

(1) Number of pages 26(2) Date of repair 4/7/40(3) Initials of the Referencer JS**MADRAS RECORD OFFICE.****Government of Madras.***Revenue* **DEPARTMENT.**

G.O. No.	<u>211</u>	Press Mis.
Dated	<u>28-1-</u>	18 <u>79</u>

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

28th January 1879, No. 211.

Read the following paper :—

No. 507. Proceedings of the Board of Revenue, dated 25th November 1878, No. 3,145.

Read again G.O., dated 26th July 1878, No. 1,178, recorded in Board's Proceedings, dated 26th August 1878, No. 2,386.

Read also the following letters :—

From W. S. WHITESIDE, Esq., Collector of North Arcot, to W. WILSON, Esq., Acting Director of Revenue Settlement, dated Chittur, 1st October 1878, No. 1,516.

ADVERTING to your letter of the 18th ultimo, No. 2,310-374, and paragraph 12 of G.O., No. 1,178, dated 26th July last, I have the honor to enquire what description of tanks you would propose to include under the head of "channel-fed tanks." My own opinion is that all tanks receiving their supply from hill or jungle streams should be classed as "channel-fed;" there will otherwise undoubtedly be an immense sacrifice of revenue to Government, the tanks fed by river or spring channels bearing only a very small proportion to the total number of tanks in the district. I propose to issue instructions accordingly for the preparations of the returns required by you, and on their receipt will address you further.

No. 2,533-66.

SUBMITTED through the Board of Revenue for the orders of Government.

2. It seems desirable that the term "channel-fed" should be authoritatively defined. Is the term "channel" to be confined to *artificial* water-ways, or to include *natural* water-courses, such as hill and jungle streams?

3. The source of supply is not the sole element to be regarded in the classification of a tank under the "prohibited" category. *Cost* is another, and it would be as well to define the limit of this. It is suggested that the lowest limit of cost should be Rupees 5,000 expended either on original construction or on repairs within the last five years.

(Signed) W. WILSON,
Acting Dir. of Rev. Settlement.

MADRAS,
10th October 1878.

From J. F. PRICE, Esq., Collector of the Chingleput District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 10th October 1878, No. 297.

In reference to the Proceedings of the Board of Revenue, No. 2,386, dated 26th August last, I have the honor to submit for orders a correspondence which has taken place between the Superintending Engineer and myself.

2. My object in applying to Colonel O'Connell, in the first instance, was to obtain a list of the tanks, which he and his subordinates ought to know better than I and the officers under me, and in which cultivation would be, in the opinion of the Scientific Department, objectionable, and then to get through my Tahsildars a list of every field under occupation in the bed of each tank, the question of what should be acquired by Government and what might be left uninterfered with being finally decided by the officers of the two departments in personal consultation.

3. It is true that I can easily enough get lists from my own subordinates of all river and channel-fed tanks and of all works which are simply rain-fed, but I am aware that there are many of the former class which are of such a petty nature that it does not signify very much whether the beds contain cultivation or not.

4. It appears to me that, if the task assigned under the Proceedings quoted above is to be performed at all, it should be well and carefully done, and I would submit that the first step towards effecting this, and one involving a saving of a good deal of time and trouble, is to obtain from the Professional Department a list of tanks, the cultivation of the beds of which is considered objectionable. With all deference to Colonel O'Connell's experience, I do not think that the matter is one in which the two departments should stand aloof, but on the contrary that it is one in which they should co-operate as much as possible.

5. The Superintending Engineer's remarks regarding the cultivation of tank beds are so novel and so contrary to the views which have been pressed upon me by the successive members of the Public Works Department with whom I have, since entering the service, been brought into official relations, that I hesitate to accept and act upon them without the ratification of higher authority. They amount to saying that no harm is done by any quantity of ploughing up of the beds of tanks and their neighbourhood,—a theory which is entirely opposed to what is generally held by Public Works Department and Revenue Officers. If this is to be accepted, the beds of large works, such as the Chembrambakum, Madhurantakam, Uttremurur, Kurun, Tenneri tanks and many others will in a few years be pretty nearly all held on putta.

ENCLOSURE No. 1.

From J. F. PRICE, Esq., Collector of the Chingleput District, to Colonel P. O'CONNELL, R.E., Superintending Engineer, Chingleput District, dated Saidapet, 9th October 1878, No. 1,492.

In enclosing a copy of Board's Proceedings, No. 2,386, dated 26th ultimo, I have the honor to request that you will kindly furnish to me a

* Spare copy to be returned. list of tanks fed by rivers or channels, the cultivation of the beds of which you may consider objectionable, and another giving shallow rain-fed tanks, the cultivation of the beds of which may be of no consequence.

2. I require these in order that I may be able to direct Tahsildars to supply accounts of all lands cultivated in the beds of tanks of the first-mentioned class up to date, and when these are received and the situations of the various lands have been marked on the village maps, I shall do myself the pleasure of again addressing you in view that the officers of your department may examine the ground and come to a decision as to what particular fields are absolutely harmful.

(True Copy.)

(Signed) J. F. PRICE,
Collector.

ENCLOSURE No. 2.

From Colonel P. O'CONNELL, R.E., Superintending Engineer, Chingleput District, to J. F. PRICE, Esq., Collector of the Chingleput District, dated St. Thomas' Mount, 14th October 1878, No. 3,692.

In reference to your No. 1,492, dated 9th October 1878, I have the honor to inform you that this department cannot undertake to furnish information on the subject therein referred to, which is a purely revenue one to be managed through the Revenue Survey and Revenue Settlement Departments. I would observe, however, that so long as no injury is done to the earth or masonry works of tanks, this department will not object to the beds of tanks being cultivated except in the case of tanks, such as the Cholaveram and the Red Hills Tanks, the water of which is intended for drinking purposes where cultivation in their beds would be objectionable, especially if the land be manured, as it would tend to increase impurity in the water.

(True Copy.)

(Signed) J. F. PRICE,
Collector.

From W. S. FOSTER, Esq., Collector, Godavari District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 24th October 1878, No. 312.

REFERRING to Board's Proceedings, dated 26th August last, No. 2,386, the Director of Revenue Settlement having requested me to furnish him with two statements of the tanks in this district, which, as regards tank-bed cultivation, are to be classed as "prohibited" and "not prohibited," I have the honor to request that the Board will be good enough to let me know definitely what a shallow rain-fed tank means. I do not like making a difference by the depth of the water which the tanks contain, whether shallow or deep, nor by the extent of the area irrigated by them; but it is infinitely better that the Board fix a rule so that I may not have to prepare statements again.

DIFFICULTIES having arisen in giving effect to the instructions of Government in the order read at the head of these Proceedings owing to the fact that the terms "shallow rain-fed tanks" and "river or channel-fed tanks" are not sufficiently definite, the Collectors of Godavari, North Arcot, and Chingleput apply for further instructions. Mr. Foster suggests that a rule should be laid down as to what depth of water or area of irrigation should regulate the classification; Mr. Whiteside points out that a large number of the tanks in his district receive their supply from hill or jungle streams, and asks whether they fall within the category of channel-fed tanks; and the Director of Revenue Settlement in forwarding the letter suggests that the outlay on the tank should also be taken into consideration in deciding the question of tank-bed cultivation. Mr. Price having applied, as he was entitled to do, to the Superintending Engineer for a list of tanks the cultivation of the beds of which the latter might consider objectionable, was informed in reply that his department could not undertake to furnish information on the subject, the question being a purely Revenue one, and that they had no objection to the cultivation of the beds of any tanks except those of which the water is intended for drinking purposes so long as no injury is done to the earth or masonry works of the tanks. These views are so opposed to those generally held by members of the Professional Department and Revenue officers that the Collector hesitates to act upon them without the ratification of higher authority, and asks for instructions.

2. The Board would have begged a reconsideration of the order of Government on its receipt, but that the very express terms of paragraph 13 precluded their doing so; now, however, that the practical difficulties in carrying it out, which the Board feared would arise, have been brought to notice, they would respectfully urge upon Government the damage to works of irrigation which is likely to result therefrom. The objections to tank-bed cultivation are stated in paragraphs 8 to 10 of the order itself and their gravity admitted; it was therefore with surprise and regret that the Board learnt from paragraph 11 that any exception was to be made. It seems to them that the reservoirs which require protection most are those from which it has been withdrawn; already the small rain-fed tanks of the country are rapidly silting up notwithstanding all the efforts that have been made to prevent it, and the deterioration will be much accelerated as soon as it is known that the restrictions on the cultivation of their waterspread have been withdrawn; the incentives to encroachment are great, the soil being enriched by the accumulation of silt, and the less important the reservoir the greater the difficulty of detection; there is great risk therefore that wherever cultivation is permitted it will soon exceed all reasonable bounds.

3. The present time, when the state of the Irrigation works of the country is the cause of solicitude and anxiety, seems inopportune for relaxing any of the precautions which have hitherto been persistently urged on the attention of all the officers of Government. The orders of Board and Government have up to this time been very distinct on this subject, and they have repeatedly declined to accede to any proposals for the grant of greater freedom; the marginally-noted orders may be adduced in support of this assertion, in the last of which the Government declared that they "have no intention of relaxing the prohi-

G.O., dated	1st June 1866,	No. 1,309.
" "	5th Feb. 1868,	" 328.
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bition against the cultivation of the beds of tanks except in cases where the tank is no longer required as a reservoir, by reason of its being superseded by a permanent supply from a river channel."

4. It must be borne in mind, moreover, that the occupants of land within the waterspread have no claim whatever to consideration; the beds of tanks are poramboke expressly reserved for public purposes, and if fair compensation is granted, as directed in the order, they will have no valid grounds for complaint. The Government have G.O., dated 19th September 1878, No. 1,516. in a recent order drawn the attention of their officers to the necessity for watchfulness in guarding against appropriation of village-site in contravention of the Standing Orders, and tank-bed poramboke is of far more consequence; fresh ground for extension of village-site can generally be obtained at no great cost, but the damage caused to tanks by cultivation of the waterspread is not so easily remedied.

5. On these grounds the Board trust that Government will, on reconsideration, allow the prohibition to continue in force. Should the Government not see fit to modify their order, the Board request that they may be favored with instructions as to how the difficulties brought forward are to be met.

(True Copies and Extract.)

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

No. 508.

ORDER THIRTEEN, 28th January 1879, No. 211.

Land Revenue, No. 6.

HIS GRACE the Governor in Council is of opinion that neither stream-fed tanks nor rain-fed tanks, of which the depth from crest of calingula to bottom is 6 feet and upwards, would properly come into the category of "shallow rain-fed tanks."

2. But on the general question of the cultivation of tank-beds it is to be observed that what the Government discussed in their Proceedings of 26th July 1878, No. 1,178, Revenue, was the extent to which prohibition of such cultivation is essential in the public interests rather than the extent to which relaxation of existing regulations could be permitted. The Government consider that the direction in paragraph 13 of non-interference with such cultivation in the case of tanks outside the prohibited class is too comprehensive, and goes beyond the needs of the case, restriction in the case of some of these tanks being necessary for the public good.

3. His Grace the Governor in Council therefore resolves, in modification of the former order, to direct that the discretion hitherto exercised by District Officers in this matter be left unchecked where restriction of cultivation is necessary to guard the legitimate interests of the holders of the tank *ayacut* or to maintain the existing common grazing privileges of the villagers in the tank-bed.

(True Extract.)

(Signed) J. H. GARSTIN,
Acting Secretary to Government.

To the Board of Revenue.
" the Director of Revenue Settlement.

Exd. A. F. Goodall.

No. 3,145.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 25th November 1878.

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(Signed) W. WILSON,
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MADRAS,
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From J. F. PRICE, Esq., Collector of the Chingleput District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 16th October 1878, No. 297.

In reference to the Proceedings of the Board of Revenue, No. 2,386, dated 26th August last, I have the honor to submit for orders a correspondence which has taken place between the Superintending Engineer and myself.

2. My object in applying to Colonel O'Connell, in the first instance, was to obtain a list of the tanks, which he and his subordinates ought to know better than I and the officers under me, and in which cultivation would be, in the opinion of the Scientific Department, objectionable, and then to get through my Tahsildars a list of every field under occupation in the bed of each tank, the question of what should be acquired by Government and what might be left uninterfered with being finally decided by the officers of the two departments in personal consultation.

3. It is true that I can easily enough get lists from my own subordinates of all river and channel-fed tanks and of all works which are simply rain-fed, but I am aware that there are many of the former class which are of such a petty nature that it does not signify very much whether the beds contain cultivation or not.

4. It appears to me that, if the task assigned under the Proceedings quoted above is to be performed at all, it should be well and carefully done, and I would submit that the first step towards effecting this, and one involving a saving of a good

deal of time and trouble, is to obtain from the Professional Department a list of tanks, the cultivation of the beds of which is considered objectionable. With all deference to Colonel O'Connell's experience, I do not think that the matter is one in which the two departments should stand aloof, but on the contrary that it is one in which they should co-operate as much as possible.

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3. The present time, when the state of the Irrigation works of the country is the cause of solicitude and anxiety, seems inopportune for relaxing any of the precautions which have hitherto been persistently urged on the attention of all the officers of Government. The orders of Board and Government have up to this time been very distinct on this subject, and they have repeatedly declined to accede to any proposals

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description as my specimens
Tank falls -

The term shallows is
necessity of comparative
meaning. saying to
some extent according
to the district -

in the same way
this is a comparative
term not accurately
descriptive. ~~It is not a~~
~~specific~~

I should say the unknown to
the collector. are

to Whitewater - Tanks supplied
from hill or purple streams
are either direct or channel fed
according to the facts -

to Wilson channel ~~from~~ means an
artificial cut -

cont. is an element vide J. O. July 26

para 12 -

I think this figure too high and

that the extent of shallows
in land. &c. and its value
would be the principle -

Many an important tank
might have cost. not more
Wilson's definition and 3 year
limit -

to Price - That if he makes his tank under
para 3 of his letter. he shall
that is needed. to make him to
decide - unless he must
about any case. when cultivated
he under para 13 of J. O. certified
unobjectionable -

to Foster - His only question is what is
shallow - it is a question which
district officers could well decide
I think but I would say by feet
of water. measured to calculate
cut -

I see no reason

to vary the order of
July - M. J.

memo 13

The minutes of
the Humbles to Badley
J.D. Jamichael are
~~revised~~ forwarded
to his place -

It is further
submitted that the
tank beds are va-
luable grazing
common to all
cultivators under
the Tanks and
that another effect
of the S.D. is to take
away that common
from the whole body
a give it ^{a few} to indi-
vidual cultivators

next.

Cultivation of
Tank Beds -

Acirculator

His Grace -

How beautiful is

5 DT Form 1000

If it be thought that
an absolute possibility
can be expressed &
can be maintained
let a deaf or dumb
be considered - Not
looking at past records
and the context
imprimis. I
do not know it can -

known if the Herald
will submit a copy of our
Review we can discuss
it etc. - The Herald
Oct. 1871

in answer to 19th Feb 1901
A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.

REVENUE DEPARTMENT.

17

October — 1878.

[illegible]

I thank the N. G. Co.
for 2 N. G. Glass
bins now accepted
as a compromise. My
Sons discontinue 2
any place but this
last. 2 any restriction.

J. A. Keweenaw and J. L.
J. S. Sanders &
Thank to G. O. Perry

R.C. 24: Jan 1/79 R. 27: Jan 1/79
R.C. 17: Jan 1/79 R. 24: 1/1/79
R.C. 16: Jan 1/79 R. 17-1-79

forever -

It classifies all Tanks
under 2 heads:

(a) Stationary Tanks

(b) River or Channel-fed Tanks

It goes on to say that
"only" in the case of the

latter - "formed at much
cost to public expense"

It "protects" the public

from anything that can

appreciably shorten their

lives or tend to

diminish their capacity."

Chief O. then directs that

as respects Class (a) "no

interference with Tank bed
cultivation be permitted"

While in Class (b) it shall

be prohibited unless

authorized by the

authorities at the

time of the present

work. all former fed

tanks like the included

in the provision. It

will also apply to all

drain fed tanks of the

order of the at hand from

except the culminated

to the tank used

to feed. These specifications

like the present. It is

considered the objectionable

contents of the C.O. but

it is thought that the provision

of the present is better

than the present. It is

considered the objectionable

contents of the C.O. but

no cultivation of the beds of
mineral tanks is less
than I feel that the
is calculated to do much
good to the public &
private interests. However
the tank is really effective.

This is the reason of the fact that
such cultivation is calculated
to improve the tank. & I believe
that the fact is not sufficient
in showing injury & waste
rights. I do not think it is
likely that the right may be
injured because public interest
is in what is a
material point. But the
owners of the beds are not
under any tank are only
the injurers & are not
the cultivators. It is not being
permitted to do any harm
to the tank.

R.C. 20: Jan 17/98 R.C. 21: Feb 12/98
R.C. 20: Dec 28/97 R.C. 21: Dec 12/97
Sent to H.S. 19: Dec 19/97 R.C. 20: Dec 19/97
C. 11: Dec 19/97 R.C. 19: Dec 19/97

as required Class (a) "no"

FOR ORDERS.

per Charles B. B. B.
Aspirin to be out by

W.D. B.
25/10/98
No. 3145.

Handwritten signature and notes, including "B. 21" and "B. 22".

Let us see if it is suggested
that I should draft a
note on the question
of such beds. I
give effect to the views
of the Department in my
own remarks. I
submit that the following
order is sufficient.

B. 21 is a
B. 22 is a
The fact is of
opinion that in the
stream of the tank
the mineral tanks
of the Dept. from
cultivation of the

Bottom is highest
upwards towards
properly comes into
the category of "Shakers
Quintessence" -

Under the general
question of the authorship
of Tankard it is
observed that
since the Govt. discussed
in their report of
26 July 18. H. 1178 Mr.
has called the extent
of the prohibition of
such utterances

is essential in the
public interest.
rather than the extent
of the relaxation of
existing regulations
could be permitted.
and it may be admitted
that the direction of
the interference with
such utterances is
the case of Tankard outside
the prohibited class
about beyond the need
of the case.
At the same time
desires no modification
of the present order
direct that the discus-
sion be made private.

I appear to
conclude that
the present direction

is essential in the
public interest.
rather than the extent
of the relaxation of
existing regulations
could be permitted.
and it may be admitted
that the direction of
the interference with
such utterances is
the case of Tankard outside
the prohibited class
about beyond the need
of the case.

The District Officer in
 this matter has left
 unchecked ^{was} ~~the~~
 destruction ^{of pasture} is necessary
 to guard the legitimate
 interests of the holders
 of the Tank agrent
 as to maintain the water
grazing privileges
 of the Villagers in the
 Tank bed

Received
 Proo 18/28 Jan 174
 B No 508

18/10/17
 28 January 174

14 To the District Officer
 25. The Prop. Officer
 Chief Engineer for Bangalore
 27/2/17

6.11.08
 21-2-10 ✓ 7
 26-1-12 ✓
 14-3-18
 10-7-9 ✓
 9-1-20 ✓
 31-10-27 ✓
 31-8-38 ✓

Original

Govt. of (1879) Mysore

REVENUE.

THE BOARD OF REVENUE.

Secy. Secy. Secy.

Dated January 28th.

Printed February 1936.

Recd.

For.

G.O., 25th January 1879, No. 211.

JANUARY.

Nos. 507-508.

Tank-bed Cultivation.—Resolving, in modification of the former order regarding —, to direct that the discretion hitherto exercised by District Officers in the matter be left unchecked where restriction of cultivation is necessary to guard the legitimate interests of the holders of the tank-*agood* or to maintain the existing common grazing privileges of the villagers in the tank-bed.

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