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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 90 Press Mis.

173-75

Dated 8. 1 1870.

Not to be folded or roughly handled

Read the following letters :—

No 173 From Captain R F. OAKES, R E, Superintending Engineer, 6th Division, to the Secretary to Government, Public Works Department, dated Tanjore, 15th November 1869, No 941.

I HAVE the honour to inform you that during the past working season in several instances objections were raised by the Merassidars to earth for the repair of river and road embankments being taken from the adjacent fields, as has heretofore been the custom. In some cases works have been stopped, in others compromises have been effected, but in one case the contractor declined to make a compromise, and the case was given against him by the Sub-Magistrate, and on appeal the Collector confirmed the Sub Magistrate's decision, and I anticipate that the result will be that next season we shall not be able to obtain earth at all for public works, or without paying very heavily for the earth obtained. This, however, would be comparatively a minor evil, what is chiefly to be apprehended is, that while negotiations are going on with the recusant Merassidars, the working season, which is short, will pass away, and banks will remain unrepaired and liable to be breached.

List No I
List ,, II
Abstract of Statement No I

2 It has been the immemorial custom of the district that earth for the formation or conservation of the river banks, etc, shall be obtained from the adjacent fields, and when pits have been dug in nunjah or wet land, or even in dry land which is under cultivation, they have to be filled up before the land can be cultivated This filling in of the pits has hitherto been executed by the Merassidars without compensation of any kind, and has been regarded by them much in the light of kudimaramut or unpaid labour As a rule but little injury has been done to lands by the excavation of pits for earth for the formation or conservation of river banks, etc. The lands thus lowered have, in some instances, been allowed to remain in a low level, and have been used as seed-beds, and, in others, have been filled by lowering the adjacent fields thus in many cases land may be, and is, actually improved by being lowered

3 The Padugays are, for the most part, the property of the Merassidars, and the Government margins along the river embankments, as indicated by the pymash accounts, are at present undefined, and, when marked, the marks are almost immediately obliterated if extensive encroachments have been made upon these margins by the Merassidars, while the accounts themselves are of so elastic a nature that they cannot be made to indicate the same two days together, as will be observed from the illustration given below.

4 The topes are, as a rule, the property of the Merassidars, and, in the highly irrigated portions of the district or in the delta generally, the patches of waste land are so few and far between, and are so seldom near the river banks, that for all practical purposes they are unavailable for the repair of river banks and roads.

5 If the Merassidar, ignoring the universal custom of the district, declines to allow earth to be obtained from his irrigated lands and finds that he can either put a stop to the work thereby or can command any sum he pleases in compensa-

tion for the real or alleged injury his lands will sustain, he will not be slow in exercising this right, and this not only as regards the earth obtained from wet lands, but also from dry lands, topes, and Padugays, and, in fact, Government may often be made to pay for improving the Merassidars' lands by lowering them.

It is true that land may be taken up under Act VI of 1857, but while the land was thus being taken up the working season would pass away.

6 It may be, and has been, said that the consent of the Merassidars or Ryots should be obtained before pits are excavated in their lands Some idea of the difficulty of maintaining some 6,000 miles of bank under this process may be obtained by the following illustration —

An estimate was lately sanctioned for the formation of a road from the Vadavair Bridge to the village of Purthiyoor, the villagers of Purthiyoor defraying half the cost of the road which was to be formed by widening the Puthaur north bank 378½ yards of this bank run through the Aroovelimungalum limits The villagers of Aroovelimungalum objected to the formation of the road because they had encroached upon the bank and cultivated and planted trees up to its very foot I inspected the site in March last, having had the land which, according to the pymash, belonged to Government, marked by the Revenue Department I then learned that, though the pymash accounts showed a length of upwards of 600 yards of bank in the Aroovelimungalum limits, the actual measurements showed 378½ yards The Deputy Tahsildar who was present made light of so trifling a discrepancy, and when asked whether he could, under the circumstances, inform me of the width of bank or of the land adjacent thereto, which was the property of Government according to the pymash accounts, stated that the land had already been marked out, the minimum width was found to be seven-eights of a kole or 9⅜ yards and the maximum 22 yards The former was just sufficient for the road embankment on the lowest portion of the ground by reducing the width of the base of the embankment by one foot. The objectors were, therefore, informed that no portion of their land would be encroached upon by the embankment, and that earth, where it could not be taken from the Padugay, would be taken from some low ground which was not cultivated or from some high land which would not be injured, and I asked the Deputy Tahsildar to aid the Range Officer in coming to an amicable arrangement with the villagers relative to the excavation of earth Some two months afterwards I learned that the width of a portion of the Government land was 5½ yards and not 9⅜ as I had been informed, and that the villagers would come to no terms I then asked for a list of proprietors, and I enclose it. There are no less than nineteen proprietors and fifty-nine holdings, some of the holdings being only 2½ yards in length along the bank, many proprietors holding several isolated portions along the bank Of the nineteen proprietors eight object to the formation of the road or to the excavation of earth, and the land required must be taken up under Act VI of 1857 after a survey of each separate bit has been made and laid down on a large scale

This case illustrates very forcibly the difficulties which may be met with in repairing a bank if it is necessary to obtain the consent of each individual land-owner before a pit may be dug

7. Under such a system it will be simply impossible to maintain 6,000 miles of banks in good order In the case adverted to above, the working season has been lost. This, as regards the repair of a river embankment, might have resulted in very serious consequences

8. If Government, though professing to hold the position of landlord, cannot obtain earth for the conservation of the works of irrigation as has hitherto been done without the consent of every individual Merassidar or Ryot from whose holding earth is required, or without payment for the earth thus obtained, it will not only be impossible for its officers to maintain the works of irrigation, but there will be no limit to the amount which the repairs may cost, and the whole time of the members of the Public Works Department will be frittered away in negotiating regarding the excavation of earth To remedy this, if it can be done in no other way, Government should at once take up sufficient margin along all river and channel banks and roads to admit of earth being obtained from the margins for all repairs which may be required to the banks. The margins should not be less than indicated in the following extract from a Memorandum furnished to the Public Works Committee :—

"All artificial banks with the undermentioned margins to be regarded as Government property, and no cultivation to be permitted upon them The banks and margins as indicated below to be under the absolute control of the Executive Department, who may destroy anything planted on this property without appeal —

In small channels, artificial bank and one yard of margin on either side and two yards on Padugay from deep bed · thus no cultivation can be made on a Padugay of less breadth than three yards.

1 yard at top Do above H W	
1½ yards at top 1 do above H W	In large channels, bank and margins of four yards, no cultivation on Padugay of eight yards.
2 yards at top 1½ do above H. W	In rivers with deep bed from 60 to 180 feet broad bank and six yards margin, no cultivation on Padugay of less than twelve yards
2 yards at top 2 do above H W	In larger rivers above 180 feet broad bank and 12 yards margin, no cultivation on Padugay of less than twenty-four yards.

No cultivation to be carried within two yards of the foot of road embankments from one-fourth to one yard high in wet cultivation and within four yards in dry, or within four yards of road embankment if above one yard high in wet cultivation and eight yards in dry"

9 To cover the margins for banks which it is proposed to take up, it is probable that but little land would have to be acquired. Along some streams it would be sufficient merely to resume what, according to the pymash accounts, is the property of Government, and which the villagers have encroached upon and occupied.

It is impossible, however, to form any correct idea of the land which it would be necessary to occupy and to purchase until a survey of the district has been made and the area which, according to the pymash, is the property of Government, has been correctly ascertained and marked In May last I strongly urged the expediency of having the Revenue Survey extended to the Tanjore District, with what result I know not Some years, however, would be occupied in the survey, and in the meantime some special orders are necessary with reference to the difficulty which has arisen relative to the procural of earth for the repair, etc , of roads and river embankments, and this not only in the Tanjore District but also in Trichinopoly, where on a recent occasion objection was raised to a few cubic yards of earth being obtained for filling up some ruts in the side slopes of the Salem road.

No 216, of 14th May

No 310.

No 174 NOTE by the Acting Chief Engineer for Irrigation.

THE Superintending Engineer has brought prominently to notice the difficulties which are experienced in Tanjore and Trichinopoly in obtaining earth for river and road embankments where the lands adjacent are private property, and especially where they are irrigated or cultivated with dry crops. Captain Oakes refers to the immemorial custom of the country in regard to the taking of soil from such lands for repairs, and he appears to think that this custom should continue to be acted upon I do not know whether, were such a custom to be satisfactorily established, a legal claim to act upon it could be maintained, but it appears to me that it would be unjust and inadvisable to make such a claim, because its effect must be a considerable tax, not upon the community generally, but upon the comparatively limited number of landholders immediately adjacent to the public works to be maintained It probably could without much difficulty be shown that such a custom did exist, but in its origin it was probably due to two causes, firstly, to the comparatively small value of land in bygone years, and, secondly, to the inability of the people at that time to obtain a proper recognition of their rights Even in connexion with the maintenance of irrigation works, in which the people have a direct and immediate interest, private property should be respected, and, with regard to roads, there is, I think, still less room for doubt as to the propriety of carefully respecting private property.

2 The difficulties which Captain Oakes has brought to notice have, however, to be faced and removed, and I hope that the necessary steps will be taken at an early date In the first place, while abstaining from encroachment on private property, it will be necessary to take measures for determining what lands are public property, and for marking their limits in a proper and permanent manner I can from experience fully support the Superintending Engineer's statement that the Merassidars are in the habit of encroaching on land belonging to the Government and on embankments, also that they have in hundreds of places actually cut away the slopes of embankments in order to enlarge their fields; that they

take possession of such banks for whatever purposes they please, and throw spoil on them, plant trees, erect huts, water-pandals, and even houses, put hedges across them, and treat them altogether just as if they were their own private property, with which they might do as they pleased.

3. I think, too, that it will be found on inquiry that the grant of Padugay lands on durkhast has in many cases been sanctioned without sufficient inquiry and without first ascertaining whether such grants would be without prejudice to the Government I have a recollection of such a grant being made of land immediatly to the east of the Vudavagudi sluices, and, if I am not mistaken, the river embankment itself was included in the grant. It seems to me that the exact circumstances of the place should in all cases be carefully ascertained, and that, at all events until a regular survey of the delta shall have been completed, a reference should be made to the Public Works Officers by the Collector before Padugay lands, which it may be desirable to retain for public purposes, are granted to individuals

4. In May last, a proposal made by the Superintending Engineer for a Revenue Survey of Tanjore was transferred to the Revenue Department for consideration and forwarded to the Board of Revenue for their observations, since which time I find that the subject has not been before Government. I hope that it will be decided to survey this important district. It seems to be hardly open to question that the present most unsatisfactory state of affairs should not be continued longer than may be absolutely necessary It is remarkable that, in this the richest, most highly cultivated, and, relatively to its area, most populous district, in which it has been thought necessary to have two Zillah Courts besides an unusual number of subordinate Courts, in which the value of land has within the last thirty or five and-thirty years enormously increased, and in which, therefore, it is of the greatest importance that the boundaries and the actual areas of property should be accurately determined, the only standard should still be measurements taken with a kole of eleven yards, without any check whatever. The pymash accounts, as Captain Oakes has repeatedly found to be the case, are, as might be expected, practically useless for determining land boundaries, and, on the other hand, the facility with which they may be made to show almost anything, which may at the time be desired, must lead to many irregular practices and be a great temptation both to those who have charge of them and to those who are influential enough to obtain their co operation to use these accounts in the Law Courts to deprive others of their rights Such a system of land measurement may have done very well when land was of little value, but it is eminently unadapted to the present condition of the Tanjore District. Indeed, from the changes that have occurred in the rivers, lands shown in the pymash have ceased to exist, while other land has been formed by river deposit, and, on the other hand, it is frequently impossible to trace the starting point of many of the measurements shown in these accounts

5 In any case, however, it will be a long time before a Revenue Survey can be completed, and in the interval it is necessary that something should be done to remove the difficulties complained of It is advisable, too, that whatever may be done should be capable of being made use of hereafter. Now a survey follows the

settlement of boundaries, and if this settlement be properly made wherever the Public Works Officers are about to carry on work, the boundaries will so far be ready to be surveyed whenever it may be found convenient to organize or transfer survey parties for this purpose I would, therefore, propose that the Superintending Engineer should prepare a list of the embankments which he proposes to take up and thoroughly repair next season, and in due course similar lists should be made out for successive seasons, and I would suggest that it be determined in the Revenue Department by what agency the boundaries of the Government land belonging to these embankments are to be laid down Then, in preparing the estimates for these embankments, the Superintending Engineer should arrange for its being ascertained whether the repairs can be carried out without interference with lands beyond the Government boundaries, and, if not, the boundary of the additional land required should be marked out, and the Merassidars should then have the option of allowing such land to be lowered to a fixed depth or of selling it I believe that wherever lands would be benefitted by being lowered, the Merassidars will, under proper arrangements, rather than sell, give their ready consent to earth being removed, but the depth of excavation to be made must be specified, and, generally speaking, an entire field should be equally lowered Of course, if no such arrangement can be made, there is no alternative but the purchase of the land either by agreement or under Act VI

6 The next point for consideration is the margin to be retained, or, if need be, acquired by Government on the edge of the river banks, and on each side of river and road embankments I am of opinion that the widths specified by Captain Oakes in paragraph 8 are not at all excessive, and that, while those on the river edge need not be altered, it will be requisite to have a greater width on that side of the embankment from which earth for repairs will have to be taken It will be better to determine this particular when the boundaries of the Government lands have been marked, because where, within a short distance of any particular point, there may be a wide margin available, it may be practicable to do without any land for the provision of soil in other places where the width is small

7 Whenever it is proposed to make a new road either in connexion with a river embankment through cultivated lands or through uncultivated lands which are private property, the land, or the additional land, required should be regularly marked out and surveyed, and the survey should be sent to the Collector with a view to arrangements being made by him for obtaining possession No work should be commenced until formal authority for occupying the land has been received by the Public Works Officers

8 It appears to me to be quite unnecessary for the departmental survey to show individual holdings All that is required is to mark out the land needed for the work and to furnish the Collector with a plan of it on a large scale, say four chains to the inch the particulars of individual holdings would then be ascertained by the Revenue Officers and the compensation settled At first these arrangements will occasion some delay, but after a time they will give no trouble, while, on the other hand, the Merassidars will have no cause of complaint and no power of obstructing the progress of the works.

9 It will, I think, be necessary to instruct the Collector to make it generally known throughout the district that trespass on Government lands belonging to public works will for the future not be tolerated, and that those who encroach on embankments will invariably be punished It is generally perfectly easy to detect these latter, for the embankment shows in such cases an abrupt change of slopes.

10 It may be added that, whether lands are made over voluntarily by villagers, purchased by agreement, or taken up under Act VI of 1857, the boundaries should be marked and the land surveyed and regularly made over by the Revenue Officers In no other way can disputes be avoided, added to which it is of some importance that there should be a regular record of the way in which the lands were acquired.

(Signed) J MULLINS, Major, R E,
Acting Chief Engineer for Irrigation.

FORT SAINT GEORGE,
25th November 1869

No. 175. ORDER THEREON, 8th January 1870, No 90.

CIVIL WORKS, No. 18

ORDERED that these papers be transferred to the Revenue Department for disposal, with the opinion of Government in this department that it is advisable that early measures should be taken for determining the boundaries of Government lands connected with public works in the Tanjore and Trichinopoly Districts, and that it is necessary that lands required for such works should in all cases be formally made over to the Officers of the Public Works Department The terms on which, and the arrangements under which, Padugay lands, from which the earth required for embankment repairs must be taken, should for the future be granted on durkhast, appear to require consideration

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 6th Division
" Chief Engineer for Irrigation
" Revenue Department

Exd A. S. Rodgers.

No 941

Supdt Irrig. Mic 6th Dn
Lahore 15th November 69

From

Captain R. F. Oakes RE.
Superintending Engineer 6th Dn

To,

Colonel C. A. Orr. RE.,
Secretary to Government
P. W. D.

Sir,

I have the honor to inform you that during the past working season in several instances objections were raised by the Inamdars to the earth for the repair of Rivers & Road Embankments being taken from the adjacent fields, as has heretofore been the custom. In some cases works have been stopped, in others, compromises have been effected but in one case, the Contractor declined to make a compromise & the case was given against him by the Sub-Magistrate and on appeal the Collector confirmed the Sub-Magistrate's decision & I anticipate that the result will be, that next Season we shall not be able to obtain Earth at all for P. W. or without paying very heavily for the Earth obtained.

this

their however would be comparatively a minor evil, what is chiefly to be apprehended is, that while negotiations are going on with the recusant Inrapidars the working season, which is short, will pass away and banks will remain unrepaired & liable to be breached.

It has been the immemorial Custom of the District that Earth for the formation or Conservation of the River banks, &c shall be obtained from the adjacent fields and when pits have been dug in Nunjah or wet land or even in dry land, which is under cultivation, they have to be filled up before the land can be cultivated, this filling in of the pits has hitherto been executed by the Inrapidars without Compensation of any kind and has been regarded by them much in the light of Kudimaramut or unpaid labor — As a rule but little injury has been done to lands by the excavation of pits for earth for the formation or Conservation of River banks &c, the lands thus lowered have, in some instances, been allowed to remain in a low level and have been used as seed beds and in others, have been filled by lowering the adjacent fields; thus, in many cases, land may be and is actually improved by being lowered —

3. The Padugays are for the most part the property of the Inrapidars & the permanent margins along the River Embankments, as indicated by the Pymash amounts, are at present ill defined and when marked the marks are almost immediately obliterated if extensive Encroachments have been made upon these margins by the Inrapidars while the Amounts themselves are of so elastic a nature that they cannot be made to indicate the same two days together, as will be observed from the illustration given below.

4. The topes are as a rule the property of the Inrapidars and in the highly irrigated portions of the District or in the Delta generally, the patches of waste land are so few & far between and are so seldom near the River banks that for all practical purposes they are unavailable for the repair of River banks and Roads.

If the Inrapidar ignoring the immemorial Custom of the district declines to allow earth to be obtained from his irrigated lands and finds that he can either put a stop to the work

work thereby or can command any sum he pleases in compensation for the real or alleged injury his lands will sustain, he will not be slow in exercising this right and that not only as regards the earth obtained from wet lands but also from dry lands, topes and padiyays, and in fact Government may often be made to pay for improving the Intraspidiary lands by lowering them.

It is true that land may be taken up under act VI of 1857 but while the land was thus being taken up the working season would pass away.—

It may be and has been said that the Consent of the Intraspidiary Ryots should be obtained before pits are excavated in their lands. some idea of the difficulty of maintaining some 6,000 miles of bank under this process may be obtained by the following illustration.

An Estimate was lately sanctioned for the formation of a Road from the Vadavar Bridge to the Village of Parthiyoor; the Villagers of Parthiyoor defraying half the cost of the Road which was to be formed by widening the Pratthayy N. Bank: 378½ yards of this bank run through the Aroovelimmangalum limits, the Villagers of Aroovelimmangalum objected to the formation of the Road because they had encroached upon the bank and cultivated and planted trees up to its very foot. I inspected the site in March last having had the land which, according to the Pymash, belonged to Government, marked by the Revenue Department. I then learned that although the Pymash accounts showed a length of upwards of 600 yards of bank in the Aroovelimmangalum limits the actual measurements showed 378½ yards.— The Deputy Tahsildar who was present made light of this trifling a discrepancy and when asked whether he could, under the circumstances inform me of the width of bank or of the land adjacent thereto which was the property of Government according to the Pymash accounts, stated that the land had already been marked out the minimum width was found to be 7/8 of a Kole or 9 5/8 yards and the maximum 22 yards, the former was just sufficient for the Road Embankment on the lowest portion of the ground by reducing the width of the base of the Embankment by 1; the objectors were therefore informed that no portion of their Land would be encroached upon by the

the embankment and that Earth, where it could not be taken from the Padegay, would be taken from some low ground which was not cultivated or from some high land which would not be injured and I asked the Deputy Tahsildar to aid the Range officer in coming to an amicable arrangement with the Villagers relative to the excavation of Earth - Some two months afterwards I learned that the width of a portion of the Government land was 5½ yards and not 9 5/8 as I had been informed and that the Villagers would come to no terms - I then asked for a list of Proprietors and I enclose it - There are no less than 19 Proprietors, some holding 7.59 of the holdings being only 2½ yards in length along the bank - many Proprietors holding small isolated portions along the bank - If the 19 Proprietors object to the formation of the Road or to the Excavation of Earth and the land required must be taken up under Act VI of 1857 after a survey of each separate bit has been made and laid down on a large scale -

This case illustrates very forcibly the difficulties which may be met with in repairing a bank if it is necessary to obtain the consent of each individual land owner before a pit may be dug - Under such a system it will be simply impossible to maintain 6000 miles of bank in good order - In the case adverted to above the working season has been lost, this as regards the repair of a River embankment might have resulted in very serious consequences -

If Government though professing to hold the position of Landlord cannot obtain Earth for the Conservation of the works of Irrigation as has hitherto been done, without the Consent of every individual Inamdar or Ryot from whose holding Earth is required or without payment for the Earth thus obtained, it will not only be impossible for its officers to maintain the works of Irrigation but there will be no limit to the amount which the repairs may cost and the whole time of the Members of the D.P.W. will be frittered away in negotiating regarding the Excavation of Earth - To remedy this, if it can be done in no other way, Government should

should at once take up sufficient Margin along all River and Channel banks and Roads to admit of Earth being obtained from the Margins for all repairs which may be required to the banks. the Margins should not be less than indicated in the following Extract from a Memo furnished to the Public Works Committee.

"All artificial banks with the undermentioned Margins to be regarded as Government Property & no cultivation to be permitted upon them, the banks and Margins as indicated below to be under the absolute Control of the Executive Department who may destroy any thing planted on their property without appeal.—

In Small Channels.

— Artificial Bank & 1 yard of Margin on either side & 2 yards on Padugay from deep bed; thus no Cultivation can be made on a Padugay of less breadth than 3 yards.

— In large Channels— bank and Margins of 4 yards, no Cultivation on Padugay of 8-Yards—

— In Rivers with deep bed from 60' to 180' broad banks and 6 yards Margin, no cultivation on Padugay of less than 12-yards.—

— In larger rivers above 180 broad bank & 12 yards Margin, no cultivation on Padugay of less than 24 yards.

No Cultivation to be carried within 2 Yards of the foot of road Embankments from ¼ to 1 yard high in wet cultivation and within 4 yards in dry or within 4 yards of road Embankment if above 1 yard high in wet cultivation & 8 yards in dry."

9. To cover the Margins for banks which it is proposed to take up, it is probable that but little land would have to be acquired: along some Streams it would be sufficient merely to presume what according to the Byelaw such amounts is the property of Govt and which the Villagers have encroached upon and occupied. It is impossible however to form any correct idea of the land which it would be necessary to occupy and to purchase until a Survey of the District has been made and the Area which

which according to the Pymash is the property of Government has been correctly ascertained and marked — In May last I strongly urged the expediency of having the Pchanne Survey extended to the Tanjore District with what result I know not: Some years however would be occupied in the Survey, & in the mean time some special Orders are necessary with reference to the difficulty which has arisen relative to the procural of Earth for the repair &c. of Roads and River Embankments and this, not only in the Tanjore District but also in Trichinopoly, where on a recent occasion objection was raised to a few Cubic yards of earth being obtained for filling up some ruts in the side slopes of the Salem Road —

No 216 & 14th May.

I have the honor to be
Sir,
Your most Obdt Servt.

L. T. Oakes Capt RE.
Supt Engineer 6th Dn

No 310

Note by the Acting Chief Engineer for Irrigation

The Superintending Engineer has brought prominently to notice the difficulties which are experienced in Tanjore & Trichinopoly in obtaining earth for river and road embankments, where the lands adjacent are private property and especially where they are irrigated, or cultivated with dry crops. Captain Oakes refers to the immemorial custom of the Country in regard to the taking of soil from such lands for repairs, and he appears to think that this custom should continue to be acted upon I do not know whether, were such a custom to be satisfactorily established, a legal claim to act upon it could be maintained, but it appears to me that it would be unjust & inadvisable to make such a claim, because its effect must be a considerable tax, not upon the Community generally, but upon the Comparatively limited number of land holders immediately adjacent to the Public Works to be maintained. It probable could without much difficulty

Else

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in its origin it was probably due to two causes,
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works, in which the people have a direct &
immediate interest, private property should be
respected, & with regard to roads there is, I
think, still less room for doubt as to the pro-
-priety of carefully respecting private property.

2. The difficulties which Captain Oakes has brought to notice have however to be faced and removed, and I hope that the necessary steps will be taken at an early date. In the first place, while abstaining from encroachment on private property, it will be necessary to take measures for determining what lands are Public property & for marking their limits in a proper and permanent manner.

I can, from experience, fully support the Super-
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in order to enlarge their fields, that they take
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hedges across them, and treat them altogether
just as if they were their own private property
with which they might do as they pleased.

3- I think too that it will be found
on enquiry that the grant of Padugay lands
on durkhast has, in many cases, been sanc-
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4- In May last a proposal made by the
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of affairs should not be continued long-
-er than may be absolutely necessary. It is re-
-markable that in this the richest, most
-highly cultivated &, relatively to its area, most
populous District, in which it has been
thought necessary to have two Zillah Courts,
besides an unusual number of subordinate Courts,
in which the value of land has within the
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to show almost anything, which may at the
time be desired, must lead to many irregular
practices & be a great temptation, both to those
who

who have charge of them, and to those who are influential enough to obtain their Co-operation, to use them accounts in the law Courts to deprive others of their rights. Such a system of land measurement may have done very well when land was of little value, but it is eminently unadapted to the present condition of the Tanjore District. Indeed from the changes that have occurred in the rivers, lands shown in the Pymash have ceased to exist, while other land has been formed by river deposit, and on the other hand it is frequently impossible to trace the starting point of many of the measurements shown in these accounts.

5. In any case however it will be a long time before a Revenue Survey can be completed, and in the interval it is necessary that something should be done to remove the difficulties complained of. It is advisable too that whatever may be done should be capable of being made use of hereafter. Now a Survey follows the settlement of boundaries, and if this settlement

settlement be properly made wherever the Public Works officers are about to carry on work, the boundaries will, so far, be ready to be surveyed whenever it may be found convenient to organize or transfer Survey parties for this purpose. I would therefore propose that the Superintending Engineer should prepare a list of the embankments which he proposes to take up and thoroughly repair next season and, in due course, similar lists should be made out for successive seasons, and I would suggest that it be determined in the Revenue Department by what agency the boundaries of the Government land belonging to these embankments are to be laid down. Then in preparing the estimates for these embankments the Superintending Engineer should arrange for its being ascertained whether the repairs can be carried out without interference with lands beyond the Government boundaries and, if not, the

boundary

boundary of the additional land required should be marked out, and the Merasidars should then have the option of allowing such land to be lowered to a fixed depth or of selling. I believe that wherever lands would be benefitted by being lowered, the Merasidars will, under proper arrangements, rather than sell, give their ready consent to earth being removed, but the depth of excavation to be made must be specified, and generally speaking an entire field should be equally lowered.- Of course if no such arrangement can be made, there is no alternative but the purchase of the land, either by agreement, or under Act VI-

6- The next point for consideration is the margin to be retained or, if need be, acquired by Government on the edge of the river banks, and on each side of river & road embankments. I am of opinion that the widths specified by Captain Oakes in para 8 are not at all excessive, and that, while those on the river edge need not be

be altered, it will be requisite to have a greater width on that side of the embankment from which earth for repairs will have to be taken. It will be better to determine this particular when the boundaries of the Government lands have been marked, because where, within a short distance of any particular point, there may be a wide margin available, it may be practicable to do without any land for the provision of soil in other places where the width is small

7. Whenever it is proposed to make a new road either in connection with a river embankment, through cultivated lands, or through uncultivated lands which are private property, the land, or the additional land, required should be regularly marked out and surveyed, & the survey should be sent to the Collector, with a view to arrangements being made by him for obtaining possession. No work should be commenced until formal authority for occupying the

the land has been received by the Public Works officers.

8. It appears to me to be quite unnecessary for the Departmental Survey to show individual holdings; all that is required is to mark out the land needed for the work, and to furnish the Collector with a plan of it on a large scale, say 4 chains to the inch; the particulars of individual holdings would then be ascertained by the Revenue officers and the Compensation settled. At first these arrangements will occasion some delay, but after a time they will give no trouble, while on the other hand the Merasidars will have no cause of complaint, and no power of obstructing the progress of the works.

9. It will, I think, be necessary to instruct the Collector to make it generally known throughout the District that trespass on Government lands belonging to Public Works will, for

for the future, not be tolerated, and that those who encroach on embankments will invariably be punished: it is generally perfectly easy to detect these latter, for the embankment shows in such cases an abrupt change of slopes.

10. It may be added that whether lands are made over voluntarily by villagers, purchased by agreement, or taken up under Act VI of 1857, the boundaries should be marked & the land surveyed & regularly made over by the Revenue officers. In no other way can disputes be avoided, added to which it is of some importance that there should be a regular record of the way in which the lands were acquired.

Fort St. George
25th. November 69

Colm Cullins Major R.E.
Acting Chief Engineer for Irrigation

P.W. 1869 Dept.
From [illegible] 16
Prof. Secy. for Irrig.
The Acting Chief
Engineer for Irrigation

To The Secretary to
Government PWD

Dated 25th
Despd 29th November 69
Recd 29

No 310.
Enclo 4
Note on a letter from the Superintending Engineer 6th Division relative to objections raised by Meerasidars to earth being taken from their lands for repairs of river and road embankments.
No 90 - 8th January /70

No 174

C. 4th Decr 1869 R. 111[illegible]

Abstract of Statement No I

No	Name of Holders	Length in Yards	Remarks
1	Venkatramyen	11	
2	Oichoovyen	30¼	
3	Gopaula Iyen	28	
4	V. Seskayen	9¼	
5	C. Seskayen	45¾	
6	N. Vytheanadasami Iyen	23¾	
7	Soondra Iyen	45	
8	Ramasamy Iyen	46	
9	Vythoovyen brother of Coopyen	19¾	
10	M. Vytheanadasami Iyen	19½	
11	Krishna Iyen	24½	
12	R. Soobbien	22¾	
13	M. Vytheanada Iyen	8	
14	Coopari Iyen	12½	
15	M. Vythoovyen	7	
16	A. Soobbyen	6	
17	Vencatasoobbammall	6½	
18	Samoovyen	6	
19	Thorasamyen	7	
		378½	

H. P. Oakes Captain R.E.
Supg Engineer 6th Division

List of land owners, Pattum North Bank in Bamukumgalum limits.-

No.	Name.	Length of Bank Breadth	Remarks
Beginning from the East.			
1	Veeraraviar	5	9/8
2	Velloviar	6	9/8
3	Gopala Ayar	4½	9/8
5	Q. Sankyar	4¾	9/8
6	Q. Vythyanaui Ayar	5	9/8
10	O. Vaikkiar	8¼	5½
13	Gopala Ayar	8	5½
15	Krishna Ayar	7½	5½
16	Sri. Vythianaun Ayar	7½	5½
17	Velloyar	8¼	5½

Enclosure No. 3 to G.O.
from the Rt. Engineer & Dist.
No. 941 dated 15 Sept. 1864.
To The Secretary to Government
P. W. Department

49 7 69
P.W. 4 8 4 69
Rec'd Sept. 20 1869.

Abstract statement of ...

List of Parties who object to Land taken in
the Kolegio Pattaur North Bank in the
Arroolimungalem Limits -

Numbers on Sketch Plan

	Name	Extent Yards
1-11-35-36-37-59	Sundaraya	45
8-12-35-48-49-58	Ramasamy Appa	46
13-18-27-34	K. Krishna Agent of Collector	22¾
14-26-33	Samy Iyen and 5 Sakatayans	9¼
15-16-17-19-20	Sr. Vythanathadas Iyen	19½
21-22-23-24	K. Ramasamy Iyen	7
25-32	Vythanatha Iyen younger brother of Sathu	22½
	Samooyan	6
	Total	177¾

Examined by Deputy Collectors Clerk

N. Gantan Captain &c.

Superintendent 6 Division

Enclosure No 1 in a letter
from the Superintendent 6 Division
No 941 dated 15 September 1869

To
The Secretary to Government
P. W. Dept.

P.W. 884/69
Rec'd Sept 20 of 1869

List No I

of Land owners Pattaur
North Bank in Arroovale-
-mungalem limits.

Public Works Department
No. 90
Office of the Madras Government
Under date the 8th January 1870
Read the following

From the Secretary Engineer
to Government
To the Secretary to Government
Public Department

From the Acting Secretary Engineer
for Irrigation
To the Secretary to Government
Public Department

Sir,

I have the honor to forward herewith
a list of parties who object to
the Government taking certain lands
in the Mustaphanaikanpatty Channel
for the purpose of Government
works, in the Tanjore and
Trichinopoly Districts, which are
connected with Public Works,
and which it is necessary should
be taken up for the purpose
of

Enclosure No. 2 in a letter
from the Secretary Engineer for Irrigation
to the Secretary to Government
Public Department
No. 90 dated 15 January 1870

List No. II

of parties who object to
certain lands being taken in their
holdings Puttaur North
Bank in the Aroovelli
=mungalum limits=

lands required for such works
should in all cases be formally
made over to the Officers of
the Public Works Department
The terms on which and the
arrangements under which
Padiyar lands from which the
earth required for embank-
ment repairs must be taken
should for the future be grant-
ed on due khast, officer to requir
consideration

To

The Secretary Engineer &c
—— Chief Engr for Irr —
—— Revenue Deptt:

Desp: 11/1/70

Cur 4874 & 4976

Govt. of [1869] Madras.

PUBLIC WORKS

To the Superintending Engr
6th Division

Dated

6 Jan 70 to 90

Nos 173-174 & 175

River & road Embankments

Passing orders on papers relative the difficulties which are experienced in Tanjore & Trichinopoly in obtaining earth for river and road embankments where the lands adjacent are generally [illegible]

Weeps 11/1/70

Curr 4814 & 4976

1st Ex. Gallery (1)
The Provincial Secretary
Toronto
The Surg. Engineer
6th Division
&
The Secretary to Govt
P. W. Dept
Date 15th
Rec. 18th } November 1869
No. 4975/4976
No. 941
Enclosures. 3

Reports relative to
objections raised by
Mohawks to certain lands
taken from their lands
for repairs of River and
Road embankments.

No 473

No 90 - 8th Jan 1870

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