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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No.	172	Press
		~~Mis.~~
349-350		
Dated	18-1-	1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
18th January 1864.*

No. 349. Read the following letter from J. W. B. DYKES, Esq., Collector of Nellore, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, Fort Saint George, dated Nellore, 21st December 1863, No. 35 :—

SIR,

1. The Board of Revenue under date the 21st September 1859, circulated certain rules that had been prepared by the Chief Engineer, for the guidance of Revenue and Village Officers as regards the protection of works of irrigation.

2. The rules provided that all calingulahs or escapes should be cleared before the 15th October, ring bunds should be formed by village labor when a tank is breached, and Tahsildars should report to Collectors all cases of neglect of ordinary measures for the safety of tanks, and warn the people that no claims for remission would in such cases meet with attention, &c.

3. The rules were published in the District Gazette of the 7th October 1859, and from that date have been enforced.

4. This year, the last week in October, I observed the Nellore Ryots had closed the escape of this tank. In accordance to orders, I made them clear it. And the Board in their Proceedings of the 14th instant, No. 7,879, having ruled, that I have put a wrong construction on the Circular, I have the honor to request, that you will be so good as to submit for the orders of Government, whether I could construe it otherwise.

5. "The Board do not understand from the papers communicated to them, that any question of supply for revenue purposes is at issue." I need scarcely add, in clearing an escape, that, in this respect, they are correct. But, when the Board go on to observe that the point for the decision of Government is, whether the Engineer or myself is the more competent judge in a professional matter, I beg to dissent. I submit that this is not the question. Such a question has never been mooted by me either in the correspondence now referred to or elsewhere. And the question for decision is would I have been justified in allowing the escape to be closed before the month was out, when the orders received through the Board's own Office expressly ruled that all tank escapes should be cleared by the 15th of October, I presume all will admit, for the monsoon.

6. The question which raised the correspondence was, whether it was necessary for me to give intimation to the Officer in charge of the tank and Anicut irrigation, of the orders I had issued. Whether it was necessary for me to tell him I was carrying out orders. I am of opinion, it was not. He was on the spot and should in fact have told me, brought to my notice as Collector, that the Ryots were disobeying a positive order of Government. Whilst, if I had countenanced such disobedience of orders, if I had allowed the escape to be closed and the tank had breached, I beg to submit for consideration, whether I should not have been held and justly held responsible for the result.

7. I was thinking of sending the correspondence now submitted by the Board for the consideration of Government as showing, in the opinion of the professional Officer on the spot, how closely this fine Nellore tank and Anicut irrigation are connected. The Vélétipad tank, referred to in the Assistant Engineer's letter of the 20th October, is fed by the first section of the Krishnapatnam Canal, and, itself an Inám reservoir, is the channel of communication with a fine sheet of more profitable irrigation below. And in connection with the question of whether the results of Anicut irrigation can properly be estimated without including the Nellore tank in the calculations, I beg you will be so good, now the correspondence has been submitted, as to bring it forward as evidence that will justly have peculiar weight.

No. 350. ORDER THEREON, 18th January 1864, No. 172.

1. The attention of the Collector will be requested to the views of Government expressed in Proceedings dated 24th December 1863, No. 3,819.

2. By paragraph 2, Chapter XI of the Public Works Code, Collectors are allowed an authoritative voice on all questions connected with Public Works in their Districts, except so far as they relate to professional and Departmental points. The matter now at issue was clearly one of a professional character, involving as it did a decision of the question as to the capability of the Nellore tank to receive with safety a larger supply than can be retained while the calingulah is kept open. It is observed that the Officer in charge of the Range intimated to the Collector that it would be positively injurious to keep the head sluice and calingulah open at the same time, and he therefore requested to be made acquainted with the orders given with regard to the regulation of the latter, adding his own opinion that it was desirable to prevent the calingulah from further discharging. Notwithstanding the opinion thus expressed, Mr. Dykes appears to have considered that it was Lieutenant Smith's duty only to look to the supply of the tank, forgetting it would seem that it was useless to throw water in at one end of the tank while it was permitted to flow freely out at the other, depositing in its course, to the injury of the tank, any silt that it might have in suspension.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Board of Revenue.
" Collectors of Nellore.
" Superintending Engineer, 2nd Division.
" Revenue Department.

Exd. S. T. Augustin.

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CIRCULAR.

No. 3794.

From W. HUDLESTON, Esq., Acting Secretary to the Board of Revenue.
To All Collectors.

SIR,

In forwarding to you the accompanying rules for the protection of works of irrigation prepared by the Chief Engineer, for the guidance of revenue and village officers, I am directed by the Board of Revenue to request, that you will direct the talook and village officers to adopt them in practise, and to notify them widely in the villages, publishing them also in your District Gazette.

REVENUE BOARD OFFICE,
Fort St. George,
21st September 1859. }

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) W. HUDLESTON,
Acting Secretary.

ORDERS FOR THE GUIDANCE OF REVENUE AND VILLAGE OFFICERS FOR THE PROTECTION OF WORKS OF IRRIGATION.

1. Before the 15th October all Calingalahs are to be cleared.
2. The bunds of tanks are to be carefully inspected and holes or other trifling damages repaired according to established custom.
3. When heavy rain falls the Taliahs shall be sent to watch the bunds and shall immediately report any appearance of danger.
4. The Moonsiffs or other village officers shall inspect the tanks as often as possible.
5. When a breach appears likely to happen the village coolies shall be summoned and employed in the usual means of preventing it.
6. Notice of danger shall be sent in good time to the nearest subordinate of the Department Public Works.
7. When a breach has taken place the village coolies shall be at once employed in forming a ring bund to save the cultivation.
8. The Executive Engineer will see that all work is duly and fairly paid for, except those trifling repairs which the people are bound to perform, and which the Revenue officers are empowered and required to enforce.
9. The Tahsildars shall without fail report to the Collector all cases of neglect of ordinary measures for the safety of tanks, and shall warn the people that no claims for remission of revenue will in such circumstances meet with attention.
10. Tahsildars and their subordinates shall visit as many tanks as possible before and during the monsoon to see that these orders are carried into effect.
11. These orders shall apply to river channels, annicuts, sluices, &c., as far as circumstances allow.

(Signed) W. HUDLESTON,
Acting Secretary.

N^o 35.

Mellone
Collector's Office
21st December 1863

From:

J. W. B. Dykes Esq.
Collector of Mellone

To:

Colonel C. A. Orr, R.E.

Secretary to Government, Public Works Dept.
Fort Saint George.

Sir,

The Board of Revenue under date,
the 21st September 1859 circulated certain rules that
had been prepared by the Chief Engineer for
the guidance of Revenue & Village Officers as
regards the protection of Works of Irrigation.

2. The Rules provided, that all Calingulaks
or escapes should be cleared before the 15th October.
Ring bunds should be formed by Village Labour
when a tank is breached, & Tahsildars should
report to Collectors all cases of neglect of
ordinary measures for the safety of tanks, &
warn the people, that no claims for punishment
would in such cases meet with attention &c.

3 The rules were published in the District Gazette of the 7th October 1859 & from that date have been enforced.

4 This year, the last week in October, I observed the netting pyots had closed the escape of this tank. In accordance to orders I made them clear it. And the Board in their Proceedings of the 14th Instant⁺ 17.879 having ruled that I have put a wrong construction on the Circular, I have the honor to request that you will be so good as to submit for the orders of Government, whether I could construe it otherwise.

5 "The Board do not understand from the papers communicated to them that any question of supply for revenue purposes is at issue." I need scarcely add, in clearing an escape, that, in this respect, they are correct. But when the

the Board go on to observe that the point for the decision of Government is, whether the Engineer or myself is the more competent Judge in a professional matter, I beg to dissent. I submit that this is not the question. Such a question has never been mooted by me either in the correspondence now referred to or elsewhere. And the question for decision is would I have been justified in allowing the escape to be closed before the month was out, when the orders received through the Board's own office expressly ruled that all tank escapes should be cleared by the 15th of October. I presume all will admit for the moment.

6 The question which raised the correspondence was, whether it was necessary for me to give intimation to the

the Officer in charge of the tank & Anikat irrigation, of the order I had issued. When it was necessary for me to tell him I was carrying out orders, I am of opinion, it was not. He was on the spot & should in fact have told me, brought to my notice as Collector that the ryots were disobeying a positive order of Government. Whilst, if I had countenanced such disobedience of orders, I had allowed the escape to be closed and the tank had breached, I beg to submit for consideration, whether I should not have been held & justly held responsible for the result.

7. I was thinking of sending the correspondence now submitted by the Board for the consideration of Government as showing in the opinion of the professional officer on the spot, how closely this fine

fine Mellore tank & Anikat irrigation are connected. The Vavilati pad tank referred to in the Assistant Engineer's letter of the 20th October, is fed by the first section of the Krishnapatnam Canal, and itself an Inam reservoir, is the channel of communication with a fine sheet of more profitable irrigation below. And in connection with the question of whether the results of Anikat irrigation can properly be estimated without including the Mellore tank in the calculation, I beg you will be so good, now the correspondence has been submitted, as to bring it forward as evidence that will justly have peculiar weight.

I am the honourable,
Your Most Obedient
W^m D^y R^d
Collector

Proceedings of the Madras Government
Under date of 18th Jan'y 1864
Read the following letter
from the Collector of Nellore.

With reference to Board's
Proceedings No. 7849, submits
the point for decision.

M. E. 7/21st December 1863. 1835

The attention of the Collector will be requested to the views of Government expressed in Pro: d/ 26. December 1863. at 3819.

By: Para 20 Chapter XI of the Public Works Code, Collectors are allowed an authorized voice on all questions connected with Public Works in their Districts, except so far as they relate to professional and departmental points. The matter now at issue was clearly one of a professional character, involving as it did a decision of the question as

JP

Pro: 24. October 1863 =
604-608

1863 29th Dec
Collector of Nellore
No. 54051 (10)

Nellore.

John Dunnington Esq.

C. W. Dunnington

Madras

21st Dec 1863
22nd Dec 1863
28th Dec 1863

Decem:

Ch: 35.

Enc: none.

With reference to Board's

Proceedings No. 7849, submit

the point for decision.

No. 349.

No. 172-18 January

to the capability of the
Nellore Tank to receive with
safety a larger supply than
can be retained while the
Calingulak is kept open. It
is observed that the officer in
charge of the Range intimated
to the Collector that it would
be positively injurious to keep
the head sluice & Calingulak
open at the same time, and
has therefore requested to be
made acquainted with the orders
given with regard to the regu-
lation of the latter, adding
his own opinion that it was
desirable to prevent the Calin-
gulak from further discharging.
Notwithstanding the opinion
thus expressed, Mr. Dykes
appears to have considered that
it was Lt Smith's duty only
to look to the supply of
the Tank, forgetting it would
seem that it was useless to

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throw water in at one end
of the Tank while it was
permitted to flow freely out
at the other, - depositing in its
course, to the injury of the
Tank, any silt that it might
have in suspension. -

W.B.

To

The 18th of November
Clerk of Nellore
Supergr 2nd Div
Per Dep^y

Dec^r. 19th 1884

South O.R. 612/114

PT 1864: 2 Dec
of No. of Good Forbury

20: 172
No. of the 11th
20/15 Jan/1874

612

Co. Master of the 11th
informed that it is the
Burgess Officer who
ought to decide the
question as to the
probability of the 11th
to receive, with a
a larger supply than
could be retained without
the 11th being
shifted.

PT 2349. 2350