M.R.O. 1—77,006—8-6-37.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 1375 Press
266-267. Mis.
Dated 12 — 5 — 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
12th May 1864.

No. 266. Read the following Proceedings of the Madras Government in the Revenue Department :—

Resolving to make certain provisions for the villagers of Soonkesoola, on account of the construction of the Irrigation and Canal Company's Anicut. } (Here enter 6th May 1864, No. 783.)

No. 267. ORDER THEREON, 12th May 1864, No. 1,375.

Communicated to the Consulting Engineer and to the Superintending Engineer, 3rd Division.

(True Extract.)

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

To the Consulting Engineer, Irrigation Company.
„ Agent for do.
„ Superintending Engineer, 3rd Division.

Exd. S. T. Augustin

Proceedings of the Madras Government, Revenue Department, 6th May 1864.

No. 66. Read the following Proceedings of the Board of Revenue, dated 23rd April 1864.

Read the following letter from J. I. MINCHIN, Esq., Collector of Kurnool, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Kurnool, 12th April 1864, No. 44 :—

SIR,

1. I have the honor to forward for the consideration of the Board, and submission to Government, copies of correspondence that has passed between the Deputy Collector Ragoonatha Row and the Officers of the Madras Irrigation and Canal Company, on the subject of the necessity for the removal of the village of Soonkesoola, on account of the construction of the Company's Anicut.

2. It will be observed that the Chief Engineer refuses to pay the cost of removing the village from its present dangerous site, on the ground that the land is required for the Canal, and must consequently be provided at the cost of Government on the terms of the contract.

3. It does not appear to me a fair construction of the contract to state that the Government is required by it to incur an expenditure of this nature. The site of this village is not required for the construction of the Canal, or any works belonging to the Company. The erection of the Anicut will in all probability flood the village, and in that case be certainly productive of loss of property, and great inconvenience to the inhabitants. For such loss and inconvenience the Company will be liable to action in the Civil Courts, and can only guard themselves against such responsibility, by previously indemnifying the villagers for their loss.

4. Were it left to the Officers of the Company to make their own arrangements with the villagers, they would probably find it necessary to pay a larger sum for compensation than is required by the Deputy Collector to arrange for the removal of the village, and it appears to me most satisfactory for all parties that compensation should be settled by the Deputy Collector, while I am of opinion that funds for the purpose must clearly be found by the Company.

1. Ordered to submitted for the consideration and orders of Government.

2. The Board do not feel sure that the land on which the village stands must not be deemed requisite for the sanctioned works of the Company and as such to come within the purview of paragraph 7 of the Contract between the Secretary of State and the Irrigation Company.

3. The works of the Company have endangered the village, and the villagers who must remove elsewhere have an equitable claim to compensation.

4. The Company do not appear to have in any way effected this result by deviating from the sanctioned plan, and the Board are disposed to think that Government must compensate the owners of the land, &c. The amount is trifling, but the principle involved is of importance.

5. As the time of the floods is near at hand it is very desirable that no time should be lost in enabling the people to secure a safe site for their houses.

No. 67. ORDER THEREON, 6th May 1864, No. 783.

The Government do not consider that the present case raises any question connected with Section VII of the Contract. The previous correspondence shows that the risk of the village being swept away has not been materially enhanced by the construction of the Anicut; and under all the circumstances the Government resolve to make provision for securing the villagers against injury or loss by floods either by granting them the means of building houses on a higher level or by constructing some defensive work as the Collector, after communicating with the Superintending Engineer, may suggest.

(True Extract.)

Secretary to Government.

To the Board of Revenue.
,, the Department Public Works.

Exd. S. T. Augustin.

1864 Depte
Pro: of Govt for May
No 2044

Pro: of Govt in the
Revenue Depte

Dated 6
Received 7 } May

No 1383

Revoking & making certain provisions for the villagers of Lonikwola on account of the construction of the Offlee Aniceut

No 1375 - 12th May 1864

With an Order.

Nos 266. 267

Lud

No 1375

Cond to the Com Engr
-neer and to the Supt Engr
Engineer 3rd Do

Chepauk
12th May 1864 } "

To the Com Engr 2 Cs
To the Legislative do
To the Supt Engr 3 do

Dated 13th May