M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10

(2) Date of repair 25-9-40

(3) Initials of the Referencer

4

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 694 Press / Misc.

Dated 12th August 1889.

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

W. S. WHITESIDE, ESQ.

READ—the following letter from H. M. WINTERBOTHAM, Esq., Collector and President, District Board, Malabar, to the Secretary to the Commissioners of Land Revenue, dated Calicut, 3rd July 1889, No. 992 :—

At Payoli a canal, about a mile long, joins the Kotta river to the Agalapuzha backwater, and completes the water communication between Calicut and Badagara. In the rains the level of the Kotta river is much higher than that of the Agalapuzha, and to prevent the waters of the former from bursting through the isthmus, which the canal cuts, a lock has been maintained since the year 1858.

2. The expenses incidental to the maintenance of the lock have hitherto been met by the levy of a toll at the marginal rates under an order of the Collector, dated 2nd June 1858.

Annas 0-2	for each	small boat.
„ 0-4	„	large boat.
„ 1-0	„	raft of timber.

3. In the list of tolls under Act IV of 1871, sanctioned by Government for this district in G.O., No. 725, Financial, dated 8th April 1880, the Payoli lock was, by some error, entered, and the collection of toll at the place has continued until now, as if the toll was one leviable under Act V of 1884.

The irregularity of this is patent, as Act V of 1884 does not contemplate the levy of a toll on a canal. The only enactment which applies to the case is the Canal and Ferry Act I of 1870, sections 2 and 4 of which provide that the Government may declare any navigable channel to be subject to the provisions of the Act, and authorize the levy of a toll on vessels passing along the same.

4. The expediency of maintaining a toll at the place is indisputable. There is no other toll on the Conolly canal between Calicut and Badagara, and the upkeep of this canal is costly, and requires a larger outlay than the Board have been recently able to sanction. The repair of the Payoli lock has only recently cost the Board over Rs. 1,700. The expediency of raising the rate of tolls is, I think, also apparent, and I have therefore the honor to request that Government may be asked to approve of the enclosed draft notification and to direct its publication in the *Fort St. George Gazette*. The collection of toll can be leased out by the Revenue Department and the net income can be made over to the District Board on the condition that it is spent on the maintenance and improvement of the canal.

5. The classification of boats into "large" and "small" is unsatisfactory, and I do not find any other that may not equally cause dispute. I would therefore propose that one uniform rate be charged, making it so moderate that all boats can afford to pay it. The rates I would propose are :—

	AS.
Boat, laden, or carrying passengers	2
Boat, empty, with not more than two boatmen	1
Each log of timber with the bamboos necessary to float it ...	1
Raft of bamboos	2

ENCLOSURE No. 1.—Notification.

RESOLUTION—dated 16th July 1889, No. 485.

Submitted to Government.

2. It is matter for surprise that G.O., dated 8th April 1880, No. 725, which authorized the levy of toll on carts, &c. (schedule B therein printed) on the road from Malady to Perambra (schedule A) should have been understood as an authority for the levy of it on boats plying in a canal.

3. In the circumstances stated, however, the Board beg to recommend that the provisions of the Canal and Ferry Act (I of 1870) be declared applicable to the Calicut-Badagara canal, and that the draft notification be approved and published in the Fort St. George and District Gazettes.

(A true Copy and Extract.)

Secretary.

To the Secretary to Government, Revenue Department, with draft notification.

Copy to the Collector of Malabar.

Exd. P. L. Pereira.

REVENUE DEPARTMENT.

1889.

Board of Revenue

(Land Revenue),

MADRAS.

No. 57/28.

Printed July th.

Read 27th

SECL. GOVT. MADRAS 27 JUL 89 REV. DEPT.

Encl.

Proceedings, 16*th July* 1889, *No.* 485.

Recommending to Government that the provisions of the *Canal and Ferry Act* (*I of 1870*) be made applicable to the *Calicut-Badagara canal* and that the draft notification be approved and published in the Fort St. George and District Gazettes.

No. 2-2-89 No 1-2

Encl

Misc

G.O. No. 12 dated 1889 No. 694 Revenue

The draft notification is approved ~~in slightly amended~~ form to ~~and will accordingly be~~ published in the Fort St George and the Malabar District Gazette.

CL 5/8

To The Comms. of R
" Accountant Genl
" Financial Dept
" Supdt Govt Press

I/1/5

MD. 3/8

Note

Please see the pencil alterations in the draft notification. The date proposed by the Collr — 15 August 1889 — is ~~too~~ too early and has been altered to 15 September 1889.

2. Nothing is said by either the Collr or the Board about legalising the levy of the toll hitherto. May not a para be added to the G.O. to the effect that the ~~levy of~~ toll at the Payoli lock will be considered to have been levied under Act V of 1870 (Madras) ~~from the~~ from the

5

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ— the following Proceedings of the Board of Revenue (Land Revenue), dated 16th July 1889, No. 485 :—

W. S. WHITESIDE, ESQ.

Read—the following letter from H. M. WINTERBOTHAM, Esq., Collector and President, District Board, Malabar, to the Secretary to the Commissioners of Land Revenue, dated Calicut, 3rd July 1889, No. 992 :—

At Payoli a canal, about a mile long, joins the Kotta river to the Agalapuzha backwater, and completes the water communication between Calicut and Badagara. In the rains the level of the Kotta river is much higher than that of the Agalapuzha, and to prevent the waters of the former from bursting through the isthmus, which the canal cuts, a lock has been maintained since the year 1858.

2. The expenses incidental to the maintenance of the lock have hitherto been met by the levy of a toll at the marginal rates under an order of the Collector, dated 2nd June 1858.

Annas 0-2	for each	small boat.
,, 0-4	,,	large boat.
,, 1-0	,,	raft of timber.

3. In the list of tolls under Act IV of 1871, sanctioned by Government for this district in G.O., No. 725, Financial, dated 8th April 1880, the Payoli lock was, by some error, entered, and the collection of toll at the place has continued until now, as if the toll was one leviable under Act V of 1884.

The irregularity of this is patent, as Act V of 1884 does not contemplate the levy of a toll on a canal. The only enactment which applies to the case is the Canal and Ferry Act I of 1870, sections 2 and 4 of which provide that the Government may declare any navigable channel to be subject to the provisions of the Act and authorize the levy of a toll on vessels passing along the same.

4. The expediency of maintaining a toll at the place is indisputable. There is no other toll on the Conolly canal between Calicut and Badagara, and the upkeep of this canal is costly and requires a larger outlay than the Board have been recently able to sanction. The repair of the Payoli lock has only recently cost the Board over Rs. 1,700. The expediency of raising the rate of tolls is, I think, also apparent, and I have therefore the honor to request that Government may be asked to approve of the enclosed draft notification and to direct its publication in the *Fort St. George Gazette*. The collection of toll can be leased out by the Revenue Department and the net income can be made over to the District Board on the condition that it is spent on the maintenance and improvement of the canal.

5. The classification of boats into "large" and "small" is unsatisfactory, and I do not find any other that may not equally cause dispute. I would therefore propose

that one uniform rate be charged, making it so moderate that all boats can afford to pay it. The rates I would propose are :—

	AS.
Boat, laden, or carrying passengers	2
Boat, empty, with not more than two boatmen	1
Each log of timber with the bamboos necessary to float it ...	1
Raft of bamboos	2

ENCLOSURE No. 1.—Notification.

Resolution—dated 16th July 1889, No. 485.

Submitted to Government.

2. It is matter for surprise that G.O., dated 8th April 1880, No. 725, which authorized the levy of toll on carts, &c. (schedule B therein printed) on the road from Malady to Perambra (schedule A) should have been understood as an authority for the levy of it on boats plying in a canal.

3. In the circumstances stated, however, the Board beg to recommend that the provisions of the Canal and Ferry Act (I of 1870) be declared applicable to the Calicut-Badagara canal, and that the draft notification be approved and published in the Fort St. George and District Gazettes.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Secretary.

To the Secretary to Government, Revenue Department, with draft notification.

Copy to the Collector of Malabar.

ORDER—dated 12th August 1889, No. 694, Revenue.

Miscellaneous.

The draft notification, as amended, will be published in the Fort St. George and the Malabar District Gazettes.

(True Extract.)

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

To the Commissioners of Land Revenue.
„ the Accountant-General.
„ the Financial Department.
„ the Superintendent, Government Press.

NOTIFICATION.

Under the provisions of section 2 of Act I of 1870 (Madras), the Right Honorable the Governor in Council hereby declares that the provisions of that Act shall apply to the navigable channel known as the Calicut-Badagara canal within the district of Malabar from and after the 15th September 1889 and be in force as regards such navigable channel and that, under sections 4 and 5 of the Act, a toll will be levied on all boats, timber, and bamboo rafts passing through the Payoli lock from and after the said date at the following rates :—

Boat laden, or carrying passengers	2 annas.
Boat empty, with not more than 2 boatmen	1 anna.
Each log of timber with bamboos necessary to float it	
Raft of bamboos	2 annas.

The above rate of toll will be leviable on each passage through the lock.

Exd. A. D. Xavier.

50 Copies.

Notification.

Under the provisions of Section 2 of Act I of 1870 (Madras) the Right Honorable the Governor in Council hereby declares that the provisions of that Act shall apply to the Calicut-Badagara Canal, or navigable Channel within the District of Malabar, and that under Sections 4 & 5 of the Act a toll will be levied on all boats, timbers, and bamboo-rafts passing through the Payoli Lock on and after the said date 15th August 1889 at the following rates:—

Boat laden or Carrying passengers	2 annas.
Boat empty, with not more than 2 boatmen	1 anna
Each log of timber with bamboos necessary to float it	1 anna
Raft of Bamboos	2 annas.

The above rate of toll will be

leviable on each passage through the lock.

[illegible]
[illegible] President.

G.O. No. 694 of [illegible]

[illegible]

B.P. 485
16-7-89.

Rev[illegible]

1
G.R. 2087/89

Original

28-11-12

Gobt. of {1889} Madras.

REVENUE.

Issued

Recd. *Encl.*

G.O., 12th August 1889, No. 694.

AUGUST.

Canal and Ferry Act (I of 1870).

Draft notification for extending the provisions of the — to the Calicut-Badagara canal, amended and ordered to be published in the Fort St. George and Malabar District Gazettes.