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(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1496 Press Mis.

137-138.

Dated 8-8- 18 61

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 8th August 1861.

No. 137. Read the following letter from H. WOOD, Esq., Collector of South Arcot, to J. D. SIM, Esq., Secretary to Government, dated Cuddalore, 18th July 1861, No. 19:—

SIR,

(1) No. 2,197, dated 25th October 1860, paragraph 6.
(2) No. 1,014, dated 30th May 1861.

1. With reference to the Proceedings of Government noted in the margin, I have the honor to report, with explanations, the orders that I have issued regarding the newly constructed sluice in the Adanapet tank.

2. The question to be decided was, whether the inhabitants of Arien Kuppum should be permitted to make use of the sluice, or whether it should be closed either temporarily or for a permanence, and the Ryots of Adanapet be confirmed in the sole enjoyment of the tank. In reply, I beg to state that I have determined to keep the sluice closed for the present, and to allow the use of the tank to Adanapet alone until the completion of certain improvements which I propose to concert with the District Engineer.

3. In the Proceedings adverted to, I was directed to endeavour to effect an amicable arrangement. This, as I had anticipated, I found to be impossible. I was, therefore, under the necessity of making a somewhat lengthy enquiry into the respective rights of the two villages. These I will now recapitulate briefly for the information of Government.

4. Much stress has been laid on the fact that a large portion of the actual bed of the tank lies within the limits of Arien Kuppum. I am not inclined to allow much weight to this consideration; a similar fact might be predicated of very many other tanks which, as in this case, are, and always have been, solely and undeniably in the exclusive enjoyment of a single village.

5 The lands which the Ryots propose to irrigate from the new sluice are dry lands. They have therefore no claim to water at all, and it is only after all wet lands have been provided for that I should be justified in diverting any water for their use. The wet lands of Arien Kuppum are irrigated from the surplus of another tank.

6. Of a total Nanja area in Adanapet of 184 Cawnies, 140 are dependant on the tank in dispute. Though the village is wealthy and the people industrious they have never yet brought the whole of this area under cultivation. Many fields have remained waste and many have been cultivated with dry crops.* From these two facts, but especially from the latter, we may fairly presume that the ordinary supply of water is insufficient for the whole of their wet lands. On the other hand, it may be urged as shown in the accompanying statement, that wet crops have been raised on certain dry lands. The average of the last seven years, however, shows that whereas only 22 dry Cawnies have been brought under wet cultivation, 46 wet Cawnies have either lain waste or produced only dry crops.

* Faslis. — Cawnies.
1264..... 18-14-1.
1267..... 4- 5-1.
1268..... 13- 6-0.
1269..... 13-13-1.
1270..... 14- 9-1.

7. The Adanapet Ryots offer to improve the tank at their own expense to such an extent as to provide irrigation for all their wet lands and a considerable tract of dry land. They also express their willingness to cultivate the whole of this tract, and to guarantee the punctual payment of the whole assessment.

8. The financial aspect of the case may then be stated thus: If the Ryots of Arien Kuppum use the sluice they will be able to raise wet crops on 40 dry Cawnies already cultivated. The total possible gain will thus be 200 Rupees (water-tax) subject to remissions which, in the present state of the tank, would be almost inevitable. If, on the other hand, the whole tank is confirmed to the Adanapet cultivators, they offer to guarantee the payment of Rupees 433-2-10 as detailed in the margin,† in excess of the assessment of the Fasli just expired.

	Cawnies.	RS.	A.	P.
† Nunja	24-4-1	179	2	10
Punja now waste	40-0-0	54	0	0
Water tax on do.....		200	0	0
		433	2	0

9. Adanapet offers to guarantee this amount, but their offer I cannot in fairness accept. I am convinced that they are offering more than they can perform, more than they could be expected to perform, and more than they would offer under any pressure; but the fear of losing what they have so long considered their exclusive privilege.

10. On these grounds I have come to the conclusion previously intimated. I have carefully examined the locality, and though I concur in the District Engineer's opinion that with certain improvements the water may be made to suffice for both villages, I think it very questionable whether the necessary outlay will be met with a commensurate return. This, however, is an ordinary question which may be settled by the local authorities without any special reference to Government.

Proceedings of the Madras Government, Public Works Department, 8th August 1861.

11. Paragraph 2 of the Proceedings No. 1,014, dated 30th May 1861, seems to call for a further report on the conduct of the Officers who ordered the cutting of the sluice. This has already been fully reported in Mr. Hutchin's letter under date 27th July 1860, as explained by the correspondence submitted with the Proceedings of the Board, dated 22nd September 1860, No. 4,326. The whole correspondence on the subject was then submitted, and I am unable to add any further information.

Statement showing cultivation on Nanja land in Adanapet Village.

Faslis.	Wet cultivation.			Waste and dry cultivation.		
	Cawnies.	As.	P.	Cawnies.	As.	P.
1264.....	79	0	1	60	15	11
1265	86	15	3	53	0	9
1266.....	93	12	1	46	3	11
1267.....	73	0	2	66	15	10
1268.....	100	8	1	39	7	11
1269	108	0	1	31	15	11
1270.....	115	11	3	24	4	9
				323	1	0
	Average...			46	2	5

Statement showing Nanja cultivation on Punja land in Adanapet Village.

Faslis.	Cultivation.		
	Cawnies.	As.	P.
1264.....	27	8	1
1265.....	21	14	2
1266.....	24	3	0
1267.....	23	4	3
1268.....	22	11	0
1269.....	21	2	0
1270.....	17	9	0
	158	3	6
Average	22	9	7

South Arcot, Collector's Kacheri,
Cuddalore, 18th July 1861.

(Signed) H. WOOD,
Collector.

No. 138. ORDER THEREON, 8th August 1861, No. 1,496.

1. Ordered that this letter and the Proceedings of Government in the Public Works Department, dated 25th October 1860, No. 2,197, and the correspondence recorded therein, be communicated to the Judicial Department, with reference to Proceedings in that Department, dated 28th May last, No. 690.

2. As to the question in dispute in connection with the Adanapet tank, the Government consider that they have an undoubted right to dispose of the surplus water of any Government tank. In the instance under consideration however, there is reason to doubt whether the Adanapet tank in its present state can generally contain more water than will suffice for the proper and certain irrigation of the lands of that village, and the Government consider it but fair that the tank until improved should be reserved for the exclusive use of that village the inhabitants of which, as regards both dry and wet lands, have certainly a preferable claim to irrigation from it. Whether it is desirable or not so to improve the tank, as to admit of its holding water also for the Arien Kuppum village is a separate question, which must be considered on its own merits. Any works designed with this object should be specially submitted for the orders of Government.

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

No 19

South Arcot Collr Cuddalore
Cuddalore, 18th July 1861.

3

Sir,

I have the Wood Esqre
Collr of South Arcot

To

J. D. Sim Esqre
Secretary to Government
Pubc Depart.
Fort Saint George

Sir,

With reference to the
Proceedings of Government noted in the
(1) No 2197 - 25th October 1860 Pass 6 Rectn
(2) No 1014 - 30 May 1861.
margin, I have the honor to report,
with explanations, the orders that
I have issued regarding the new
constructed sluice in the Adanapet
Tank.

2. The Question to be decided
was whether the inhabitants
of Arian Kuppam should be
permitted to make use of the sluice,
or whether it should be closed
either temporarily or for a permanency
& the people of Adanapet be
confined in the sole enjoyment of
the Tank. In reply I beg to state
that I have determined to keep the
sluice

sluice closed for the present, and to allow the use of the Tanks to Adamapet alone until the completion of certain improvements which I propose to concert with the District Engineer.

3. In the Proceedings adverted to I was directed to endeavour to effect an amicable arrangement. This as I had anticipated I found to be impossible. I was therefore under the necessity of making a somewhat lengthy enquiry into the respective rights of the two Villages. These I will now recapitulate briefly for the information of Government.

4. Much stress has been laid on the fact that a large portion of the actual bed of the Tank lies within the limits of Trinkuppum. I am not inclined to allow much weight to this consideration. A similar fact might be predicated of any of the Tanks in this, as in the

5

this case, are, and always have been, solely & undeniably in the exclusive employment of a single village.

5. The lands which the ryots propose to irrigate from the new sluice are dry lands. They have therefore no claim to water at all and it is only after all wet lands have been provided for that I should be justified in diverting any water for this use. The wet lands of Trinkuppum are irrigated from the surplus of another Tank.

6. Of the total Ryotwar Area in Adamapet of 184 Kawnies, 146. are dependant on the Tank in dispute; tho' the Village is wealthy & the people industrious they have never yet brought the whole of this Area under cultivation & many fields have remained waste & many have been cultivated with dry

July			
64	18.	14.	1
67	4.	5.	1
68	13.	6.	
69	13.	13.	1
70	14.	9.	1

crops. From these two facts, but especially from the latter, we may fairly presume that the ordinary supply of water is insufficient

for

pe the whole of their wet lands.
On the other hand it may be urged
as shewn in the accompanying
Statement that wet crops have
been raised on certain dry lands.
The average of the last 7 years
however shews that in general
only 22 dry Kanies have been
brought under wet cultivation
46 wet Kanies have either been
waste or produced only dry crops.

7. The Adamapet people
offer to improve the Tank at their
own expense & to sink an system
as to provide irrigation for all
their wet lands & a considerable
tract of dry land. They also
express their willingness to cultivate
the whole of this tract and to
guarantee the punctual payment
of the whole Kepeyum.

8. The financial aspect
of the case may then be stated
thus. If the ryots of Adamapet
use the Slime they will be able
to raise wet crops on 40 dry
Kanies already cultivated. The
total possible gain will thus be
200 Rupees (water lay) subject to
premiums which, in the present
state of the Tank, would be
almost inevitable. If, on the
other hand, the whole tank is
conferred to the Adamapet
Cultivators, they offer to guarantee

	Kanies	Rs as P
Punjah	24-4-1.	179.2.10
Poluyah	40 "	54. " "
new wells		
Water tax	200. " "	
on Dr		
	433.2.6	

the payment of Rupees 433. 2. 10
as detailed in the margin in 3 years
the 1st payment of the 1st July next
by pire.

9. Adamapet offers to
guarantee this amount, but their
offer seems to me fairness accept.
I am convinced that they are offering
more than they can perform, more
than they could be expected to
perform & more than they would
offer under any pressure but
the fear of losing what they have
so long considered their exclusive
privilege.

10. On these grounds I have
come to the conclusion previously
intimated. I have carefully
examined the locality, & tho' I

concur

concur in the (District Surgeon's)
opinion that with certain improve-
-ments & the water may be made
to suffice for both villages, I think
it very questionable whether the
necessary outlay will be met
with a commensurate return.
This however is an ordinary question
which may be settled by the local
authorities without any special
reference to Government.

Para 2 of the Proceedings
No 1114 dated 30th May 1861 recommends a call
for a further report on the conduct
of the officers who ordered the
cutting of the sluice - This has
already been fully reported in
Mr Batchiner's letter under date 27th
July 1860 as explained by the
correspondence submitted with
the proceedings of the Board dated
22nd September 1860 No 1326. The
whole correspondence on the subject
was then submitted & I can only
be added any further information
I have the honor to be

Sir
Your most obedient & humble Servt

South Coast
Collr Calcutty
Cuddalore
18th September

J. Woods

Pro. 25 October 60. N° 327. to 329.
30 May 61. 262-263

N° 137.

30th July R 2d Augt

N°1196. 8th Augt

Proc: of Court for Augt 1671.

The Petition of Sam. Wood
to The Secretary &
Governour & Councell
for y 2d Ky Grant
Dated 18
Returned
N° 19
Seeby — one Copy

Reporting the result of his
inquiry into the subject
of the newly constructed
Sluice in the Rd across part
Sawk with reference to
Government Survey dirs.
dated respectively the
25th October 1660 & 30 May 1661

Survey'd by the
order

1. Being thereunto required
by the Petitioner & after
Public Notice dated 25th Octr last
made the survey whose return
we have annexed to this
Report, in the presence of Peter Hunt
in Trust for the Petitioner
& Jno Lyon
2. The Sluice of which
he complains was then open
the same appeared by the Clerk of the Market
to be 4 feet wide
Attorney for Petitioner

Yards.	Feet Inches.	Poles Links & Yards Chains.	Miles. Furlongs. Chains.
	⊙ - ℳ - ℘	⊙ - ℳ - ℘	⊙ - ℳ - ℘
1264	79 - " - 1	60 - 15 - 11	1264 27 - 8 - 1
1265	86 - 15 - 3	53 - " - 9	1265 21 - 14 - 2
1266	93 - 12 - 1	46 - 3 - 11	1266 24 - 3 - 4
1267	73 - " - 2	66 - 15 - 10	1267 23 - 4 - 3
1268	100 - 8 - 1	39 - 7 - 11	1268 22 - 11 - "
1269	108 - " - 1	31 - 15 - 11	1269 21 - 2 - "
1270	115 - 11 - 3	24 - 4 - 9	1270 17 - 9 - "
		323 - 1 - "	158 - 3 - 6
		46 - 2 - 5	Chains 22 - 9 - 7

Chains
Feet
Inches

Surveyed
Plotted
Examined
18 July 1861

P.W. Dept

No 1496 96

Proceedings of the Madras Government
Under date the 8th Augt 1861.
Read the following letter
from the Coll.r of S. Arcot

Reporting the result of
his enquiry into the subject
of the newly constructed sluice
in the Adanapet Tank
with reference to Govt Pro.
of respectively the 25th October
1860 and 30th May 1861

Here enter 18th July 1861 No 19

Ordered that the
letter and the Pro. of Govt
in the P.W. Department
dated 25th October 1860,
No 2197, and the corres-
pondence recorded there-
-in, be communicated
to the Judicial Dept,
with reference to Pro.
in that Department of
28th May last, No 690

as

Mr A. Cockburn
to Collr of
S. Arcot
Dated 18th
Augt 1861
Recd 19th Do
Ansd 8th Augt
No 134 - 138

2 As to the question in dispute in connection with the Adanapeter Tanks the Govt consider that they have an undoubted right to dispose of the surplus water of any Govt Tank. In the instance under consideration however there is reason to doubt whether the Adanapeter Tanks in its present state can generally contain more water than will suffice for the proper and certain irrigation of the lands of that village and the Govt consider it but fair that the Tanks, until improved, should be reserved for the exclusive use of that village the inhabitants of which, as regards both dry and wet lands have certainly a preferable claim to irrigation from it. Whether it is desirable or not so to improve the Tanks, as to admit of its holding water also for the Arisn Kuppum village is a separate question which must be considered on its own merits. Any works designed with this object should be specially submitted for the orders of Govt. —

50/10/8

I. W. S

13 Copies. Chief Engr & Offg
1/2 " Board of Rev.
1 " Coll.r of South Arcot
1 " Judicial Dept. with Correspondence.

Examd.
Guard copies
WM

This does not seem to me a case in which Govt should exercise their right to surplus water - Both they at. tenter to the subject

I. W. S

15

Public Works 1861 Despatch
Pro: of Govt for Augt.

No 1496.

Pro: of the Madras Govt
Dt 8th August 1861.

Communicating to the
Judicial Department
Letter from the Collector of
South Arcot regarding
the newly constructed
Sluice in the Adanapet
Tank.

No 137 & 138.

Referred to the Board of
Land Revenue for Report
& Return.

(6)

(Copied 22 Aug 8)