waterspread of the Ava, a large number of the Villages under the lake had lost the greater proportion of their crops from want of the means of irrigation

Mr.

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* The revenue is no where stated.

+ para 3. in G.O. P.W. Dept dated 26 October 1866 No. 2903.

Mr. Minchin in his letter of 12th May 1869 already referred to, reports that "complaints have been made subsequently by the Government ryots cultivating under the Ava, that this use of the land in the waterspread + + + had diminished their irrigation and destroyed their crops." Again, the District Engineer Major Beatty, in his* letter of the 8th February 1874, brings to notice, with

respect

* G.O. 20 May 1874 No. 1339.

respect to the Kristnaraz Channel, that "the rights of Government have been systematically invaded, and that the Government ryots have long complained of these abuses."

16. In reference to the question of obtaining increased returns from lands under the Ava, the Collector doubts whether an extra cess could be levied for a second crop. No reason appears, however, why it could not, when

a

a second crop is raised, with the aid of Government water, on lands now paying only a single crop assessment. The lands are held in ordinary ryotwari tenure, and, so far as can be seen, the ryots have received no guarantee of a consolidated charge. It is to be observed, that the ryots of the villages under other branches of the Saradanadi have agreed+ to pay an extra water rate of one Rupee an Acre, on 6674 Acres.

17 Mr. Goodrich in his letter* to the District Engineer says:- "the contemplated improvements to the Kondakirla ava will raise the area irrigated to 8442 ½ Acres as stated by the Range Officer. Hereof 480 Acres near Punchadarla appertain to the Vizayanugrum Estate; 500 Acres are Government waste, said to be cultivable, if supplied, and 7462 ½ Acres are for the

most

+ Board Progs: 24 Novr. 1875 No. 3204.

* In the present Board's Proceedings 20 December 1875 No. 3383.

most part now irrigated by the channels led from the Ava." (This apparently is a mistake, the channels referred to ~~are~~ being probably independent of the Ava.) Taking, however, the 500 acres of Government waste alone, said to be cultivable; the assessment thereon at Rupees 8, the average rate of wet assessment on the ✠ 8,142 acres now inadequately supplied by river channels below the Godavery Anicut; comes

✠ Rs. 65,134

comes to Rupees 4,000, and this added to the saving of remissions, amounting on an average to Rupees 5,400 make up a total of Rupees 9400. This alone, not taking into account any extra water rate for a second crop, would

+ Dams & aqueduct to pass the Ankapilly Ana drainage under the Kristnurazy Channel Rs. 7,335.—

would seem to be an adequate return for the proposed outlay, which, excluding the + items marginally noted, which ought to devolve wholly on the Ankapilly proprietor, amount to Rs. 20,425. This sum includes Rs. 7,200 for compensation for lands to be taken up at the liberal rate of Rs. 300 an acre.

18. In the event of any extension of wet cultivation taking place in the proprietary estates of Ankapilly and Kasimkotta, in consequence of the proposed improvements, the Govt. have every right to demand a water rate thereon, and indeed

it seems highly desirable on this account, that the works should be carried out at the sole cost of Govt.

19. The case for the cultivation of the waterspread of the Kondakurla Ava seems to be somewhat overstated. The Collector states, "if you store ~~this~~ them water for a second crop, you sacrifice a thousand acres in the Ava bed". The extent now held by the Govt. ryots in the waterspread is 130* acres, and the then proprietrix informed* Mr. Minchin in 1869, that the rent paid by her ryots was Rs. 1500. This does not make up the remaining 870 acres, and if indeed so much is now actually cultivated by the Zamindari ryots, they must have extended their cultivation very considerably within the last six years.

20. In 1860, an agreement was come to between the proprietrix and the then Collector, Mr. Fane, and its terms are embodied in a letter from the latter to the District Engineer dated 17th October

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* Collr's letter para 11 Bd's Progs: 1st July 1875 No. 1820.

* Collr's letter para 4 in G. O. P W Dept. 15th May 1871 No. 1834.

+ This [illegible] up long since &c

October of that year. The full water level was fixed at a certain point on a mound in the water spread, and a masonry bench mark erected thereon - The supply in the Area was to be retained, if possible, at the full level until the 15th Decr and then to be left off gradually - If, however, the Distt. Engineer considered it necessary to retain the water at that level longer, the proprietrix was to receive a compensatio of Rs 400 a year for the loss of her dalwa crop - This shows that in 1860 the dalwa cultivation was worth only Rs 400 a year - The cultivation is described by Mr. Minchin in his letter of the 12th May 1869 to be of a very laborious descrip-tion, yielding but a poor outturn; each field has to be formed afresh as the water recedes, and the crop has to be afterwards irrigated by baling water from Channels drained from the Ava. If, therefore it be decided to prohibit ~~put a stop to~~ all cultivation of the water spread of the Ava for the future, a compensation once for all upon the basis of the settlement made in 1860 would seem to be all that the present proprietor is fairly entitled to. The cultivation by the Govt. ryots will have to be stopped also on payment of a fair compensation to them. The bench mark fixed for the full water level, as above mentioned, has, however, been since removed,*

in

*Col. Mullin's report paras 3 & 4 G.O. P.W. Dept. 12th Decr. 1873 No. 2994.

in order to reduce the depth of water in the Ava and its bed extensively encroached upon. Now, it is not merely a dalwa or late cold weather crop, but a Sarwa crop (grown during the rains) that is raised to a considerable extent.* When Colonel Mullins visited the Ava on the 8 October, he found* paddy plants of two months growth. Mr. Goodrich, in reference to the words

secon

*Collr's letter para 8 Bd's Pro: 1 July 1875 No. 1820.

"second crop" occurring in Mr. Fane's order of 1851, considers, that the latter may have intended to imply, that Sarwa had been grown previously. This hypothesis, however, is not compatible with an arrangement, which provides ++ for the water in the Ava to stand at full level until 15th Decr, and with which the parties interested in the cultivation of the waterspread have been satisfied.

21. The fact that Govt. have succeeded to such rights only as the ejected proprietor

proprietor of Mondakurla possessed in the Ava does not seem to alter the question. They possess in the case of this lapsed estate all the interest they have in regard to ordinary ryotwari lands elsewhere, and this, with the exclusion of the waterspread of the Ava from the assets on which the Zamindari Peishcush was fixed, gives the Govt. all necessary control over the

the Ava.

22. Before abandoning, therefore, a project apparently highly promising, and which has been elaborated at the cost of much professional labor and found, in an Engineering point of view, to be perfectly feasible, it seems to be proper to call for specific information on the following points:—

(1) The amount of remissions granted each year

year during the last ten years, for failure of irrigation in the villages supplied by new river channels below the Godary Anicut in the Saradanudy.

(2) The extent of land, on which only a single crop is now raised and only a single crop assessment levied, and which would yield a second crop if an increased supply of water were available, with the amount of extra cess

leviable thereon; to be specified severally with reference to the sources of supply i.e. the Kristanurag Channel, & the Kondakirla Ava and other channels taken off from the Saradanadi. It should be stated ~~and to be accompanied with remarks as to~~ whether or not a second crop assessment can be levied in each case, and if not; why not.

(3) Whether or not the promised

promised extra water rate of one Rupee an acre referred to in the Collector's letter× of 30th Decr. 1872, is intended to include second crop cultivation.

×Bd's. Pro: 24th Nov./73 No. 3204.

(4) The extent of waste or dry land which can be brought under wet cultivation, if the requisite water supply is available, and the charge leviable thereon, to be specified under each head as enumerated in clause 2.

The

(5) The extent of land required for the proposed improvements of the Kristamraz channel and the amount of compensation fairly payable, if it is taken up under the Land Acquisition Act.

(6) The extent of land now actually cultivated by the Zamindari ryots in the water spread of the Ava.

23. The provision to be made for the Ankapilly

Ava

Ava drainage, which falls into the Kristamraz channel, seems to be attend with difficulty. The two calingulah on the right bank of the latter, which are intended for its discharge, are a source of considerable waste & mischief to the Kristamraz channel.x To remedy this evil, it is proposed to pass the drainage under the channel, and the project under consideration accordingly provides for the

x Col: Mullins report para 6.
G. O. 12 Decr. /53 No. 2994 P.W.D.
District Engr's letter para 4 & the estimates accompanying it in P.W. G.O. 1st Oct. /54 No. 2833.

construction of the under-mentioned works for this purpose:—

Two Regulating dams	Rs. 1,570
An aqueduct ——	" 5,825
A Bridge for the road which crosses the channel at this point ——	" 2,000
	9,335

The Collector considers, that it is incumbent on the Ankapilly proprietor to provide sufficient waterway for the drainage, but doubts whether he can be justly called upon to bear the cost

Cost of the bridge, which is a work required in substitution for the one already existing, but rendered unserviceable by the proposed alterations in the level of the channel. Mr Goodrich adds, that it is at the proprietors discretion whether he carries out the works needed himself or pays the cost of the works which the Public Works Dept. proposes to execute; and that looking to the antagonism which has subsisted between him and the Engineer Officer in charge, he apprehends that the proprietor will be unwilling to pay anything that cannot be demanded as a clearly legal claim. The Board of Revenue considering that provision for the passage of the drainage is necessary, and that "the proprietor should apparently bear a considerable portion of the cost, though not perhaps the whole," They have accordingly in their present Proceedings directed the Collector "to negotiate with the proprietor after conferring with the District Engineer and report specially what arrangements can be made."

24. In the Board's Proceedings dated 24 November 1875, No. 3204 which form an accompaniment to their present Proceedings reference is made to a project brought forward by the then Superintending Engineer in 1872 for constructing an Anicut across the Pengole river and forming a Reservoir. The latter, it was then stated, would contain 150 millions Cubic yards of water which, on the lowest calculation, would supply irrigation for 20,000 acres. Major Fischer considered that this project would render the Kondakirla Ava works unnecessary. Nothing further, however

appears to have taken place in regard to this new project, and the Board have called[x] for a report on the subject.

[x] Present
Pros para. 6.

Memo for Order

Kondakirla Anicut in Vizagapatam Dist —

This memo has been drafted by Mr Venkasaminaidu who took with him the papers on the subject when he gave over charge

VR
4.3.76

Seen. R

Mr Venkasami Rao is requested to draft a G.O.

L. 8/3/6

[illegible]

Revenue Dept.

527/63

Memo.

Some later papers (District Engineer's No. 1989) have just been perused for disposal, but they are not of any importance in connection with the subject of this file

With regard to the pencil remarks on the back of the Draft G.O, I must explain that in writing para 6 of the Endorsement in R.M.G. of the 23rd Feb: 1876, I overlooked the remissions under the channels taking off from the river below the Godavary Anicut and these, amounting to nearly 5200 Rupees yearly on the average, are by no means unimportant.

The prospects, on the other hand, of extension of irrigation to lands not hitherto irrigated are limited.

I do not quite understand what is meant in the latter part of para 1 of the Draft G.O. by the sentence "the boundaries of the Area within this contour line can be ascertained from the offices of the P.W.D." They know only the boundary as determined by a contour run at a fixed level, and there would seem

to

para 14 of "Memo for orders"

527

to be no boundary of on which they can give information except the full level contour.

Para 2. Not knowing what details the permanent settlement accounts will give, I cannot say whether the determination of the full level contour is of importance, but supposing that contour to be rightly supposed to start from 3 inches above the Ariyapollium calingulah crest; this line would be an essential boundary. If the accounts will fix the boundary of the Area as it was supposed to be at the time the settlement was made, there will be something tangible to go upon, and a traverse of this boundary line laid down on the survey will at once show the difference between it and the upper contour, and consequently approximately the land within the waterspread which was intended to be cultivated late in the season –

The draft does not refer to the damage to crops under the Tank by the discharge of large quantities of water to waste. If such damage be material probably the landholders under the Tank would have something to say to this matter – It

may

Endorsement in P. M. G.
23rd Feb. 1876 para 3.2

But para 19 of the Collector's letter
in the R.D. No. 1141 d/ 20 Dec/75
No 5583 says the damage is nil
& no remissions were granted

may be well to mention that the information of the encroachments of the Kristamraz channel, and the putting a stop to irregularities, are matters not necessarily dependent upon the extension of irrigation under the Tank to new land. It may, and probably will, be well worthwhile to do so much if the Govt. have a right to retain water in the Tank up to any reasonable level. The project, for making new channels to irrigate lands hitherto un-irrigated, is the part of the scheme which is not promising – I am

not quite sure too
that the Collector rightly
apprehends the grounds on
which it has been suggested
that the proprietors should
contribute to the cost of the
improvement of the
Kistnaswamy channel.
They have interfered greatly
with the rights of the Cultivators
under the lower part of the
channel and under the
Ava by diverting all the
water when there was little,
and closing the head sluice
when they did not want
water. A remedy may be
applied by putting a stop
to these practices, when
undoubtedly the ryots holding
under the Proprietors would

suffer

This point is
proposed to be disposed of
when the whole question
of the improvement
of the Ava channel
come before us in
the reply to the G Order
[illegible] - K

suffer greatly. Or the
practices may be rende
unnecessary by improvin
the channel and in tha
case the Proprietors' lia
to bear part of the cost
clearly based upon the
advantages of which the
would not be deprived
putting a stop to imprope
practices. If they ar
to understand that
no case will they be
prevented from constructi
dams, closing the head
sluice, leaving the Calingu
for the Ankapilly drainag
open and thus depriving
the Ava of water, of
course it is easy to
understand that they

have no interest in the
improvements which are
only to secure to them benefits
which they now enjoy.

(Sd.) J. M.
21/3/76.

Revenue Department.

No. 5/2/67

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the March 1876.

READ the following :- [illegible]

Bds Pro: 20 Dec/75, No 3,383
also Pro: of Govt. in the Public
Works Dept. 23d Feb: 1876
No 493.- Regarding Konde
Kirla Ava in Vizagptm. Dist.

Before disposing
of the several questions
referred for determination
by the Revenue Dept.
in the Public Works Dept.
G. O. of 1st October 1875
No 2833; the Govt. consider
it necessary to communicate
the recent Pro: in that Dept.
dated

dated 23d Feb: /76 No. 493
to the Board of Revn,
with the request that
it may be ascertained
how much of the
entire area of the Ava
within the upper contour,
as given in the Range
Officer's letter, i.e.,
1521.17 acres, is
excluded from the
permanent settlement accounts, and
how much of the
area

area so excluded
is now cultivated
severally by the ryots
of the Ankapilly
estate and the
Newly
Government ryots,
The boundaries of
the Ava within
this contour line can
be ascertained from
the officers of the
Public Works Dept.
It

2. . . 2. It does not appear necessary to ~~ascertain~~ determine the area within the full level contour, unless the waterspread, as shown by the permanent settlement accounts, extends beyond the upper contour line above specified.

3. The Govt. desire to have

have at the same time definite information on the following points:

(1) The amount of remissions granted during the last ten years for failure of irrigation in the villages supplied by river channels below the Godavary Anicut.

(2) The extent of Govt. land on which only a single crop is now raised and only a single crop assessment levied, and which would yield a second crop, if an increased supply of water were available; this with the amount of extra cess leviable to be specified severally under

the Kondakurla Anicut & the Kristamraz channel, and collectively under other channels branching from the Saradanadi below the Godary Anicut.- It should be stated whether or not a second crop assessment can be levied in each case, and if not, why not.

(3) Whether or not the promised extra water rate of one Rupee an acre, referred to in the Collector's letter dated 30th December 1872, is intended to include second crop cultivation.

(4) The extent of Govt. waste or dry land which can be brought under ~~dry~~ wet cultivation if the requisite water supply be available, and the charge leviable thereon; to be specified under each head as required in clause 2.

(5) The extent of land required for the proposed improvements of the Kristamraz Channel and the amount fairly payable, if it is taken up under the land acquisition act.

4 The Collector's reply regarding the Pengale river scheme

alluded to in para 6 of the Board's Proceedings, as also the result of the negotiation ordered by the Board in para 7, with respect to the provision to be made for the drainage of the Ankapilli area, should be communicated to Government in due course.

G. O.

Kondakirla Ava in Vizagapatam District —

Hon. Sir W. Robinson

The P. W. Dept G. O. 23rd Feb 76, recently communicated to this Dept, somewhat alter the aspect of the case. The previous papers from that Dept showed the Ava project to be highly promising, but Capt. Mullins paras 5 & 6 do not hold out much hope in the way of the practicability of any great extension of cultivation. The information on the several heads denoted in the Memo for orders nevertheless is necessary for the determination of the points referred to this Dept.

JP
17.3.76

C 18 March 76

Memo.

Kondakirla Ava.

It does not appear that the permanent settlement accounts show the boundaries of the Ava. They only show the area covered by its waterspread to be 1,049* acres; while that included within the upper contour taken by the Asst Engineer is 1,521* acres. As thus the permanent settlement accounts do not lead to the discovery that the normal waterspread of the Ava is larger than the area comprised in the said upper contour, information is asked for in the draft only as to

*Enclosure No 1 in Bd's Procs 20 Decr 1875 No 3,383

*Asst Engineer's letter para 6 in P. W. Dept G. O 23rd Feb 1876 No 493.

how much of this latter is cultivated.

The draft requires the boundaries to be ascertained from the Officers of the Public Works Dept, because the Rev authorities may not be able to find them out merely with the aid of the plan.

However, the sentence which the Chief Engineer for Irrigation quotes from the draft, as also para 2, may be omitted, leaving it to the Collr. to obtain such information as he may require from the Officers of the Public Works Dept. Should the Collr's reply necessitate the carrying of the investigation beyond the upper con
line taken by the late
they may then be ask
to define the area comprised within the supposed full level contour starting from 3 inches above the Ariyapalem Calingula crest. They will then require to take fresh levels.

JT
10.4.76

the Public Works Dept. G.O. dated 1st October 1875 No. 2833; the Government consider it necessary to communicate the recent Proceedings in that Department dated 23d February 1876 No. 493 to the Board of Revenue with the request that it may be ascertained how much of the entire area of the Area within the upper contour, as given in the Range officer's letter, i.e. 1521.17 acres, is excluded from the permanent settlement accounts and how much of the area so excluded is now cultivated by the ryots of the Ankapilly Estate and the Govt. ryots severally.

2. The Government desire to have

have at the same time definite information on the following points.

(1) The amount of remissions granted during the last ten years for failure of irrigation in the villages supplied by river channels below the Godavery anicut.

(2) The extent of Govt. ~~[illegible]~~ land on which only

d

a single crop is now raised & only a single crop assessment levied, & which would yield a second crop, if an increased supply of water were available; this with the amount of extra cess leviable to be specified severally under the Kondathurla ava & the Ristamraz

Ristamraz channel, & collectively under other channels branching from the Saradanaddi below the Godavery Anicut.

It should be stated whether or not a second crop assessment can be levied in each case, & if not, why not.

(3) Whether or

not the promised extra water rate of one Rupee an acre referred to in the Collector's letter dated 30th Decr. 1872, is intended to include second crop cultivation.

(4) The extent of Govt. waste or dry land which can be brought under wet cultivation if the requisite water supply be available, & the charge leviable thereon; to be

be specified under each head as required in clause 2.

(5) The extent of land required for the proposed improvements of the Kristamraz channel and the amount fairly payable, if it is taken up under the land acquisition Act.

3 The Collector's reply regarding the result of the negotiation ordered by the Board in para 7, with & respect to the provision to be made for the drainage of the Ankapilli Ava, should be communicated to Government in

due course.

14. [illegible]
21 [illegible]

12-3-65

9

90

Hindustani Amm

Vizagapatam Lin

Revised draft in
accordance with
Lt Col. Mullins's
remarks-

Dispatch

[illegible]

c. 20: april/76 a 21 apl