
**ANDHRA PRADESH (ANDHRA AREA) COMPULSORY LABOUR
ACT, 1858****1 of 1858****[20th January, 1858]****CONTENTS**

1. Able-bodied male persons may, in certain cases, be called upon to assist in preventing or repairing breaches in embankments and anicuts
2. Punishment for refusing or neglecting to comply with such call
3. Rate of remuneration
4. Mode of payment
5. Recovery of advances from private persons. Requisition for the supply of materials, etc., from villagers
6. Liability of person refusing to contribute labour to work usually executed by village community

**ANDHRA PRADESH (ANDHRA AREA) COMPULSORY LABOUR
ACT, 1858****1 of 1858****[20th January, 1858]**

An Act to make lawful compulsory labour for the prevention of mischief by inundation, and to provide for the enforcement of customary labour on certain works of irrigation in the Andhra area of the State of Andhra Pradesh. Preamble :- Whereas the safety of person and property is endangered by inundations caused by sudden breaches of the embankments of tanks, rivers and canals, and of anicuts and other like works; and it is necessary the common good to make it obligatory on persons, for when duly called upon, to unite their labour to prevent such breaches, or to repair them instantly ; and whereas it is expedient to make legal provision for the enforcement of the duty, which by local custom is incumbent on village-communities, to furnish the labour required for the execution of certain works for the purpose of irrigation and drainage; It is enacted as follows :-

1. Able-bodied male persons may, in certain cases, be

called upon to assist in preventing or repairing breaches in embankments and anicuts :-

Whenever it shall appear to the officer in charge of any tank, river or canal, or of any anicut or other like work that there is imminent danger of the embankment of such tank, river or canal being breached, or of a breach being made in such anicut or other work, and of a destructive inundation being caused thereby, which may be prevented by a large body of persons immediately working together to strengthen the embankment or other work, or when such a breach has occurred, if it shall appear to such officer that it can be repaired and the inundation caused by it be stopped, by the immediate employment of a large body of [persons for that purpose, it shall be lawful for such officer to require the head or heads of the village or villages in the vicinity to call upon all able-bodied male persons in such village or villages to co-operate in the work necessary for preventing or repairing the breach, as the case may be. In the absence of the said officer, it shall be lawful for the tahsildar of the taluq to make such requisition in his stead. And if neither the said officer nor the tahsildar is on the spot, and the emergency is great and urgent, it shall be lawful for the head of the village in which the breach is expected to occur or has occurred, of his own motion, to call upon all able bodied male persons of his own village, and, if needful, to make a requisition to the heads of the neighbouring vilages to call likewise upon the able-bodied male persons of their villages, to co-operate in the work necessary for preventing or repairing the breach.

2. Punishment for refusing or neglecting to comply with such call :-

Any male person being duly called upon by the head of his village to labour as aforesaid, who shall refuse or neglect to comply with such call without any lawful excuse shall, on conviction before a Magistrate or an officer exercising the ordinary powers of a Magistrate, be punished with a fine which may extend to one hundred rupees, or with simple imprisonment which may extend to one month, or with both.

3. Rate of remuneration :-

Every person who shall be employed on such work, under such requisition shall be paid for his labour by day at the highest rate paid in the neighbourhood for similar work and, if he is required to work at night, at double such rate.

4. Mode of payment :-

Payment shall be made to such persons from the public treasury; and if they shall have been employed upon a work belonging to a private person, the amount advanced from the treasury shall be recoverable from such person by the same means which may be lawfully used for the recovery of arrears of land-revenue.

5. Recovery of advances from private persons. Requisition for the supply of materials, etc., from villagers :-

It shall be lawful for heads of villages, on the requisition of the officer in charge of such works, as aforesaid, or in his absence, on the requisition of the tahsildar or in case of emergency when neither such officer nor the tahsildar is on the spot, of their own motion, to make requisitions upon the inhabitants of their villages for the supply of materials, to wit, earth, stone, trees and leaves, bamboos, straw, gunny bags and the like, necessary for preventing or repairing breaches in the embankments of tanks, rivers and canals, and to remove or seize, and, if necessary, to cut down such materials wherever they may be found, giving receipts for them in writing; such materials shall be paid for from the public treasury at the highest prices for which they are sold in the neighbourhood and in case damage is sustained by any person in consequence of the removal, seizure or cutting down of any such materials, compensation shall be made for such damage, the amount of which compensation shall, in case of dispute, be determined in the same manner as amounts payable under Section 6. When the work for which such materials are used belongs to a private person, the amount advanced from the treasury shall be recoverable from him by the same means by which arrears of land revenue are recoverable.

6. Liability of person refusing to contribute labour to work usually executed by village community :-

Whenever by local custom any work connected with the repair or proper maintenance of any minor irrigation or drainage work, is usually executed by the joint labour of a village-community, every person owing lands served or benefitted by such work, who neglects or refuses without reasonable cause to comply with a requisition for such customary aid made to him by the head of the village under the orders of the tahsildar or other superior Revenue-officer, shall be liable to pay a sum equal to twice the value of the labour which he is bound to contribute.

Mode of determining amount payable :- The amount so payable shall, in case of dispute, be determined summarily by the Collector.
Recovery :- Such amount shall be payable on demand ; and on nonpayment, the same may be recovered by the same means by which arrears of land-revenue are recoverable.

Appropriation :- All sums paid or recovered under this section shall be applicable to the expenses of any work connected with the repair or proper maintenance of minor irrigation or drainage work or irrigation or drianage excuted for the benefit of the village communities to which the defaulters respectively belong.

Explanation :- All lands forming part of the registered or recognised ayacut of a minor irrigation work shall be deemed to be land served within the meaning of this section.