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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No.	<u>715</u>	Press No.
Dated	<u>18-11-85</u>	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
for the month of April 1860.*

No. 135. Read the following letter from J. W. B. DYKES, Esq., Officiating Collector of Nellore, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated Krishnāpatnam, 3rd March 1860, No. 6:—

I regret that it is my duty to report for the information of Government, that the Orders, in respect to remissions, under date the 29th July last,* have not been *fully* enforced, in consequence of a mistake on my part.

Proc. of the Madras Govt. No. 1,747 of 1859, Public Works Department.

2. I was under the impression, that, by those Orders, a discretion was allowed to the Collector; that it was fully in his power to levy the full assessment, where a want of water had been felt, from any act or neglect of the Raiyats or Village Officers and, otherwise, remissions would have been granted; but, on the other hand, that it was equally in his power, in such cases, to levy only a portion of the assessment, should he be of opinion, that the levy of the full assessment would materially cripple the agricultural resources of the village, and, for what might perhaps be the fault of only a few individuals, involve a whole community in serious distress. And it was not till a discussion arose, the other day, between the District Engineer, and myself in regard to the precise meaning of the Government Orders on the subject of ring-bunds, that, in looking over some of the correspondence on the subject of irrigation, I became aware of my mistake.

3. I much regret that this mistake should have occurred: and I must now regret it the more, as I cannot but think, that, in some respects, I fail to comprehend the Orders of Government correctly; and hence, at this advanced stage of the Jamābandī, it becomes necessary for me to apply to the Government direct, for further instructions, instead of submitting my doubts in due course, through the Board of Revenue.

4. Taking for an example the large Tank of Allūru, the Jamābandī of which was closed last week, and the Munsif of which village stood charged with having failed to render proper assistance, during the heavy rains in November last, I would beg to be informed, whether, if the Tank had gone, and the charge had been proved against the Munsif, it would have been the intention of Government, that I should levy the full assessment on all the lands in occupation under the Tank in question. There are nigh on 6,000 acres in occupation at the ordinary rates of assessment. Had the Tank burst, and this land been left waste, to have levied the full assessment would have been tantamount to a fine on the village community of (26,000) Twenty-six thousand Rupees, where perhaps one man alone was in fault, and the rest of the community were wholly innocent. And not only would this tremendous fine be inflicted, but the villagers, it must be remembered, would be called on to pay it, when they had lost the whole of their crops, and at a low valuation, that loss would have to be estimated at fully an equal amount; whilst, including another thousand acres and more of Inām, the total loss sustained by the villagers would have to be put down at fully (10,000) Ten thousand Rupees more; and, including the fine, the general results would have been a total drain on the village resources of at least (32,000) Sixty-two thousand Rupees. As I now read the Orders of Government, I should feel bound to impose the fine. But, again, when I remember how notoriously a large portion of our population live, but too literally, from hand to mouth, I cannot but think that I must surely be mistaken. Even if all were equally in fault, and on these grounds the levy of the fine perfectly just, still, to levy such a fine, and at such a time, it is manifest would seriously cripple, if not utterly ruin the agricultural resources of the village; and, looking at the matter in this light alone, I cannot but trust, and most earnestly hope, that I am again mistaken, and that it is not the intention of Government that the rule should be wholly unalterable, wholly independent of any circumstances, be they what they may.

5. Where only a portion of the agricultural capital of a village is embarked in the cultivation of irrigated land, and the village authorities, and the village communities have alike failed to do their duty, in such cases the stringent enforcement of the Government Orders, that no remissions are to be allowed, would, in serious cases of neglect, &c., be not only just, but most advisable. But where the whole, or nearly the whole resources of a village are sunk under the same Tank, or Channel, or the act or neglect that has caused the damage, wholly the act or neglect of a few individuals, in such cases, I do most earnestly urge, that the Government will be pleased to allow a discretion to the Collector. And, as far as my humble opinion goes, I have no hesitation in asserting, that, armed with such power, no Collector need have any difficulty in compelling the Raiyats of his District to recognize, to the full, their obligations in respect to works of irrigation.

6. Having previously alluded to the discussion between the District Engineer and myself, on the subject of ring-bunds, it is perhaps as well that I should forward herewith a copy of a letter, which I have done myself the honor to address to the Chief Engineer, on this, and certain other points, connected with the working of his Department in this District, which are, I think, of sufficient importance to warrant my bringing them thus direct to your notice, and requesting, should you think fit, that they may be submitted in due course for the consideration of Government.

7. What I would especially call your attention to are the suggestions made in the 7th, 8th and 9th paragraphs of the expediency, indeed, I may say necessity, of utilizing the interest of the villagers in detached Public Works, such as Tanks, &c., by giving the village authorities, the option, if they choose, of auditing all accounts of the public money spent on such works, within the limits of their respective villages. As to how such audit may be best arranged, I have, of course, solicited the opinion and advice of the Chief Engineer. But that some such measure, if happily carried out, would both give the villagers increased confidence in such works, secure their hearty co-operation, and be of the greatest service eventually to the whole Department, and the country generally, I feel fully convinced. And, trusting that my suggestion on this point, however crudely put, may receive your favorable consideration.

From J. W. B. DYKES, Esq., Officiating Collector of Nellore, to Colonel J. H. BELL, Chief Engineer, D. P. W., dated Krishnapatnam, 5rd March 1860, No. 31 :—

I have for some time intended writing to you, but have been hitherto prevented, by the press of business, that usually accompanies Janābandī. Now, however, I have received a copy of a letter addressed to Lieutenant-Colonel Lawford by Captain Mullins, the District Engineer, under date the 15th ultimo, touching on several of the very points, with regard to which I have been anxious to write to you. And, as Captain Mullins' letter is likely, I presume, to be laid before you in due course before long, I will without further loss of time carry out my intention, and bring to your notice, without any further delay on my part, certain features in the working of the Public Works Department in this District, to some of which Captain Mullins specially refers, and to all of which, it seems to me, your early attention might be given with much advantage.

2. The first point to which I would call your attention, has reference to a subject that has been so often and so recently, under consideration, that it is with considerable reluctance that I venture to moot it again. I refer to the much discussed matter of ring-bunds, with regard to which such repeated and such stringent Orders have been, only lately, passed, that I would willingly wait to see the result of those Orders, before troubling either yourself, or the Government, for further Orders, did I not think that the Orders already issued, have been misunderstood, and that their misapplication is not only mischievous, but a source of positive loss to all parties.

3. In the course of the Jamābandī of the Gāndavāl Taluq, it was reported to me that all repair of breaches was refused by the Public Works Department, unless a ring-bund is first formed by the villagers. Even if the Tank be dry, and the hot weather were coming on, the villagers were required to raise a ring-bund, in the dry bed of the Tank, or else the breach was to be left as it was. Thinking that there must be some mistake in the matter, on the part of my informants, I wrote at once to the District Engineer, requesting that he would kindly let me know what were the actual orders at present, on this most important point.

To District Engineer, 6th Feb. 1860. And from the correspondence noted marginally, you will observe, that my information, improbable though I had thought it, was unfortunately too accurate.

4. The necessity for ring-bunds, I observed in my letter to Captain Mullins of the 6th ultimo, was palpable enough, when there is water in a breached Tank, or the monsoon is at hand. And to such extent only, was it, I submitted, the intention of Government, in my opinion, that the Raiyats should be compelled to raise ring-bunds, before the repair of a breached bund was undertaken. Where, however, the Raiyats have failed to do their duty, and the necessary repairs from one cause or another, have not been taken in hand by the Public Works Department till the practical necessity for ring-bunds had passed away, the proper course then to be adopted, with regard to the conduct of the Raiyats, was, in my opinion, I pointed out, to levy by way of fine, so much of the wet assessment, as may be deemed expedient, but not to insist further on the erection of a useless ring-bund. Whilst, in conclusion, I dwelt strongly on the fact that to raise ring-bunds in dry Tanks, by way of punishment, was a short sighted waste of labor, necessarily repugnant, under any circumstances, to all notions of political economy and more especially objectionable in the District of Nellore, where labor is scarce.

5. Captain Mullins, however, as you will see from paragraph 2 of his letter of the 14th February, considers that the Orders of Government should be strictly enforced, without exception. He considers that the "kindest, as well as the most probably successful policy in the end, is to insist on the literal and exact performance, by the Raiyats, of their duties, in all respects," or, in other words, the variable construction of ring-bunds, in all cases of breached Tanks, whether the said ring-bunds be otherwise requisite or not. And on this most important point, I beg, therefore, to be favored with your views at as early a date as possible. To insist on the construction of ring-bunds in weather like the present, for example, it seems to me, and must equally seem to the Raiyats, is, simply, a punishment drill, the effect of which on the minds of the Raiyats who are perhaps drawn from other avocations of the greatest importance, (such as well cultivation, &c.) may be conceived only too easily, but cannot be avoided too carefully. The result must be ill-will, and further remarks from me, in this respect, would be superfluous to one who has had your experience of up-country life. I content myself with simply bringing the matter to your notice. And I think you will agree with me, that I am justified in describing the construc-

tion now put on the Orders of Government, in respect to ring-bunds, as not only mischievous, but a source of positive loss to the Raiyats, the Government and the public. Labor is not only misapplied, but actually lost under the present construction. And, with lost labor, comes the endangerment of a cultivation, to which all the spare labor of the Raiyats must now be given without stint.

6. The next point to which I would call your attention is, I believe, not only of equal importance, as regards this district, but also of great moment as affecting the operations of your Department generally; whilst it can, I hope, be disposed of here, more briefly. I have already touched upon it in asking you to take into your consideration, the probable effect on the minds of the Raiyats of the present policy, in the matter of ring-bunds. And it is with reference to the full carrying out of such like considerations, that I would next address you.

7. When the sic volo, sic jubeo of the old system ceased, sufficient attention was not paid in my opinion, to what was of the greatest moment, when, for the future, voluntary labor was to take the place of forced labor, and Government money was to be thenceforth expended in obtaining this voluntary labor, on detached Public Works, such as Tanks, &c., lying scattered over a great extent of country and, therefore, necessarily very difficult of supervision. Rules should then have been laid down likely to secure the hearty co-operation of the influential men of the neighbourhood, in which such detached Public Works might have to be carried on. And, if it were possible to take the whole bearings of any great change of system, into view, at one, and the same time, and that time the outset, the necessity for some such rules, would, I feel sure, have been duly recognized. It would not have been left for me to bring the matter forward. The desired end, would, I feel sure, have been long ago obtained by the adoption of the simple expedient, that I now do myself the honor to suggest, of utilizing the Village Authorities' direct interest in such expenditure of public money, by giving them free access to the accounts, and the right of being heard with regard to these accounts.

8. Taking a deep interest from its very commencement in the successful working of your Department, as soon as I joined this District, I set myself to observe as closely as I could, everything that I thought might in any way tend to explain results, which had disappointed Government, and with which the Public Records had previously made me well acquainted. During the Jamābandī, I have continued to keep my attention steadily fixed, on what, I, and all interested in the welfare of the country, must feel to be a subject of the greatest importance. And, so far as my experience now goes, I feel convinced that the want of effectual supervision, and the consequent want of confidence in your Department on the part of the Raiyats, is the great difficulty with which your Department has now to contend. How the Village Authorities can best be given the audit, as it were, of all public monies spent and sanctioned to be spent on their respective Tanks must be decided by yourself. Versions of the daily expenditure on the detached Public Works might be kept in the Vernacular, by the Gumāstās overlooking the works, without, I should think, materially affecting their efficiency, as regards their more special duties. And, if it were ordered that these accounts, might be, and, it was desirable, should be, inspected, and countersigned daily by any of the Village Authorities, who should be willing to take the trouble, the appearance, or systematic non-appearance of the signatures of those authorities in token of the accounts having been inspected by them, might fitly be made the object of careful inquiry by the visiting Engineer. Station books might have, on one side, a translation in the Vernacular, of the remarks of the Engineers on the other. And, in many ways, I feel sure, might the suggestion I now do myself the honor to submit for your consideration be effectually carried out, and, however carried out, I feel equally sure, a great step will then be taken towards removing the present feelings of distrust, and utilizing a most lively and wholesome interest in the minds of the Raiyats in respect to this large and important branch of the annual operations of your Department. The additional labor thus incurred in the Accounts Department will secure to the District Engineer, the assistance of those most likely to know what is the actual amount of work done, what its actual cost. And the hearty co-operation of the Village Authorities, so far as it can be thus secured, must tend to the easy detection, and consequent prevention of frauds, that at present are but too frequent, and too easily hid, to be readily dealt with by a much more numerous staff, than Captain Mullins has now at his disposal.

9. Undoubtedly, for some time, there was a general, and none the less determined, because passive, resistance to the new system, in this and other Districts, which rested on other causes than want of confidence. Many looked back with wistful eyes to many benefits arising from the old system, some of which were public, some of a private nature. And still more were opposed to what was a decided innovation, simply because it was an innovation. But I am glad to find from paragraph 6 of Captain Mullins' letter, that, in his opinion, the tide has now turned, and the Tahsildars as well as the Raiyats, are commencing in good earnest, to second and support the efforts of the Department of Public Works. The determined and unmistakable Orders of Government on this point, could not well have a different result; and it is now our duty to consider how this change can be most effectually quickened, and made a permanency; on which point, it will be seen from the preceding remarks, that I do not hold the same views as Captain Mullins, who thinks, "it may be perhaps as yet, too soon to determine, what further measures will be requisite." Further measures, I think, are now necessary. And these measures I have

already submitted to you, in part, as regards utilizing the villager's great interest in the operations of your Department, by giving the Village Authorities, the audit, as it were, of your accounts, so far as those accounts refer to detached works in their respective villages.

10. I also think, in continuation of these remarks, that there are two other points closely connected with the preceding, to which your attention might be further given with great advantage; for they undoubtedly influence considerably the village opinions at present, in respect to your Department, and thus have a most important bearing on all attempts to secure local co-operation. The one point is the supply of village watchmen to guard the camp of Subordinates of the Public Works Department, when in charge of large sums of public money; and the other is the necessity for some more stringent check being applied to the language used by those Subordinates, in their official correspondence with regard to the Village Authorities, &c.

11. I am well aware as regards the first point, that it may be urged with only too much truth, that half a dozen of these Subordinates visiting a village, do not make anything like the call on the village watchmen, and the village community in general, that my camp makes. And I deeply regret the fact. But, fact though it be, this fact does not make the calls on the village watchmen, &c., by others, any more acceptable, more especially with reference to the comparative frequency of visits in the case of Overseers, &c. And from recent inquiries into complaints on this subject, I feel convinced that much might be done to promote a greater cordiality towards your Department in this District, were measures taken for obtaining the due security of the public money, without calling for the services of the village watchmen, save in exceptional cases. I would suggest, that all subordinates charged with large payments, should be instructed to make their tours for such purposes, more with regard to the rapid and safe delivery of such money, than the inspection at the same time of such works as may be conveniently on either side of their road. And, if this system were adopted, there would, I think, be little difficulty in providing such Subordinates with the assistance of Tálúq Peons, till such time as the cash in hand was disbursed. Whilst more use, it seems to me, might also be made than at present, of Tálúq Kachéris, and detached Thánás. There is no need in the former case to put an Overseer's money box into the Treasury, in either case, it would be sufficient, when an Overseer with public money in his keeping, arrived at any Tháná or Kachéri, and intended to pass one or more nights there, were he, instead of sending for the village watchmen, simply to put the box under the guard, and take it out again, when required, or when he intends going on. There would scarce be the necessity for a receipt even. And some such course, it seems to me, will be the only course practicable, when the new Police is introduced.

12. Making thus the visits of Overseers, &c., as little troublesome as possible, would, I feel sure, be one very effectual way of removing a certain amount of discontent, that at present exists in this District, in regard to the Department of Public Works. The Raiyats refuse to see the amount of public money thrown into circulation, and the many other great advantages of the new system, and, like many better informed men, fix, instead, their whole attention on defects, wholly extraneous. That any arrangements will be ever, wholly satisfactory, it would be hopeless to expect. But, it is no less our duty, than to our advantage, to leave no stone unturned, that can, in any way, tend to remove the present feeling of discontent; and I think you will agree with me, that the appearance, however rare, of vague assertions, railing accusations, heard of by the leading men amongst the Raiyats; and they are equally sure to create an unfavorable impression. I of course do not presume to make any suggestion as to what may, and what may not, with propriety, be made the subject of correspondence in the Department. I simply refer to cases in which charges are made against villages, collectively or individually, and those charges it is wished should be referred to this Office for inquiry. And to this extent, I would wish my remarks to be taken as applying to the Department of Public Works, generally. Whilst, as an example, I beg leave to refer briefly to a case which was examined into most closely by myself, on the 27th ultimo, and was a complaint brought against the Munsif of Allúru, of November last. Inquiry was made at the time, but the case was remanded for further inquiry at the Jamábandí and after carefully weighing the evidence given on both occasions, that the Munsif had not exerted himself to the extent he might have, I have little doubt. He is a man of great wealth, comparatively speaking, and great influence. Had he chosen, what took him, it would appear a day to do, he might have done in the forenoon. But as regards evidence, it was not such, as I could act on satisfactorily. Whilst Mr. O'Brien, the Assistant Overseer in charge of the Tank, it seemed to me, had been decidedly injudicious, when, after detailing the facts which he would wish inquired into, he proceeded in illustration of what I would draw your attention to, to give his opinion on those, amongst whom it is his duty to work, and whose good will, I conceive, it is equally his duty to win, so far as it can be won, without compromising the public interests. There was no good to be gained by Mr. O'Brien giving it as his opinion, as he did, "that not one of the Village Authorities, or any of the villagers (of Allúru) take any interest whatever in the welfare of the works belonging to them." That he never remembers any of them coming and inquiring after the welfare of the Tank, &c. And that he, there-

fore, requests that the charges previously detailed, may be brought to the notice of the Collector, with a view to their (the villagers) being heavily fined." Had Mr. O'Brien taken into consideration, that the Munsif and the villagers of Allúru are tied to their Tank, by every feeling of tradition, and hereditary descent, that this fine Tank has given them and their forefathers, from generation to generation, their daily bread, as far back as they can remember, and that to it, and to it, alone, must they look for their children, and their children's children's support, he would, I think, have hesitated before he made such a rash assertion, that was sure to be heard of, however studiously, I avoided any mention of it in the inquiry, and was as sure to give offence, as it was equally impossible to prove. And still more would he have hesitated, I should think, had he but taken into consideration for a moment, as regards the Munsif, personally, that he, the Munsif, owns some thousand head of cattle, and holds some 400 acres of irrigated land under the Tank in question. With such a stake, the Munsif, I think you will agree, could scarce be an indifferent by-stander. And, whatever Mr. O'Brien may have thought with reference to these facts, had he been with me two or three mornings before, when I was looking at the bund with this very Munsif, and told him that the Government had just sanctioned 14,000 Rupees for its repair, he would have been fully convinced by the Munsif's remarks, that all operations connected with the Tank are closely watched, although no advantage has unfortunately been taken as yet, of a scrutiny dictated by self-interest, and therefore, as keen as it is ready to our hand, if we only take the proper measures for making use of it. However energetic the District Engineer may be, however zealous the Subordinate Officers may be, they cannot be always on the spot, when detached Public Works are going on; they are liable at any moment to be called away. They cannot keep a perpetual watch, whilst engaged in their own more immediate avocations like the local authorities. And, whilst those, on whom, alone, we must now wholly rely for the supervision of such works, are called, elsewhere, on duty, there is nothing now to prevent some roguish Gumáshlá from slurring over a bit of work entrusted to him, and, by an ill-secured yard of stone facing, endangering a whole Tank. That such is too frequently the case, there can, I believe, be but little doubt. And that such was also the Munsif's view of the case was evident, when, after hearing of the 14,000 Rupees, he took me a short distance further on, and pointed out an unpleasantly apposite illustration. I have already referred to the want of confidence in your Department, that at present, I believe, very generally exists, in consequence of the known impossibility of a thoroughly effective supervision under present arrangements. And at the time, I had this incident in my mind; whilst of others, unfortunately, there was no lack. And that such contingencies, as the Munsif pointed out to me, must always be apprehended, so long as the present system lasts, of ignoring the self-interest ready to our hands on the spot, is, I fear, equally true. The evil will be met, and the want of confidence removed, in my opinion, when those who look to live by the permanency of a Tank, are set to watch those, who look to live by its building.

13. I regret to find to what an extent these remarks have run, more especially with reference to the last point mooted, which will, perhaps, be considered by you, of very trifling moment. But, looking at this portion of the question, with very different eyes myself, I prefer running the risk of being tedious, to failing to make myself fully understood, by greater brevity. And trusting to your forbearance, in this respect, I will now only trespass further on your time, by alluding as briefly as I can, to the topics touched upon by Captain Mullins in the 2nd, 3rd, and 4th paragraphs of his letter to Colonel Lawford of the 15th ultimo. In these paragraphs, Captain Mullins, in accordance to orders from your Office, proceeds to give the results as gathered from the reports of his subordinates, of the effect of the recent Orders of Government, as locally exhibited in different portions of this District. And to the facts thus brought to my notice, full attention shall be paid, where the Jamábandí has yet to be made. In the Tálúqs where the Jamábandí has been already made, the Orders of Government have been duly enforced with the help of a Register, prepared previously in my own Office for that purpose, from correspondence, perusal of inspection reports, &c., And I trust that no serious cases have escaped my notice. But it is evident that such may quite possibly be the case, and the Register now received from the District Engineer suggests a more certain and, therefore, preferable course. Whilst continuing as at present, to report, as it occurs, each serious case, in which the villagers fail to do their duty, I beg to recommend, in conclusion, that a Register of all such cases should be annually prepared in the District Engineer's Office, prior to the commencement of the Jamábandí, for the Collector's use; and further, that orders should be issued at the same time, for securing the attendance at the Jamábandí of such Officers of the Public Works Department, as it may be thought, will be able to prove satisfactorily the neglects, &c., with which the villagers, either collectively, or individually stand charged; and having made this final suggestion, I will trespass no further on your time, save to express my hope, that the length of this letter will be excused on the score of the great importance of the subjects on which it treats.

No. 136.

ORDER THEREON, 18th April 1860, No. 793.

In this letter the Acting Collector of Nellore applies for instructions as to the meaning of the Order of Government in the Public Works Department, dated July 20th 1859, No. 1,747, respecting the duties of Raiyats in connection with the security of irrigation works.

Proceedings of the Madras Government, Public Works Department,
for the month of April 1860.

2. The Order in question directed (paragraph 4) that no remission for Nanja waste or Shavi should be given, in cases where the failure of water should be due to any act or omission of the Raiyats or Village Officers. Mr. Dykes urges that this Order rigidly acted on would operate with hardship in some instances. In support of his representation he puts a supposititious and extreme case.

3. The Government cannot recognize that case as an illustration; both because it is unreal and most improbable, and also because if it did happen it would hardly be in point, because, in such a storm, it would be difficult to assert positively that the failure of the Tank was due to the alleged neglect. But they fully admit that the rule could not properly be absolutely enforced in all cases, and that some discretion must be allowed to Collectors in its application. This discretion, however, should be exercised with full regard to the spirit and intent of the Order, the maintenance of which the Government consider to be quite necessary.

4. The Governor in Council has considered those parts of the enclosure of Mr. Dykes' letter which contain the proposal referred to in paragraph 7 of his present letter; but they are not disposed to think that the plan is either practicable, or if it were, that it could be adopted with advantage.

5. With regard to the other matters touched on in the enclosure, the Government have to observe that in holding the views and using the language ascribed to him in paragraphs 3 and 5, Captain Mullins has entirely mistaken the intentions of the Order above referred to. The real intent and meaning of that Order is that expounded by Mr. Dykes in paragraphs 3 and 5.

6. The Acting Collector's remarks in paragraphs 6 to 12, and especially in paragraphs 11 and 12, deserve careful attention. The want of harmony noticed, between the Raiyats and Village Officers on the one hand, and the Subordinates of the Public Works Department on the other, must operate injuriously in various ways. The Government believe that a better state of feeling would be much promoted by that forbearance both in language and in demands for aid, which Mr. Dykes urges. The attention of the District Officers of the Department may properly be drawn to the subject.

7. The suggestion in paragraph 13 also appears to Government to be worthy of general adoption.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Nellore Collector's Office,

Krishnapatnam,

3rd March 1860.

No. 31.

From, J. W. B. Dykes Esquire,

Officiating Collector of Nellore.

To Lieutenant Colonel J. A. Bell,

Chief Engineer, D. P. W. S.

Fort St. George.

Sir, I have for some time intended writing to you, but have been hitherto prevented, by the press of business, that usually accompanies Jamiabandi. - Now, however, I have received a copy of a letter addressed to Lieutenant Colonel Laingford by Captain Mullins, the District Engineer, under date the 18th Ultimo, touching on several of the very points, with regard to which, I have been anxious to write to you. - And, as Captain Mullins' letter is likely, I presume, to be laid before you, in due course, before long, I will without further loss of time, carry out my intention, and bring to your notice, without any further delay, on my part, certain features in the working of the Public Works Department in this District.

District, to some of which Captain Mullins specially refers, and to all of which it seems to me, your early attention might be given with much advantage.

2. The first point to which I would call your attention, has reference to a subject, that has been so often, and so recently, under consideration. That it is, with considerable reluctance, that I venture to moot it, again. I refer to the much discussed matter of ring-bunds, with regard to which, such repeated, and such stringent orders have been, only lately, passed, that I would willingly wait to see the result of those orders, before troubling either yourself, or the Government, for further orders, did I not think that the orders already issued, have been misunderstood, and that their misapplication is not only mischievous, but a source of positive loss to all parties.

3. In the course of the Jamābandi of the Gundavole Taluq, it was reported to me that all repair of breaches was refused by the Public Works Department, unless a ring-bund is first formed by the Villagers. - Even if the Tank be dry, and the hot weather

weather were coming on, the Villagers were required to raise a ring-bund, in the dry bed of the Tank, or else the breach was to be left, as it was. - I thinking that there must be some mistake in the matter, on the part of my informants, I wrote at once to the District Engineer, requesting that he would kindly let me know, what were the actual orders, at present, on this most important

To, District Engineer, 6th February 1860.

From - ditto, 14th - ditto -

point. And from the correspondence noted marginally, you will observe, that my information, improbable though I had thought it, was unfortunately, too accurate.

4. The necessity for ring-bunds, I observed, in my letter to Captain Mullins of the 6th ultimo, was palpable enough, when there is water in a breached Tank, or the monsoon is at hand. And to such extent, only, was it, I submitted, the intention of Government, in my opinion, that the ryots should be compelled to raise ring-bunds, before the repair of a breached bund was undertaken. - Where, however, the ryots have failed to do their duty, and the necessary repairs, from one cause, or another, have not been taken in hand by the Public

Ryots

Public Works Department till the practical necessity for ring-bunds had passed away, the proper course then to be adopted, with regard to the conduct of the ryots, was, in my opinion, I pointed out, to levy by way of fine, so much of the wet assessment, as may be deemed expedient; but not to insist further on the erection of a useless ring-bund. ~~and~~ Whilst, in conclusion, I dwell strongly on the fact that to raise ring-bunds in dry Tanks, by way of punishment, was a short-sighted waste of labor, necessarily, repugnant, under any circumstances, to all notions of political economy, and more especially objectionable in the District of Nellore, where labor is scarce.

5. Captain Mullins, however, as you will see from Para. 2 of his letter of the 11th February, considers that the orders of Government should be strictly enforced, without exception. He considers that the "kindest, as well as the most probably successful" policy in the end, is to insist on the literal and "exact performance, by the ryots, of their duties, in all respects;" or, in other words, the invariable construction of ring-bunds, in all cases of breached Tanks, whether the

the said ring-bunds be otherwise requisite, or not. - And on this most important point, I beg therefore to be favored with your views at as early a date as possible. - I insist on the construction of ring-bunds in weather like the present, for example, it seems to me, and must equally seem to the ryots, is, simply, a punishment drill, the effect of which on the minds of the ryots, who are perhaps drawn from other avocations of the greatest importance, (such as well cultivation, &c.) may be conceived only too easily, but cannot be avoided too carefully. - The result must be ill-will, - and further remarks from me, in this respect, would be superfluous to one who has had your experience of up-country life. - I content myself with simply bringing the matter to your notice. And I think you will agree with me, that I am justified in describing the construction now put on the orders of Government, in respect to ring-bunds, as not only mischievous, but a source of positive loss to the ryots, the Government, and the public. - Labor is not only misapplied, but actually lost, under the present construction. - And, with lost labor, comes the endangerment of cultivation.

cultivation, to which all the spare labor of the
ryots must now be given without stint.

6. The next point to which I would
call your attention is, I believe, not only of equal im-
-portance, as regards this District, but also of great
moment as affecting the operations of your Department,
generally; whilst it can, I hope, be disposed of here, more
briefly. I have already touched upon it in asking you to
take into your consideration, the probable effect on the minds
of the ryots, of the present policy, in the matter of ring-bands.
- And it is with reference to the full carrying out of
such like considerations, that I would next address you.

7. When the *sic volo, sic jubeo* of the
old system ceased, sufficient attention was not paid, in my
opinion, to what was of the greatest moment, when, for the
future, voluntary labor was to take the place of forced
labor, and Government money was to be thenceforth ex-
-pended, in obtaining this voluntary labor, on detached
Public Works, such as Tanks, &c., lying scattered over
a great extent of country, and therefore necessarily very
difficult of supervision. Rules should then have
been

been laid down likely to secure the hearty cooperation of
the influential men of the neighbourhood, in which such
detached Public Works might have to be carried on. -
And, if it were possible to take the whole bearings of
any great change of system, into view, at one, and the
same time, and that time the outset, the necessity for
some such rules, would, I feel sure, have been duly re-
-cognized. It would not have been left for me to bring
the matter forward. - The desired end, would, I feel sure,
have been, long ago, obtained, by the adoption of the
simple expedient, that I now do myself the honor to sug-
-gest, of utilizing the Village authorities' direct interest
in such expenditure of Public money, by giving them free
access to the accounts, and the right of being heard,
with regard to those accounts.

8. Taking a deep interest, from its very com-
-mencement, in the successful working of your Depart-
-ment, as soon as I joined this District, I set myself to
observe, as closely as I could, everything, that, I thought,
might, in any way, tend to explain results, which had
disappointed Government, and with which the Public Records
had

had previously made me well acquainted. During the Jambandi, I have continued to keep my attention steadily fixed, on what, I, and all interested in the welfare of the country, must feel to be a subject of the greatest importance. And so far as my experience now goes, I feel convinced that the want of effectual supervision, and the consequent want of confidence in your Department on the part of the ryots, is the great difficulty with which your Department has now to contend. - Now the Village authorities, since they have given the audit, as it were, of all public monies spent, and sanctioned to be spent, on their respective Danks must be decided by yourself. - Versions of the daily expenditure on detached Public works might be kept in the Vernacular, by the Gumiastars overlooking the works, without, I should think, materially affecting their efficiency, as regards their more special duties. - And, if it were ordered that these accounts, might be, and, it was desirable, should be, inspected, and countersigned, daily, by any of the Village Authorities, who should be willing to take the trouble, the appearance, or systematic non-appearance, of the signatures of those Authorities in token of the

the accounts having been inspected by them, might fitly be made the subject of careful inquiry by the visiting Engineer. - Station Books might have, on one side, a translation in the Vernacular, of the remarks of the Engineers on the other. - And, in many ways, I feel sure, - might the suggestion I now do myself the honor to submit for your consideration be effectually carried out, and, however carried out, I feel equally sure, a great step will then be taken, towards removing the present feelings of distrust, and utilizing a most lively and wholesome interest in the minds of the ryots in respect to this large and important branch of the annual operations of your Department. - The additional labor, thus incurred, in the accounts Department will secure to the District Engineer, the assistance of those, most likely to know what is the actual amount of work done, what its actual cost. - And the hearty co-operation of the Village Authorities, so far as it can be thus secured, must tend to the easy detection, and consequent prevention of frauds, that, at present, are but too frequent, and too easily hid, to be readily dealt with by a much more

humane

numerous staff, than Captain Mullins has now at his disposal.

9. Undoubtedly, for some time, there was a general, and none the less determined, because passive, resistance to the new system, in this, and other Districts, which rested on other causes than want of confidence. - Many looked back with wistful eyes to many benefits arising from the old system, some of which were public, some of a private nature. - And still more were opposed to what was a decided innovation, simply because it was an innovation. - But I am glad to find from Para. 6 of Captain Mullins' letter, that, in his opinion, the tide has now turned, and the Gabildars, as well as the ryots, are commencing in good earnest, to second and support the efforts of the Department of Public Works. - The determined, and unmistakable orders of Government, on this point, could not well have a different result; and it is now our duty to consider how this change can be most effectually quickened, and made a permanency: on which point, it will be seen, from the preceding remarks, that

that I do not hold the same views, as Captain Mullins, who thinks, "it may be perhaps as yet, too soon to determine, what further measures will be requisite". Further measures, I think, are now necessary. - And these measures I have already submitted to you, in part, as regards, utilizing the Villagers' great interest in the operations of your Department, by giving the Village Authorities, the audit, as it were, of your accounts, so far as those accounts refer to detached works in their respective Villages.

10. I also think, in continuation of these remarks, that there are two other points closely connected with the preceding, to which your attention might be further given with great advantage; for they undoubtedly influence considerably, the Village opinions at present, in respect to your Department, and thus have a most important bearing on all attempts to secure local co-operation. - The one point is the supply of Village watchmen to guard the camp of Subordinates of the Public Works Department, when in charge of large sums of public money; and the other

other is the necessity for some more stringent check being applied to the language used by those Subordinates, in their official correspondence with regard to the Village Authorities, &c.

11. I am well aware, as regards the first point, that it may be urged with only too much truth, that half a dozen of these Subordinates, on visiting a Village, do not make anything like the call on the Village watchmen, and the Village community in general, that my camp makes. - And I deeply regret the fact. - But, fact though it be, this fact does not make the calls on the Village watchmen, &c., by others, any more acceptable, more especially with reference to the comparative frequency of visits, in the case of Overseers, &c. - And from recent inquiries into complaints on this subject, I feel convinced that much might be done to promote a greater cordiality towards your Department, in this District, were measures taken for obtaining the due security of the public money, without calling for the services of the Village watchmen, save in exceptional cases. - I would

would suggest, that all Subordinates, charged with large payments, should be instructed to make their tours for such purposes, more with regard to the rapid and safe delivery of such money, than the inspection at the same time, of such works as may lie conveniently on either side of their road. - And, if, this system were adopted, there would, I think, be little difficulty in providing such Subordinates with the assistance of Taluk Peons, till such time as the cash in hand was disbursed. Whilst more use, it seems to me, might also be made, than at present, of Taluk Kacheries, and detached Tannas. There is no need, in the former case to put an Overseer's money box into the Treasury, - in either case, it would be sufficient, when an Overseer, with public money in his keeping, arrived at any Tanna or Kacheri, and intended to pass one or more nights there, were he, instead of sending for the Village watchmen, simply to put the box under the guard, and take it out again, when required, or when he intends going on. - There would scarce be the necessity for a receipt even. - And some such course, it seems to me, will be the only course practicable.

practicable, when the new Police is introduced.

12. Making thus the visits of Overseers, &c., as little troublesome as possible, would, I feel sure, be one very effectual way of removing a certain amount of discontent, that at present exists in this District, in regard to the Department of Public Works. - The ryots refuse to see the amount of public money thrown into circulation, and the many other great advantages of the new system, and, like many better informed men, fix, instead, their whole attention on defects, wholly extraneous. That any arrangements will be ever, wholly satisfactory, it would be hopeless to expect. - But, it is no less our duty, than to our advantage, to leave no stone unturned, that can, in any way, tend to remove the present feeling of discontent; and, I think, you will agree with me, that the appearance, however rare, of vague assertions, or sailing accusations, in official correspondence, is likely to have a decidedly opposite effect. - They are sure to be heard of by the leading men amongst the ryots; and they are equally sure to create an unfavorable impression. - I of course do not presume to make any suggestion as to

to what may, and what may not, with propriety, be made the subject of correspondence in the Department. - I simply refer to cases in which charges are made against Villages, collectively or individually, and those charges it is wished should be referred to this Office for inquiry. - And to this extent, I would wish my remarks to be taken as applying to the Department of Public Works, generally. - Whilst, as an example, I beg leave to refer briefly to a case which was examined into most closely by myself, on the 27th Ultimo, and was a complaint brought against the Munsiff of Alluri, of having failed to give due assistance in taking care of the Alluri Tank, during the heavy rains in November last. - Inquiry was made at the time, - but the case was remanded for further inquiry at the 'Jama'bandi, and after carefully weighing the evidence given on both occasions - that the Munsiff had not exerted himself to the extent he might have, I have little doubt. - He is a man of great wealth, comparatively speaking, and great influence. Had he chosen, what took him, it would appear a day to do, he might have done in the forenoon. - But

But as regards evidence, it was not such, as I could
set on satisfactorily. Whilst Mr. O'Brien, the As-
sistant Overseer in charge of the Tank, it seemed to me,
had been decidedly injudicious, when, after detailing
the facts which he would wish inquired into, he pro-
ceeded, in illustration of what I would draw your
attention to, to give his opinion on those, amongst whom
it is his duty to work, and whose goodwill, I conceive,
it is equally his duty to win, so far as it can be won,
without compromising the Public interests. - There was no
good to be gained by Mr. O'Brien giving it, as his opinion,
as he did, "that not one of the Village Authorities, or
"any of the Villagers (of Alluri) take any interest,"
"whatever in the welfare of the works belonging to,"
"them". - That he never remembers any of them coming
and inquiring after the welfare of the Tank, &c. - And
that he, therefore, requests that the charges previously
detailed, may be brought to the notice of the Collector,
with a view to their (the Villagers) being heavily fined."
Had Mr. O'Brien taken into consideration, that the
Munsiff and the Villagers of Alluri are tied to their
Tank

Tank, by every feeling of tradition, and hereditary
descent, - that this fine Tank has given them, and
their forefathers, from generation to generation, their
daily bread, as far back as they can remember, - and
that to it, and to it, alone, must they look for their
children, and their children's children's support, - he
would, I think, have hesitated before he made such
a rash assertion, that was sure to be heard of, however
studiously, I avoided any mention of it in the inquiry,
and was, as sure to give offence, as it was equally
impossible to prove. - And still more would he have
hesitated, I should think, had he but taken into con-
sideration for a moment, as regards the Munsiff, per-
sonally, that he, the Munsiff, owns some thousand
head of cattle, and holds some 400 acres of irrigated
land, under the Tank in question. - With such a stake
the Munsiff, I think you will agree, could scarce
be an indifferent by-stander. - And, whatever Mr.
O'Brien may have thought, with reference to these facts,
had he been with me two or three mornings before, -
when I was looking at the Bund with this very Munsiff,
and

and told him that the Government had just sanctioned 14,000 Rupees for its repair, he would have been fully convinced by the Munsiff's remarks, that all operations connected with the Tank, are closely watched, although no advantage has unfortunately been taken, as yet, of a scrutiny dictated by self-interest, and therefore as keen as it is ready to our hand, if we only take the proper measures for making use of it.

However energetic the District Engineers may be, — however zealous the Subordinate Officers may be, they cannot be always on the spot, when detached on Public Works are going on; they are liable at any moment, to be called away. — They cannot keep a perpetual watch, whilst engaged in their own more immediate vocations like the local authorities. — And, whilst those, on whom, alone, we must now wholly rely for the supervision of such works, are called elsewhere, on duty, there is nothing now to prevent some roguish Gundahta from slurring over a bit of work entrusted to him, and, by an ill-secured yard of stone facing, endangering a whole Tank. That

That such is too frequently the case, there can, I believe, be but little doubt. — And that such was also the Munsiff's view, of the case was evident, when, after hearing of the 14,000 Rupees, he took me a short distance further on, and pointed out, an unpleasantly opposite illustration. — I have already referred to the want of confidence in your Department, that at present, I believe, very generally exists, in consequence of the known impossibility of a thoroughly effective supervision under present arrangements. — And, at the time, I had this incident in my mind; whilst of others, unfortunately, there was no lack. — And that such contingencies, as the Munsiff pointed out to me, must always be apprehended, so long as the present system lasts, of ignoring the self-interest ready to our hands on the spot, is, I fear, equally true. — The coil will be met, and the want of confidence removed, in my opinion, when those who look to live by the permanency of a Tank, are set to watch those, who look to live by its building.

these remarks have run, more especially with reference to the last point mooted, which will, perhaps, be considered by you, of very trifling moment. - But, looking at this portion of the question, with very different eyes myself, I prefer, running the risk of being tedious, to failing to make myself fully understood, by greater brevity. - And trusting to your forbearance, in this respect, I will now only trespass further on your time, by alluding as briefly as I can, to the topics touched upon by Captain Mullins in the 2nd, 3rd, & 4th Paras of his letter to Colonel Lawford of the 15th ultimo. - In these Paras, Captain Mullins, in accordance to orders from your Office, proceeds to give the results, as gathered from the reports of his Subordinates, of the effect of the recent orders of Government, as locally exhibited, in different portions of this District. - And to the facts, thus brought to my notice, full attention shall be paid, where the Jamabandi has yet to be made. - In the Taluqs where the Jamabandi has been already made, the orders of Government have been duly enforced with the help of a Register, prepared previously in my own Office, for that purpose,

purpose, from correspondence, perusal of Inspection Reports, &c. And I trust that no serious cases have escaped my notice. - But it is evident that such may quite possibly be the case, - and the Register now received from the District Engineer suggests a more certain, and therefore preferable course. - Whilst continuing, as at present, to report, as it occurs, each serious case, in which the Villagers fail to do their duty, I beg to recommend, in conclusion, that a Register of all such cases should be annually prepared in the District Engineer's Office, prior to the commencement of the Jamabandi, for the collector's use; and, further, that orders should be issued, at the same time, for securing the attendance at the Jamabandi of such Officers of the P. W. Department, as it may be thought, will be able to prove, satisfactorily, the neglects &c. with which the Villagers, either collectively, or individually, stand charged; - and having made this final suggestion, I will trespass no further on your time, save to express my hope, that the length of this letter will be excused on the score of the great importance of the

the subjects on which it treats.

I have the honor, &c.

(Signed) J. W. B. Dykes,

Officiating Collector

(True Copy)

J. W. B. Dykes

Officiating Collector

End
1912

porlown

Nellore Collector's Office,
 Krishnapatnam,
 3rd March 1860.

No. 6

From, J. W. B. Dykes Esquire,
 Officiating Collector of Nellore
 To, J. D. Bourdillon Esquire,
 Secretary to Government, Revenue Dept^y,
 Fort St. George

Sir, I regret that it is my duty to report for the information of Government, that the orders, in respect to remissions, under date the 20th July last, have not been fully enforced, in consequence of a mistake on my part.

2. I was under the impression, that, by those orders, a discretion was allowed to the Collector; that it was fully in his power to levy the full assessment, where a want of water had been felt, from any act or neglect of the ryots or Village Officers, and, otherwise, remissions would have been granted; but, on the other hand, that it was equally, in his power, in such cases, to levy only a portion

*Proceedings of the Madras Government, No. 1747 of 1859
 P. M. Department

Encl^{ure}

1860

20th July

Enclosure is a letter from the Offg. Collector of Nellore to the Secretary to Government, Revenue Dept^y, dated the 3rd March 1860.

Deposited, 9th March 1860.

J. W. B. Dykes Esquire, Offg. Collector of Nellore.

No. 38, dated 3rd March, 1860.

Request the views of the Chief Engineer, as to whether construction of any kind is imperative, as a permanent, & what extent of assistance required. - Also submit by return for same effectually covering the Central Co. Operation of the spot. Last, finally, recommends that a

but but comprehensive Report should be annually furnished to the Collector by the District Engineer the commencement of the season, of all Village, & public property has been under-estimated, as required, by want of that Co. Operation.

portion of the assessment, should he be of opinion, that the levy of the full assessment would materially cripple the agricultural resources of the Village, and, for what might perhaps be the fault of only a few individuals, involve a whole community in serious distress. - And it was not till a discussion arose, the other day, between the District Engineer, and myself, in regard to the precise meaning of the Government orders on the subject of ring-bunds, that, in looking over some of the correspondence on the subject of irrigation, I became aware of my mistake.

3. I much regret that this mistake should have occurred: and I must now regret it the more, as I cannot but think, that, in some respects, I fail to comprehend the orders of Government correctly; and, hence, at this advanced stage of the Jamabandi, it becomes necessary for me to apply to the Government, direct, for further instructions, instead of submitting my doubts, in due course, through the Board of Revenue.

4. Taking for an example the large Tank

of Allura, the Jamabandi of which was closed last year and the Munsiff, of which Village stood charged with having failed to render proper assistance during the heavy rains in November last, I would beg to be informed, whether, if the Tank had gone, and the charge had been proved against the Munsiff, it would have been the intention of Government that I should levy the full assessment on all the lands in occupation under the Tank in question.

There are nigh on 6,000 acres in occupation at the ordinary rates of assessment. - Had the Tank burst, and this land been left waste, to have levied the full assessment would have been tantamount to a fine on the Village community of (26,000) twenty six thousand Rupees, where perhaps one man alone was in fault, and the rest of the community were wholly innocent. - And not only would this tremendous fine be inflicted, but the Villagers, it must be remembered, would be called on to pay it, when they had lost the whole of their crops, and at a low valuation that loss would have to be estimated at fully an equal

equal amount; whilst, including another thousand
acres and more of Inam, the total loss sustained
by the Villagers would have to be put down at fully
(10,000) ten thousand Rupees more; and, including the
fine, the general results would have been a total
drain on the Village resources of at least (62,000)
sixty two thousand Rupees. - As I now read the orders
of Government, I should feel bound to impose the
fine. - But, again, when I remember, how, notoriously,
a large portion of our population live, but too lit-
-rally, from hand to mouth, I cannot but think that
I must surely be mistaken. - Even if all were equally
in fault, and on these grounds the levy of the fine
perfectly just, still, to levy such a fine, and at such
a time, it is manifest would seriously cripple, if
not utterly ruin the agricultural resources of the
Village; and, looking at the matter in this light
alone, I cannot but trust, and most earnestly hope,
that I am again mistaken, and that it is not
the intention of Government that the rule should
be wholly unalterable, wholly independent of any
circumstances

circumstances, be they, what they may.

5. Where only a portion of the agricul-
-tural capital of a Village is embarked in the culti-
-vation of irrigated land, - and the Village
Authorities, and the Village communities have alike
failed to do their duty, in such cases the stringent
enforcement of the Government orders, that no remis-
-sions are to be allowed, would, in serious cases of
neglect, &c., be not only just, but most advisable.
- But where the whole, or nearly the whole, resour-
-ces of a Village are sunk under the same Tank,
or Channel, or the act or neglect that has caused
the damage, has been wholly the act or neglect of
a few individuals, - in such cases, I do most ear-
-nestly urge, that the Government will be pleased
to allow a discretion to the Collector. - And, as
far as my humble opinion goes, I have no hesitation
in asserting, that, armed with such power, no Col-
-lector need have any difficulty in compelling the
ryots of his District to recognize, to the full, their
obligations in respect to works of irrigation.

6. Having previously alluded to the discussion between the District Engineer, and myself, on the subject of ring-bunds, it is perhaps as well that I should forward herewith a copy of a letter, which I have done myself the honor to address to the Chief Engineer, on this, and certain other points, connected with the working of his Department in this District, which, are, I think, of sufficient importance to warrant my bringing them thus direct to your notice, and requesting, should you think fit, that they may be submitted in due course for the consideration of Government.

7. As to what I would especially call to your attention are the suggestions made in the 7th, 8th, and 9th Paras. of the expediency, indeed I may say necessity, of utilizing the interest of the Villagers in detached Public Works, such as Tanks, &c., by giving the Village Authorities, the option, if they choose, of auditing all accounts of the public money spent on such works, within the limits of their respective Villages. - As to how such audit may be best

best arranged, I have, of course, solicited the opinion and advice of the Chief Engineer. But that some such measure, if happily carried out, would both give the Villagers, increased confidence in such works, secure their hearty co-operation, and be of the greatest service eventually to the whole Department, and the country generally, I feel fully convinced. And, trusting that my suggestion on this point, however crudely put, may receive your favorable consideration,

I have the honor to be,

Sir,

Your most obedient servant,

W. B. D. R. R.
Officiating Collector.

Despatched, 9th March 1860.

P. 23

N^o 793

Proceedings of the Madras Government

Under date the 18th March 1860

Read the following letter from the Off^o Coll^r of Vellore.

Expressing regret as to having mistaken the orders of Govt on the subject of remissions, and applying for further instructions on the meaning conveyed by these orders and the necessity for this reference. Also forwarding copy of a letter addressed to the Chief Coll^r regarding the main features of the working of this Dept in this District.

(Here enter 3rd Mar/60 No 6)

In this letter the Acting Collector of Vellore applies for instructions as to the meaning of the order of Government in the Public^{Works} Department, dated July 20th /59 No 1447, respecting the duties of Rangabs in connection with the security of irrigation works.

The order in question directed Para 4, that no permission for Rangabs to waste

[Faint handwritten notes and signatures]

Q. No. 222 July 1859 etc 42045
No. 40th March 1860 etc 77
29th Jan. 1859 etc 18-19.
24th June 1859 etc 1

Q. No. 222
No. 40th March 1860
29th Jan. 1859
24th June 1859
Secretary to Government
Revenue Department
Vellore

Received 15th Nov 1860
The Comr.

Copy with Serial to
the Secy to Govt
18th April 1860

18/35

228 March 1860

Enclosure No 6
No 193. 18th April
Expressing regret as to having mis-
taken the order of Government re-
specting the subject of remissions, & ap-
plying for further instructions on
the meaning conveyed by these
orders, and the necessity for this
reference. Also forwarding copy of
a letter addressed to the Chief
Collector regarding the main features
of the working of this Dept in this
District.

waste on Thavi should be
given, in cases where the
failure of water should be
due to any act or omission
of the Raiyats or Village
officers. Mr. Dykes urges
that this order, rigidly acted
on, would operate with hardship
in some instances. In sup-
port of his representations
he puts a supposititious
and extreme case.

3. The Government
cannot recognize that case
as an illustration; both
because it is unreal and
most improbable, and also
because if it did happen
it would ^{hardly} be in point.
~~Because in such a storm, it would be difficult to~~
~~ascertain whether the water was collected~~
positively that the failure
of the tank was due to ^{the} al-
leged neglect. But they fully
admit that the rule could
not properly be absolutely
enforced in all cases, and
that

that some discretion must
be allowed to Collectors in
its application. This dis-
cretion, however, should be
exercised with full regard
to the spirit and intent of the
order, the maintenance
of which the Govt consider
to be quite necessary.

4. The Governor in
Council has considered those
parts of the enclosure of
Mr. Dykes' letter which
contain the proposals (re-
ferred to in Para 7 of his
present letter; but they
are not disposed to think
that the plan is either prac-
ticable, or if it were,
that it could be adopted
with advantage.

5. With regard to the
other matters touched on
in the enclosure, the
Govt have to observe
that in holding the views
and

and using the language
ascribed to him in Paras
3 and 5. Captain Mul-
lins has entirely mistaken
the intentions of the order
above referred to. The
real intent and mean-
ing of that order is con-
stantly expounded by Mr.
Dykes in Paras 3 and 5.
6. The Acting Collec-
tor's remarks in paras 10 to
12, and especially in
Paras 11 and 12, deserve
careful attention. The
want of harmony noticed
between the Panchayats and
village officers on the
one hand, and the subordi-
nates of the Public Works
Department on the other,
must operate injuriously
in various ways. The Govt.
believe that a better state
of feeling would be
much promoted by that
forbearance

(40)
forbearance both in language
and in demands for aid, in
which Mr. Dykes agrees.
The attention of the Dis-
trict officers of the Depart-
ment may properly be
drawn to the subject.
7. The suggestion in
para 13 also appears to Gov-
ernment to be worthy of
general adoption

[Signature]

1 Copy

A. C. Collr. Nellore Dist. 1/1
10 " Chief Engineer A
11 " B. of Rev.

Public Works 1860 Dept.
Pro. of Govt 20th April

No 793.

Pro. of the Madras Govt.
D^d 18th April 1860.

From the Chief Engr of the Madras Govt.
12/8 m/que. 29th " " 1860.

Respecting the order of
Government with reference
to the duties of Magistrate in
connection with the security
of irrigation works.

No 357 136.

22nd March 18th April