M.R.O. 1—5,006—16-10-50.

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MADRAS RECORD OFFICE

Government of Madras

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	575	Press / ~~Mis.~~
Dated	13. 8. 1888	~~195~~ .

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE

(Revenue Settlement, Land Records and Agriculture).

W. Wilson, Esq., M.A., C.S.
The Hon. W. S. Whiteside, C.S.
J. Grose, Esq., M.A., C.S.

Read—again Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 30th June 1886, Mis. No. 4866.

Read—also the following papers:—

From the Collector of Anantapur,		dated	2nd Oct.	1886,	No.	458
	and Reference thereon	,,	18th Oct.	,,	,,	299.
,,	Collector of Arcot, North	,,	11th ,,	,,	,,	139.
,,	,, of Arcot, South	,,	19th April	1887,	,,	2262.
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,,	,, of Ganjam	,,	7th Nov.	,,	,,	5031.
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,,	,, of Kistna	,,	25th June	,,	,,	183.
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,,	,, of Madura	,,	27th Sept.	,,	,,	7654.
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Resolution—dated 22nd June 1888, No. 291.

The papers read above relate to the question of charging water-rate on dry lands irrigated by the half-acre rule.

2. The following is a précis of the correspondence on the subject:—In 1872, the Board circulated, for the remarks of Collectors, draft rules for the levy of water-rate in addition to the ordinary land assessment on all *dry* lands supplied with water from a Government source of irrigation. The second of these rules was as follows:—"As a rule the entire survey number will be charged with water-rate, but where the fields are large, it will be at the discretion of the settling officer at jamabandi to charge only for the area actually irrigated. Nothing less than one acre to be charged, and fractional parts to be charged as an acre." In reviewing the Collectors' replies, the Board observed that the second rule must be abandoned, and the charge made on the actual area, the limit of one acre for fractional parts being reduced to half an acre. The following rule was accordingly framed:—"Where portions of a field are irrigated, the extent irrigated shall be carefully measured and charged for according to area. Provided that the charge shall be by the half acre, fractional parts below

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3. Soon after the promulgation of these rules, the Collector of Kurnool represented that the proviso regarding the charge by half acres would lead to petty exactions on the part of the village and other subordinate officials. He pointed out that the ryot might often through ignorance take in a cent. or two more than half an acre or its multiple, and the karnam might also try to bring out a small excess. In either case, the ryot would be entirely at the mercy of these petty officials, who, in nine cases out of ten, would be bought off with a small present. To this representation, the Board replied that the rule was framed after much deliberation, in the course of which the difficulty pointed out was duly considered.

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4. The next complaint came from the Collector of Salem, who, in reporting on the working of the rules, stated that complaints were made that the half-acre rule caused much hardship, and that, in his opinion, only the actual extent irrigated should be charged. In reply, the Board stated that the suggested modification would defeat the very object of definite water-rates which was to avoid complicated calculations and minute measurements. The objection appeared to Government to be sound.

G.O., dated 4th March 1879, No. 539.

5. In June 1886, the complaint was renewed by the Collector of Kistna; and the Board thereupon called for a report from all Collectors, with the remark that the question of modifying the rule would be considered if the charges actually made were generally out of proportion to the areas irrigated.

Board's Proceedings, dated 5th June 1886, No. 1248.

6. The papers read above are the Collectors' replies to this reference, a précis of which is appended to these Proceedings. The rule in question is not in force in the five districts marginally noted.* In Tanjore, the rule was found to work unfairly and was ordered to be held in abeyance (Board's Proceedings, dated 3rd August 1885, No. 2253). The Collector of Trichinopoly has expressed no opinion on the question. Six Collectors† advocate the retention of the rule. The Sub-Collector of Salem however recommends a relaxation, while the Collector of Anantapur makes an exception in favor of cultivation in backyards. The Collector of Tinnevelly thinks that where the land is less than 10 cents, the charge should be left to the discretion of the jamabandi officers. The Collectors of the remaining eight districts report that the rule

*Madras, Madura, Nilgiris, South Canara and Malabar.

†Anantapur, Bellary, North Arcot, Tinnevelly, Coimbatore and Salem.

has been found to work harshly on the ryot, and recommend that the limit should be reduced from half an acre to 10 or 25 cents. Some of them would abolish the rule altogether, and charge only on the area actually irrigated.

7. The object of the half-acre rule was, it was stated, to "avoid complicated calculations and minute measurements." As a matter of fact, however, the extent irrigated has to be "carefully measured" in every case, and as exact measurement is required before the charge can be regulated, there is practically no saving of labor in this direction. As regards "complicated calculations," the Board observe that the extent involved is small and the additional labor required, if the rule is rescinded, viz., a short calculation in each case, will not be great. They observe that this was also the view held by Government in 1875, as will be seen from the following extract from paragraph 12 of G.O., dated 9th January 1875, No. 35:—"In the former, the irrigated area under tanks and channels is classed as wet, and the rules contained in Board's Circular Order No. XX of 1874 refer only to portions of dry land which may from time to time, when water is plentiful, be cultivated with wet crops. *These can never be extensive* and the work of measurement can be easily managed and supervised by the village and taluk officers." A short table can be easily prepared, and the charge to be levied in every case, whatever be the area irrigated, can be ascertained from it at once.

8. The Board are of opinion that there is much force in the objections raised by the Collector of Kurnool in 1874 (*vide* paragraph 3 above) and by other Collectors since. The power of exaction from the ryots given to the karnams by the rule is greater than it would be without it, inasmuch as now by putting on a few cents they may saddle the ryot with the charge for half an acre, whereas in the absence of the rule he could only impose on them the charge for those cents. In the Madura district, the water-rate rules are not in force, and no difficulty has been experienced in charging on the actual area irrigated. The Board do not see why there should be any difficulty in other districts. As regards cultivation in building sites, the practice of charging on the area actually irrigated was sanctioned by the Board in Board's Proceedings, dated 17th July 1881, No. 1306; and they think it only equitable to extend this practice to all other cases also. They accordingly recommend that the half-acre rule may be rescinded, and permission be given to Collectors to charge water-rate on the area actully irrigated subject to a minimum charge which might be fixed at, say, the rate for a *quarter* acre.

9. The statement appended to these Proceedings shows that in the districts in which the present rule is in force, acres 36,352 were charged for in fasli 1295 (1885-86) when only acres 32,798 were actually irrigated. The total excess amount thus charged was 12·2 per cent. of the amount payable on the area irrigated. There are numerous individual cases in which the charge was out of all proportion to the area actually irrigated.

(A true Extract.)

Secretary.

To the Secretary to Government, Revenue Department.
" all Collectors.

Exd W. J. Lewis.

APPENDIX I.

PRECIS OF COLLECTORS' REPLIES.

Half-acre rule.

Ganjam.—Collector is in favor of charging on the extent irrigated, as the cultivators of dry lands are generally poor and a small extra charge is a considerable burden to them. The question, however, is one of small importance in the district, as the extent involved is not large. It appears, however, that in the Berhampore taluk the area charged is "more than twice the area cultivated, and in 52 cases out of 1,389 the amount charged at the jamabandi of fasli 1295 was more than four times the amount due on the actual extent watered." The Principal Assistant Collector is also in favor of making some relaxation of the rule. In his division there were 1,791 cases in which the half-acre rule was enforced in fasli 1295. In two cases the charge was 24 times the assessment payable on the actual area; in 29 cases it was not less than tenfold; in 110 cases not less than fivefold.

2. *Vizagapatam.*—The cases in which the half-acre rule is applied are not many. The Collector agrees with the Collector of Kistna that where the extent is less than 10 cents, water-rate should be charged on the area actually irrigated. The Principal Assistant states that the charges are not generally out of proportion to the area irrigated and thinks, therefore, that the rule needs no alteration.

3. *Godávari.*—No cases of hardship have been brought to notice. Under Collector's circular of 1881, water-rate is not charged when water is conveyed in pots for vegetables, tobacco, flower garden grown in backyards within the recognized limit of 25 cents. In the case of cultivation other than backyards, ¾ water-rate is charged if the water is conveyed in pots. When water is taken by flow, the full water-rate is charged whether on backyards or for vegetables, &c. If the above practice is not recognized, the Collector would charge on the actual extent where it does not exceed 10 cents; and where it does exceed 10 cents, he would reduce the half-acre limit to 25 cents.

4. *Nellore.*—The Head Assistant Collector (who is also in charge of the sub-division) and the Temporary Deputy Collector state that the charge under the half acre is felt as a great hardship and is out of all proportion to the area irrigated and should be abolished. In the Gúdur taluk in fasli 1294 acres 5·73 were charged for, while the area actually irrigated was only 77 cents in 13 fields (being under 10 cents in most cases). In fasli 1295 acres 10·92 were charged for, while the area actually irrigated was only acres 1·58 in 25 fields. The Collector agrees with the Divisional officers and recommends that the charge should be by the quarter acre rule.

5. *Cuddapah.*—Thinks the rule "works badly" and recommends "a more graduated scale, say by substituting a quarter-acre or one-tenth acre rule."

6. *Bellary.*—Would maintain the half-acre rule "as it fulfils the intention of those who drafted it and simplifies accounts and saves labor of measurement."

7. *Anantapur.*—The Divisional officers are not in favor of modifying the rule as it has caused no appreciable hardship to the ryots. The Collector states that at the last jamabandi he "noticed that the areas entered as irrigated bore a near relation to the half-acre unit," but that he is "not prepared to say whether this was the result of actual irrigation or was an account manipulation." He thinks that though the rule may be maintained for ordinary cases, it should be relaxed in the case of backyard cultivation.

8. *Kurnool.*—Would modify the rule which works harshly in some cases.

9. *Chingleput.*—States that charges are made every year in a large number of cases out of all proportion to the area irrigated, and recommends that the actual extent be charged when cultivation is 10 cents or less.

10. *North Arcot.*—The Divisional officers say that no hardship is caused to the ryots. The extent charged in fasli 1295 under the half-acre rule was acres 7,701 or 20·42 per cent. more than the area (acres 6,395) actually irrigated.

11. *South Arcot.*—No modification is considered necessary.

12. *Tanjore.*—The rule "was found to work unfairly" and was ordered to be suspended (Board's Proceedings, dated 3rd August 1885, No. 2253).

13. *Trichinopoly.*—Merely sends up a statement of area charged and gives no opinion.

14. *Madura.*—The rule is not in force and the Collector does not consider it necessary to introduce it.

15. *Tinnevelly.*—The charge is not disproportionate and no "marked hardship" has been caused. The Collector thinks, however, that where the patch of land is below 10 cents, the charge may be left to the discretion of the jamabandi officer.

16. *Coimbatore.*—No hardship is caused as there is much well irrigation and the circumstances of the district are not similar to those of Kistna.

17. *Nilgiris.*—There are no Government works of irrigation, and water taken from jungle streams has not been hitherto charged.

18. *Salem.*—The Collector thinks that no very great hardship is caused, and that the rule need not be altered. The Head Assistant and the Deputy Collector take the same view. The Sub-Collector Mr. Dumergue differs and recommends a relaxation. He would charge for 10 cents if the irrigated area is less and by the quarter acre if the area is greater. The area charged in excess of the irrigated area varies from 7 to 25 per cent.

19. *South Canara.*—The rule does not apply.

APPENDIX II.

Half-acre.

District.	Area charged for		Area actually irrigated.		Percentage of excess charged.	
					Area.	Assessment.
	Acs.	Rs. A. P.	Acs.	Rs. A. P.		
Ganjam .. .. .. Fasli 1295 ..	1,393	2,310 0 0	1,016	1,663 0 0	* 37	39
„ 1294 ..	6·50	Not given.	0·77	Not given.	744	..
Nellore .. .. .. { „ 1295 ..	12·50		1·58		691	..
„ 1295 ..	3,101	Do.	3,015	Do.	2·8	..
Anantapur † .. .. .. { „ 1295 ..	39·60	145 0 0	26·50	97 0 0	49·	49
„ 1296 ..	688	1,961 0 0	546	1,711 0 0	26	14
Bellary .. .. .. „ 1295 ..	7,701	Not given.	6,395	Not given.	20·4	..
North Arcot .. .. .. „ 1295 ..	8,741	Do.	7,808	Do.	11·9	..
„ 1293 ..	9,119	Do.	8,151	Do.	11·9	..
Trichinopoly .. .. .. { „ 1294 ..	8,951	Do.	8,287	Do.	8·0	..
„ 1295 ..	10,409	Do.	9,506	Do.	9·5	..
Tinnevelly .. .. .. „ 1295 ..	4,224·51	14,417 5 5	3,803·19	13,051 6 8	11·1	10
Salem .. .. .. { „ 1294 ..	4,396·22	14,884 15 11	4,031·17½	13,698 3 8	9·1	8·
„ 1295 ..						
Total for Fasli 1295 ..	36,651·72	19,105 15 11	32,797·75½	17,072 3 8	11·7	12·2

* In 363 cases twice charged, in 103 cases three times, in 101 cases four times, in 33 cases five times, in 17 cases six times, in 12 cases seven times, in 9 cases eight times, in 10 cases nine times, in 11 cases ten times, in 6 cases eleven times, in 1 case twelve times, in 2 cases thirteen times, in 5 cases fourteen times, in 1 case seventeen times, in 1 case eighteen times, and in 2 cases twenty-four times were charged.

† In 40 cases Rs. 48 were charged in excess under half-acre rule. The assessment of the area irrigated in fasli 1295 is not available.

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For orders

Submitted that the Board have shown good grounds for rescinding the half-acre rule & for the adoption of the proposal made by them in para 8. The rule, it is shown causes some hardship, & does not obviate measurement of irrigated area. As to the inconvenience of calculating the charge the Board propose to meet it by issuing a table showing the charge for fractional parts of an acre in cents. The rule has already been declared to be inapplicable to cultivation within building sites.

2. The Board would fix the minimum charge at that for a quarter acre. It is presumed that where the field itself does not exceed this limit the charge will be on the actual contents of the field.

28/7 The charge given in the middle column, I think, that if the half-acre rule is abolished on the grounds stated, the retention of a minimum charge is necessary. Else the rate of the field is less than a fraction of an acre the charge will be on the actual extent, and as the general principle is to charge for

Pungey 23/7

REVENUE DEPARTMENT.

1888.

Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

MADRAS.

1 10 4/7/15.

Printed July th.

Proceedings, 22nd June 1888, No. 291.

GOVERNMENT OF INDIA 13 JUL 88 REVENUE DEPARTMENT

Recommending that the half-acre rule may be rescinded and permission be given to Collectors to charge water-rate on the area actually irrigated subject to a minimum charge.

PTO

Irrig.n mo. 15.

Read G.O. No. 4715 of 88

Draft G.O. of 3 August 1888, para 5

The Govt. agree with the Board that the half-acre rule should be rescinded but consider that the quarter acre minimum proposed is unnecessary. They also ~~at the same time enabled~~ approve of ~~to adopt~~ the suggestion of the Collr. of Tinnevelly that the charge to be levied on areas less than 10 cents in extent should be left to the discretion of Jamabandi officers.

List from Orders

4

715

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To the Govt. of B.S. to &c
The P.W. Dept. (Irrign. Branch)

Secy. to Govt. Gen. D. 9

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Draft 90.

From Orders

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

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7. The object of the half-acre rule was, it was stated, to "avoid complicated calculations and minute measurements." As a matter of fact, however, the extent irrigated has to be "carefully measured" in every case, and as exact measurement is required before the charge can be regulated, there is practically no saving of labor in this direction. As regards "complicated calculations," the Board observe that the extent involved is small and the additional labor required, if the rule is rescinded, viz., a short calculation in each case, will not be great. They observe that this was also the view held by Government in 1875, as will be seen from the following extract from paragraph 12 of G.O., dated 9th January 1875, No. 35:—"In the former, the irrigated area under tanks and channels is classed as wet, and the rules contained in Board's Circular Order No. XX of 1874 refer only to portions of dry land which may from time to time, when water is plentiful, be cultivated with wet crops. *These can never be extensive* and the work of measurement can be easily managed and supervised by the village and taluk officers." A short table can be easily prepared, and the charge to be levied in every case, whatever be the area irrigated, can be ascertained from it at once.

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(A true Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Secretary to Government, Revenue Department.
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Ganjam.—Collector is in favor of charging on the extent irrigated, as the cultivators of dry lands are generally poor and a small extra charge is a considerable burden to them. The question, however, is one of small importance in the district, as the extent involved is not large. It appears, however, that in the Berhampore taluk the area charged is "more than twice the area cultivated, and in 52 cases out of 1,389 the amount charged at the jamabandi of fasli 1295 was more than four times the amount due on the actual extent watered." The Principal Assistant Collector is also in favor of making some relaxation of the rule. In his division there were 1,791

cases in which the half-acre rule was enforced in fasli 1295. In two cases the charge was 24 times the assessment payable on the actual area; in 29 cases it was not less than tenfold; in 110 cases not less than fivefold.

2. *Vizagapatam.*—The cases in which the half-acre rule is applied are not many. The Collector agrees with the Collector of Kistna that where the extent is less than 10 cents, water-rate should be charged on the area actually irrigated. The Principal Assistant states that the charges are not generally out of proportion to the area irrigated and thinks, therefore, that the rule needs no alteration.

3. *Godávari.*—No cases of hardship have been brought to notice. Under Collector's circular of 1881, water-rate is not charged when water is conveyed in pots for vegetables, tobacco, flower garden grown in backyards within the recognized limit of 25 cents. In the case of cultivation other than backyards, ¾ water-rate is charged if the water is conveyed in pots. When water is taken by flow. the full water-rate is charged whether on backyards or for vegetables, &c. If the above practice is not recognized, the Collector would charge on the actual extent where it does not exceed 10 cents; and where it does exceed 10 cents, he would reduce the half-acre limit to 25 cents.

4. *Nellore.*—The Head Assistant Collector (who is also in charge of the sub-division) and the Temporary Deputy Collector state that the charge under the half acre is felt as a great hardship and is out of all proportion to the area irrigated and should be abolished. In the Gúdúr taluk in fasli 1294 acres 5·73 were charged for, while the area actually irrigated was only 77 cents in 13 fields (being under 10 cents in most cases). In fasli 1295 acres 10·92 were charged for, while the area actually irrigated was only acres 1·58 in 25 fields. The Collector agrees with the Divisional officers and recommends that the charge should be by the quarter acre rule.

5. *Cuddapah.*—Thinks the rule "works badly" and recommends "a more graduated scale, say by substituting a quarter-acre or one-tenth acre rule."

6. *Bellary.*—Would maintain the half-acre rule "as it fulfils the intention of those who drafted it and simplifies accounts and saves labor of measurement."

7. *Anantapur.*—The Divisional officers are not in favor of modifying the rule as it has caused no appreciable hardship to the ryots. The Collector states that at the last jamabandi he "noticed that the areas entered as irrigated bore a near relation to the half-acre unit," but that he is "not prepared to say whether this was the result of actual irrigation or was an account manipulation." He thinks that though the rule may be maintained for ordinary cases, it should be relaxed in the case of backyard cultivation.

8. *Kurnool.*—Would modify the rule which works harshly in some cases.

9. *Chingleput.*—States that charges are made every year in a large number of cases out of all proportion to the area irrigated, and recommends that the actual extent be charged when cultivation is 10 cents or less.

10. *North Arcot.*—The Divisional officers say that no hardship is caused to the ryots. The extent charged in fasli 1295 under the half-acre rule was acres 7,701 or 20·42 per cent. more than the area (acres 6,395) actually irrigated.

11. *South Arcot.*—No modification is considered necessary.

12. *Tanjore.*—The rule "was found to work unfairly" and was ordered to be suspended (Board's Proceedings, dated 3rd August 1885, No. 2253).

13. *Trichinopoly.*—Merely sends up a statement of area charged and gives no opinion.

14. *Madura.*—The rule is not in force and the Collector does not consider it necessary to introduce it.

15. *Tinnevelly.*—The charge is not disproportionate and no "marked hardship" has been caused. The Collector thinks, however, that where the patch of land is below 10 cents, the charge may be left to the discretion of the jamabandi officer.

16. *Coimbatore.*—No hardship is caused as there is much well irrigation and the circumstances of the district are not similar to those of Kistna.

17. *Nilgiris.*—There are no Government works of irrigation, and water taken from jungle streams has not been hitherto charged.

18. *Salem.*—The Collector thinks that no very great hardship is caused, and that the rule need not be altered. The Head Assistant and the Deputy Collector take the same view. The Sub-Collector Mr. Dumergue differs and recommends a relaxation. He would charge for 10 cents if the irrigated area is less and by the quarter acre if the area is greater. The area charged in excess of the irrigated area varies from 7 to 25 per cent.

19. *South Canara.*—The rule does not apply.

APPENDIX II.

Half-acre.

District.		Area charged for		Area actually irrigated.		Percentage of excess charged.	
						Area.	Assessment.
		ACS.	RS. A. P.	ACS.	RS. A. P.		
Ganjam	Fasli 1295 ..	1,393	2,320 0 0	1,016	1,663 0 0	* 37	39
Nellore	„ 1294 ..	6·50	Not given.	0·77	Not given.	744	..
	„ 1295 ..	12 50		1·58		691	..
Anantapur †	„ 1295 ..	3,101	Do.	3,015	Do.	2·8	..
	„ 1296 ..	39·50	145 0 0	26·50	97 0 0	49·	49
Bellary	„ 1295 ..	688	1,961 0 0	546	1,711 0 0	26	14
North Arcot	„ 1295 ..	7,701	Not given.	6,395	Not given.	20·4	..
Trichinopoly	„ 1293 ..	8,741	Do.	7,808	Do.	11·9	..
	„ 1294 ..	9,119	Do.	8,151	Do.	11·9	..
	„ 1295 ..	8,551	Do.	8,287	Do.	8·0	..
Tinnevelly	„ 1295 ..	10,409	Do.	9,506	Do.	9·5	..
Salem	„ 1294 ..	4,224·51	14,407 5 5	3,803·19	13,051 6 8	11·1	10
	„ 1296 ..	4,396·22	14,884 15 11	4,031·17½	13,698 3 8	9·1	8·
Total for Fasli 1295 ..		36,651·72	19,165 15 11	32,797·75½	17,072 3 8	11·7	12·2

* In 363 cases twice charged, in 103 cases three times, in 101 cases four times, in 33 cases five times, in 17 cases six times, in 12 cases seven times, in 9 cases eight times, in 10 cases nine times, in 11 cases ten times, in 6 cases eleven times, in 1 case twelve times, in 2 cases thirteen times, in 5 cases fourteen times, in 1 case seventeen times, in 1 case eighteen times, and in 2 cases twenty-four times were charged.

† In 40 cases Rs. 48 were charged in excess under half-acre rule. The assessment of the area irrigated in fasli 1295 is not available.

ORDER—dated 13th August 1888, No. 575, Revenue.

Irrigation, No. 15.

The Government agree with the Board that the half-acre rule should be rescinded, but consider that the quarter-acre minimum proposed is unnecessary. They also approve of the suggestion of the Collector of Tinnevelly that the charge to be levied on areas less than 10 cents in extent should be left to the discretion of jamabandi officers.

(True Extract.)

(Signed) C. A. GALTON,
Ag. Secretary to Government.

To the Commissioner of Revenue Settlement, Land Records and Agriculture.
„ the Public Works Department (Irrigation Branch).

Exd. P. L. Pereira.

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Recd. *Encl.*

G.O., 13th August 1888, No. 575.

AUGUST.

Rules for the levy of Water-rate.

Agreeing with the Board that the half-acre rule should be rescinded, but considering that the quarter-acre minimum proposed is unnecessary.