M.R.O. 1—77,006—8-6-37.

(1) Number of pages 98

(2) Date of repair 16-11-43

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
(Irrigation)

G.O. No. 532-I Press ~~Mis.~~

52-53

Dated 18-8- 1880.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

18th August 1880, No. 532 I.

Irrigation.
Account.

Read the following papers :—

No. 52. To the President of the Madras Municipality, dated 3rd March 1880, No. 727.

No. 52-A. From A. T. ARUNDEL, Esq., Acting President of the Municipal Commission, Madras, to the Joint Secretary to Government, Public Works Department, Irrigation Branch, dated Madras, 7th May 1880, No. 235—W.W.

I HAVE the honor to reply to the Under Secretary's memorandum, No. 727, dated 5th March 1880, proposing to charge the Municipality with Rs. 29,422 on account of compensation for land taken up for the Red Hills Water Delivery Channel.

2. It was understood by the Municipality from the first that the land required for the Delivery Channel would be given by Government. It was so understood in Mr. Fraser's original scheme, and on the same understanding the final estimate of Rs. 12,80,000 was prepared, in which no entry for land compensation was made. It was obvious that a high level channel would necessarily require more land than a surface cutting of 6 feet deep, and if there had been any intention of levying any part of the charge for land compensation, it would have been communicated by Government to the Commissioners for embodiment in the estimate before the scheme was finally accepted. On the contrary, however, the Government in G.O., No. 3,409, dated 30th October 1868, in the Public Works Department, accepted the estimate as framed by the Commissioners, and recommended the Government of India to advance a loan of the estimated amount. It cannot be supposed that if Government had intended to make a charge of over Rs. 29,000 for land compensation, which would have brought the estimate up to over thirteen lakhs of rupees, they would have allowed the original proposals to pass with so serious an omission, and would have recommended a loan which was insufficient for the purpose intended.

3. That the Municipality acted upon the belief that the estimate as approved and sanctioned by Government exhibited the total charges is shown by the following correspondence, of which copies are enclosed.

The President, Mr. Loch, in a letter, No. 580, dated 28th October 1870, to the Collector of Chingleput, stated that "the value of the land should be paid by Government and not by the Municipality," and that Government had "already made a grant for the land taken up within municipal limits."

4. In a letter, No. 592, dated 2nd November 1870, to the Collector, the President forwarded a petition regarding the excessive rates of compensation which were being paid, but added that "as the disbursement on this account does not form an

item of municipal expenditure," he does not consider himself "called upon to make any observations on the subject." No answer was received to these communications.

5. Again, in a letter, No. 633, dated 25th November 1870, to the Collector, the President offers to *advance* a small sum of money required for compensation to enable the Collector to effect the transfer of some land without delay.

6. The rates paid for compensation in the only case (the village of Iynavaram), wherein the details were communicated to the Municipal Office, were excessive, amounting to Rs. 400 per cawny for *unirrigated* as against Rs. 300 per cawny for irrigated land. The Municipality, as shown by the President's letter above quoted, would not have accepted the rates of compensation had the question been one in which they were concerned.

7. So far as can be judged, the present line of channel does not occupy such valuable land as Mr. Fraser's channel would have done; in fact, according to the plan there are only $2\frac{1}{3}$ miles through irrigated land in the present channel, while there would have been $4\frac{1}{4}$ miles in Mr. Fraser's. The irrigated land is usually of far higher value. The method, therefore, of calculating the value of the additional area taken up by the present channel is invalid. The total land compensation payable for the line of channel originally proposed should first be ascertained and the amount compared with the compensation actually paid for the present channel. Until this is done the difference of value between the land required for the new and that for the old line of channel cannot be approximately estimated.

8. In conclusion, I would remark that eleven years ago, when the estimate for the channel was before Government, there was apparently no intention on their part to impose any charge for land compensation. They were anxious to assist the Commissioners in carrying out the water-supply project; they agreed to provide the land for the line of channel first proposed; and when the final proposal for a different line came up, they accepted the estimate without alteration, tacitly consenting to provide in the second case what they had promised in the first.

9. On behalf of the tax-payers of Madras I must therefore respectfully protest against the claim which it is now proposed to make on the Municipal Funds.

No. 52-B. From the Officiating Examiner of Public Works Accounts, dated 24th April 1880, No. 16 W.

No. 52-C. To the Collector of Chingleput, dated 7th July 1880, No. 230.

No. 52-D. From the Collector of Chingleput, dated 3rd August 1880, No. 462.

No. 53. ORDER THEREON, 18th August 1880, No. 532 I.

HIS GRACE the Governor in Council considers that the claim against the Madras Municipality for payment of the land compensation in excess of that which would have been required for the line of Delivery Channel from the Red Hills Tank, estimated for by the late Mr. Fraser, is perfectly equitable in principle; but, with reference to paragraph 7 of the Acting President's letter above recorded, as the value of the land on Mr. Fraser's line has not been at any time determined, Government are willing to allow this value to be settled by arbitration if the Municipality will agree to be bound by its results, in which case the Government of India will be asked to assent to the capital debt to Government of the Municipality being increased by the amount settled as payable by them for land compensation for their channel.

2. Pending a settlement of the amount to be paid by the Municipality, the claims of the land-owners will be paid from Imperial Funds. It is observed from a

statement, dated 24th March 1879, that in the Chingleput District the compensation unpaid was—

				RS.	A.	P.
For the project other than the Delivery Channel				19,708	3	5
For the Delivery Channel	5,143	7	0			
In the Madras District—Statement dated 15th November 1879—Delivery Channel ...	3,103	1	6			
	8,246	8	6	19,708	3	5

27,954-11-11

The budget provision made under B land is Rs. 3,314, and such further funds as may be required will be met by re-appropriation from other sub-heads.

(True Extract.)

(Signed) JOHN MULLINS, Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Superintending Engineer, Second Circle.
" Chief Engineer for Irrigation.
" Collector of Chingleput.
" " of Madras.
" Examiner of Public Works Accounts.
" Financial Department.
" Revenue "

Exd. A. F. Goodall.
Spare Copies

60

IRRIGATION.
ACCOUNT.

Govt. of [1880] Madras.

PUBLIC WORKS.

To

THE SUPERINTENDING ENGINEER,
SECOND CIRCLE,

&c., &c., &c.

Dated August, 18th.

Issued

Recd. *Encl.*

G. O., 18*th August* 1880, *No.* 532 I.

AUGUST.

Nos. 52-53.

Compensation for Land taken up for the Madras Municipal Delivery Channel.—Considering that the claim for — against the Madras Municipality equitable; and as the value of the land has not been determined, that the same be settled by arbitration if the Municipality will consent to such settlement, in which case the Government of India will be asked to assent to the increase of the capital debt of the Municipality to Government by the addition of the amount as may be settled as above.

Pending the above settlement the landowners will be paid from Imperial Funds.

No 1439. Chingleput Dt. Collr's Office
Camp Pondamalee 10th April 1879.

From

J. F. Price Esqre.
Collector of the
Chingleput District

To

The Superintending Engineer
2d Circle.
Madras.

Sir,

As requested in your letter No 4418 dated 27th November last, I have the honor to forward the statement therein asked for prepared in the manner required by the Chief Engineer, P.W.D. in his Memo to your address No 1493 dated 10th October preceding, a copy of which accompanied your letter under reply.

2. It will be observed that while the amounts of compensation shown in the present statement are the same as those exhibited in that transmitted with this office No 215 of the 23d January last there is a slight increase amounting

to acres 5.03 in the total extent of land taken up or required and the area yet to be paid for. The omission of this extent in the statement first sent was an error.

I have &c

[Signed] J. H. Johnston

Dy Collector for Collector.

(True copy)

H. Wood Major RE

Supg Engineer 3rd Circle.

Statement showing the area of lands taken up or required for the Madras Water works Project and Madras Delivery Channel and for which compensation has been or remains to be paid in Chingleput District.

Sub-Division of Project	Lands already taken up or required. Total Area	Compensation for → Lands	Buildings	Trees &c	Total	Lands already paid for. Total Area	Compensation for → Lands	Buildings	Trees &c	Total	Lands yet to be paid for. Total Area	Compensation for → Lands	Buildings	Trees &c	Total	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	Acres cents	Rs a p	Rs a p	Rs a p	Rs a p	Acres cents	Rs a p	Rs a p	Rs a p	Rs a p	Acres cents	Rs a p	Rs a p	Rs a p	Rs a p	
I Anicut on the Cortillar (Head works)	111 82	1962 12 8	700 - -	827 8 8	3490 5 4	65 74	889 10 11	70 - -	427 8 8	2417 5 7	49 08	1073 1 7	- - -	- - -	1073 1 7	
II Sholaveram Tank Supply Channel	196 19	6706 5 4	227 8 -	435 5 11	7369 3 3	178 09	6005 3 5	147 8 -	435 5 11	6588 1 4	18 10	701 1 11	80 - -	- - -	781 1 11	
II Red Hills Tank Supply Channel	136 26	7628 7 3	- - -	- - -	7628 7 3	105 14	6189 11 3	- - -	- - -	6189 11 3	31 12	1438 12 -	- - -	- - -	1438 12 -	
	332 45	14334 12 7	227 8 -	435 5 11	14997 10 6	283 23	12194 14 8	147 8 -	435 5 11	12777 12 7	49 22	2139 13 11	80 - -	- - -	2219 13 11	
III Sholaveram Tank	1631 59	17565 15 5	2804 14 4	1512 14 5	21883 12 2	1324 45	11713 8 7	2799 14 4	1492 11 10	16005 2 9	307 14	5852 6 10	8 - -	20 2 7	5878 9 5	
III Red Hills Tank } Reservoirs	2595 86	86288 3 2	8822 14 -	2881 14 2	97992 15 4	2567 64	85928 4 1	8804 10 -	2370 14 2	97603 12 3	28 32	359 15 1	18 4 -	11 - -	389 3 1	
	4227 45	103854 2 7	11627 12 4	4394 14 7	119876 11 6	3891 99	97641 12 8	11603 8 4	4363 10 -	113608 15 -	335 46	6212 5 11	24 4 -	31 2 7	6267 12 6	
[illegible] Tank	85 3875	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
[illegible] Tank	81 5111	-	-	10 - -	6207 7	-	-	-	-	-	-	-	-	-	-	
	136 66 8986	- -	- -	- -	1161 7 3	10147 7 3	- -	- -	- -	- -	- -	136 66 8986	- -	- -	1161 7 3	
V Madras Delivery Channel	137 00	18565 5 5	373 - -	1343 15 3	17582 4 8	1278 34	10779 6 5	328 - -	1331 7 3	12438 13 8	11 66	6085 15 -	45 - -	12 8 -	5143 7 -	
Grand Total	4948 38	145003 1 3	12928 4 4	8163 14 8	166094 7 3	4366 30	121505 12 8	12779 - -	4695 7 5	141242 12 10	582 08	23497 4 7	149 4 -	1205 1 10	24851 10 5	

Chingleput District, Temply Dy Coll's office
Saidapet 24th March 1879

[Signed] A. Pinto
Deputy Collector

[True copy]

[illegible] Major R.E.
Superintending Engineer

3rd Circle

No. 2449.

~~Chingleput~~ Superintending Engineer's Office,
Chepauk
~~Chief Public Works~~, 25th April 1879.
Dispt. 26th do

From

THE SUPERINTENDING ENGINEER,
~~Chingleput~~ 3rd Circle.

To

The Chief Engineer
Public Works Deptt.

Sir

In continuation of this office
No 4417 dated 28th November 1878,
Enc 2. I have the honor to forward herewith copy of a statement received from the Collector showing the required information regarding the lands taken up for the Madras Water Supply and Irrigation Extension Project, together with a copy of the Collectors letter No 1439 dated 12th April 1879 - on the subject.

I have the honor to be
Sir
Your most obedient servt

R. Wood Major RE
Supg Engineer 3rd Circle

From the Supt. Engr 3d C.

No. 2449.

Dated 25th
Desp. 26th } April 79.
Rec'd

Enclosures 2.

Madras Water Supply & Irrigation Extension Project — Forwards copy of a Statement showing the required information regarding the lands taken up for the —

Statement showing the area of land taken up for the Reservoir Water Works 1879.
and Aqueduct in Lot Lands and proposed for the Permanent Reservoir and Waterworks Compensation
Assessment & Sum agreed to be paid.

Land already taken up for Reservoir	Land already paid for	Land yet to be purchased	Compensation for Land already taken up	Compensation for Land already paid for	Compensation for Land yet to be purchased	Remarks
Total Area of Land Building &c.	Total Area of Land Building &c.	Total Area of Land Building &c.				

1 Lands taken up for Reservoir	2 Buildings &c.	3 Total Area	4 Lands taken up for Aqueduct	5 Buildings &c.	6 Total Area	7 Remarks	8 Lands taken up for Reservoir	9 Buildings &c.	10 Total Area	11 Lands taken up for Aqueduct	12 Buildings &c.	13 Total Area	14 Lands taken up for Reservoir	15 Buildings &c.	16 Total Area	17
Up to the end of open Sedbergh Channel	20	82	14	25	9	14	5	10	3	21	8	17	8	9	16	16
Below the end of the open Sedbergh Channel	2	46	6	75	6	14	28	7	9	6	10	19	9	6	35	10
Total	23	28	20	16	12	33	8	9	6	10	32	20	14	24	52	26

1 Lands taken up for Reservoir	2 Buildings &c.	3 Total Area	4 Lands taken up for Aqueduct	5 Buildings &c.	6 Total Area	7 Remarks	8 Lands taken up for Reservoir	9 Buildings &c.	10 Total Area	11 Lands taken up for Aqueduct	12 Buildings &c.	13 Total Area	14 Lands taken up for Reservoir	15 Buildings &c.	16 Total Area	17
Up to the end of open Sedbergh Channel	20	82	14	25	9	14	5	10	3	21	8	17	8	9	16	16
Below the end of the open Sedbergh Channel	2	46	6	75	6	14	28	7	9	6	10	19	9	6	35	10
Total	23	28	20	16	12	33	8	9	6	10	32	20	14	24	52	26

Post Office
15 November 1879

Civ: 25—11

No. 573

Madras Collector's Office
15th November 1879.

From

The Collector of Madras.

To

The Chief Engineer for
Irrigation.

Sir,

With reference to your letter No 26 C.I. dated 6th October 1879, I have the honor to forward a statement, in the form received with your letter, showing the particulars of the land taken up in connection with the Madras water works &c according to the information available from the records of this office.

I have the honor to be
Sir
Your most obedient servant

[illegible]
Collector of Madras

Div: 25—11

P. D. Dofftt

Dy 767 dfd 31st March 1880

Memorandum.

With reference to letter Dy 404/538,
dated 5th February 1880 from the
President Municipal Commission,
and to the Proceedings of Executive
Council of even date marginally noted on the
margin of the said letter, I am directed to
request that you will cause Surveyors to
be appointed to value the lands
to be taken up for the Railway Channel
from the Coal Wells Canal, undersigned
here the Lands to which such
Surveyors will be confined
Government believing it have been shown
that the total cost of the Lands
in question, the Municipality should
be required to contribute towards

of Rs 39,422 [illegible] the
for carrying [illegible]
2. Under section 22 [illegible] proceeds
to ascertain from the Executive
Officer or the Chief Engineer or
Inspection what portion of
was necessary for the Proposed
Road Channel from the Rose
Hills Tank to the Great Tank
it has been found that [illegible] these
cross sections but there is no
longitudinal section, made from
the land from a specification, which
was found cross sections have been
plotted and the width of land
required ascertained.

The remaining area is acres 56.2.

The land required for the
above Railway Extension is
carried out by the Municipa-
lity is given as acres 15.82
and that for the water below 20.46
12.28

so that the land to be purchased is
but [illegible] the Road also lines that
which the Channel designed by
the Chief Engineer was needed.

Extent of the land required being
Rs 45,309 the value of 56.2 acres
should be 56.2 × 45,309 = Rs 15887,
12.28
leaving the balance Rs 29,422 to be
paid by the Municipality.

3. The principle of the apportion-
ment as above enunciated appears
to the Government equitable and

the undersigned has been instructed

to enquire of the Municipality

whether they have anything to urge against the adoption or against the resulting change to the Municipality for the expenditure involved by their execution of the channel on the plan they by preference adopted, which it is to be presumed they deemed more economical than the Engineer's plan which would leave uncultivated tift in the water to the necessary height within Municipal limits instead of following

it at that height at the Municipal

boundary.

4. In conclusion it is observed

that Mr Fraser in his estimate

allowed a breadth of 50 feet on either

side of the channel between it

and the side embankments, so that

there would have been ample space to

enlarge the channel to any extent

that might be required the breadth

not being encroached.

The area of land taken up

for the channel as shown dotted

may therefore be resolved into the

short that could under any

circumstances be needed.

I have &c

(Sgd) Edward Bell

Secretary to Board

P. W. D.

Irrigation Branch.

Chief Engineer's Branch 1880

To

The Chairman

Madras Municipal Commrs

A Schuster

P.W.D.
220880
No.

No 580. Municipal Commr's Office
Madras 28th October 1870

From

A. D. Cook Esquire
Offg. President Mun.l Comm.r

To

W. A. Blair Esquire
Collector of Chingleput.

Sir,

I have to acknowledging receipt of your letter No 532 dated 20th October 1870 calling on me to remit the sum of Rs. 11479-9-0 being the amount of compensation due for certain lands taken up for the Delivery channel of the Water Supply of Madras, and have the honor to inform you that the value of the land should be paid by Government and not by the Municipality. For the lands taken up within Municipal limits Government have already made a grant.

I have the honor to be
Sir,
Your most obed.t Servt
(signed) A. Cook
Offg. President

4727-3-3 Pr

No 502

Municipal Comm Office

Madras 2nd Nov 1870

From

A. Lock Esquire

Offg President Mun Com

To

W. S. Blair Esquire

Collector of Chingleput.

Sir,

I have the honor to forward copy of a Petition dated 2nd October 1870 received from the Rhotrundar and Corocapillay of Pynaveram bringing to notice the excessive rates at which land taken for the Delivery Channel have been assessed, I may here mention that the Municipal Executive Engineer who has some knowledge of the value of land stated to me at the time I was perused that the rates entered in the Statement which accompanied your letter No 532 dated 20th October 1870, were excessive, but as the disbursement on this account does not form an item of Municipal expenditure, I did not consider myself called upon to make any observation to you on the subject

I have the honor to be
Sir
Your most obdt Servant
(sd) A. Lock
Offg President MC

No 533

Municipal Comm Office

Madras 2nd Nov 1870

From

A. Lock Esquire

Offg President Mun Com

To

W. S. Blair Esquire

Collector of Chingleput

Sir,

I have been informed by the Executive Engineer that the cause of the delay in making over to this Department the land in Pynaveram Village, is owing to your not having given Cash to pay for the houses standing on it, as this of such great importance that the section of the Delivery channel should be completed by the end of December next, I have the honor to suggest that if agreeable to you, I shall advance the sum required from the funds at my disposal, and recoup myself whenever it may be sent at your convenience.

I make this offer as it has been represented to me that the sum required is less than 100 Rupees.

I have the honor to be
Sir,
Your most obdt Servt
(signed) A. Lock
Offg President MC

(True Copy)
J. Arbuthnot
Acting President

P.W.D.
17 MAR 80
No.

335

Part G No ~~550~~.

Municipal Commissioners Office,
Madura, 7th day of May 1880.

From A. T. Arundel Esquire
Chairman Madura Municipal Commissioners.

To The Secretary to Government
Public Works Department
Irrigation Branch.

Sir,

I have the honor to reply to the Under Secretary's Memorandum No -27- dated 5th March 1880 proposing to charge the Municipality with Rs: 29,422 on account of compensation for land taken up for the Red Hills Water Delivery Channel.

2. It was understood by the Municipality from the first that the land required for the Delivery Channel would be given by Government. It was so understood in Mr. Frazer's original scheme and on the same understanding the final estimate of Rs: 12,80,000 was prepared, in which no entry for land compensation was made. It was obvious that a high level channel would necessarily require more land than a surface cutting of 6 feet deep, and if there had been any intention of levying any part of the

the charge for land compensation, it would have been communicated by Government to the Commissioners for embodiment in the estimate before the scheme was finally accepted. On the contrary however the Government in G.O. N° 3409 dated 30th October 1868 in the Public Works Department accepted the estimate as framed by the Commissioners and recommended the Government of India to advance a loan of the estimated amount. It cannot be supposed that if Government had intended to make a charge of over Rs. 29,000 for land compensation, which would have brought the estimate up to over thirteen lacs of rupees, they would have allowed the original proposals to pass with so serious an omission, and would have recommended a loan which was insufficient for the purpose intended.

3. That the Municipality acted upon the belief that the estimate as approved and sanctioned by Government exhibited the total charges is shown by the following correspondence of which copies are enclosed.

The President M^r Lock in a letter N° 580 dated 28th October 1870 to the Collector of Chingleput stated that "the value of the land should be paid by Government and not by the Municipality," and that Government had "already made a grant for the land taken up within Municipal limits."

4. In a letter N° 592 dated 2nd November 1870 to the Collector, the President forwarded a petition regarding the excessive rates of compensation which were being paid but added that "as the disbursements on this account does not form an item of Municipal Expenditure," he does not consider himself "called upon to make any observations on the subject." No answer was received to these communications.

Again in a letter N° 633 dated 25th November 1870 to the Collector, the President offers to advance a small sum of money required for compensation to enable the Collector to effect the transfer of some land without delay.

5. The rates paid for compensation in the only case (the village of Chamiers wherein the details were communicated (to the Municipal

Municipal coffers were excessive amounting to four hundred rupees per canny for unirrigated as against three hundred rupees per canny for irrigated land. The Municipality as shewn by the President's letter above quoted would not have accepted the rates of compensation had the question been one in which they were concerned.

7. So far as can be judged the present line of channel does not occupy such valuable land as Mr Frazer's channel would have done, in fact according to the plan there are only 2⅓ miles through irrigated land in the present channel while there would have been 4¼ miles in Mr. Frazer's. The irrigated land is usually of far higher value. The method therefore of calculating the value of the additional area taken up by the present channel is invalid. The total land compensation payable for the line of channel originally proposed should first be ascertained and the amount compared with the compensation actually paid for the present channel. Until this is done the difference of value between the land required for the new and that for the old line of channel cannot be approximately estimated.

8. In conclusion I would remark that eleven years ago when the estimate for the channel was before Government there was apparently no intention on their part to impose any charge for land compensation. They were anxious to assist the Commissioners in carrying out the water-supply project, they agreed to provide the land for the line of channel first proposed, and when the final proposal for a different line came up, they accepted the estimate without alteration tacitly consenting to provide in the second case what they had promised in the first.

9. On behalf of the tax-payers of Madras I must therefore respectfully protest against the claim which it is now proposed to make on the Municipal Funds.

I have the honor to be
Sir,
Your most obed[t] Serv[t]

A. J. Arundel
Acting President

[illegible]

P. W. D.

No. 230 dy. 7th July 80.

Official Memorandum.

P.W.D.
17 MAR 80
No.

The officiating President,
Madras Municipal Commission,
has in a recent communication
on the subject of the liability
of the Municipality to pay
the difference between the
cost of land required for
the Delivery channel from
the Red Hills tank as
designed by the late Mr.
Fraser, and that of the
land taken up for this
channel as carried out by
the Municipality, referred
to the letters as per margin
addressed by the late President
Mr. Lock to the then Collector
of Chingleput, and the

× No. 580 - 28th Oct. 1879.
592 - 2nd Nov. —u—
633 - 25th —do— " —

Recd 21.5.80 Ltr. 7.5.80 —
" 21.5.80 Ltr. 21.5.80
" 28.5.80 Ltr. 28.5.80.
Cir. 4.6.80.
Sheet 4th May.

undersigned is directed to ask the Collector what action was taken upon Mr Rocke's representations - From the first of the letters quoted it appears that Mr Blair applied to the President for a sum of Rs 11479-9-0, being the amount of contenentin due for certain lands taken up for the Delivery channel of the water supply of Madras, and the President replied that the value of the land should be paid by you and not by the Municipality - It is considered to be of importance that it should be known whether Mr Blair accepted the President's view of the matter without question, or whether any steps were taken

for ascertaining the intentions of Government -

2. Information is desired as to the manner in which the land required for the Saidapet reservoir and Delivery channel has been measured by the Taluk Surveyor and the extent of land proposed to be taken up by the Municipality and also as to the method to be adopted in order to ascertain the value to be paid for the land so taken up as has been customary when land has been provided for the Railways, the Irrigation Anicuts and Canals &c. - From the Statements of land contenentin received from the Collectors of Chingleput and Madras it has been found that the area made over for the Municipality

[illegible] Mercy.

Channel and banks are

in Chiquelut — acres 13.00

" Yale — — — — 23.28

Total 100.28

whereas the area of land

needed for the Fraser

Channel was about acres

50.20.

Major Downes letter under acknowledgment

[illegible] Revenue Department to state what progress of
the lands Department [illegible]
Cardwell's time [illegible]
your Department [illegible]
2 [illegible]
letter dated [illegible]
you will find that [illegible]
for assistance in [illegible]
of the proposed delivery channel
a view to its early transfer [illegible]
Spirits although a Special Revenue Inspector
was immediately dispatched in compliance with his request nothing seems
to have been done towards marking
out the line till April 1869

3. In the interval an Inspector was
frequently sent to the Executive Engineer
on his application but was told to go
away again the Engineer saying that
he would send for him when he was ready

to open cutting

4. The rents required to be paid for
land for public purposes are
laid down in the Revenue Boards
Standing Circular Order No 141,
and no [illegible] according to the value
Circular a Sketch of the land required
should have been sent to the Collector
with a copies requisition for its formal
transfer. This you will find has never
been done [illegible] the Executive Engineer
it is strange that the Executive Engineer
should have overlooked this important
point. All that has been done in
the Revenue Department up to date
in regard to the lands required
for the delivery Channel is that the
extent required as matters now stand has
been measured and the amount payable
to the owners estimated. I propose settling

the amount payable to the owners in a few
days when I will let you know the amount
that will have to be paid to each

It is to be remembered that according
to the directions of the Executive Government
have been the instructions
no interruption in carrying out the execu-
cution of the Award. Those only who
except in cases of extreme distress
the Village of Inveraray and that the
Tenants in that case is owing to their being
houses standing on the Estate and to the
owners of the Houses being poor and un-
able to afford to give up their rents until
the Compensation has been paid to them
The Buildings of Inveraray being close to
Gardens and extensive Pleasure Grounds
is another (one) cause which limits the rights
tenants to keep pigs from the Town.
I have summoned them to appear before
me
[illegible] my way.

No. 162

Chingleput Fort.
COLLECTOR'S OFFICE.
Dated, 3rd August 1887.
Received

From

J. F. Price Esquire

COLLECTOR OF THE
CHINGLEPUT DISTRICT.

To

Colonel Pollock R.E
Superintending Engineer
Joint SECRETARY TO ~~THE BOARD OF REVENUE~~,
Irrigation Branch, MADRAS.

Sir,

I am requested to forward for your information and guidance a copy of Government Order No. 230 of the 7th Ultimo, and have the honor to invite your attention to the orders of Government noted in the margin.

2. It appears from the correspondence printed in the proceedings of Messrs Cotelez Blair & Co that Messrs Parker Bros & Co have not received compensation for the land taken up for the Madras Water Supply delivery Channels which should be paid by Government, but that the applicants refers to the Board who submitted the question for the determination of Government. The latter however, called for

in so as further expedition before passing
final orders and communicate to me as to
whether there was any fair ground to dispute the
determination arrived at in the
point raised, but in order to enable the
Collector to make a report in the im-
mediate receipt of Rs 20000 to be
made from the P.W. Grant for the
Madras water supply Project for 1870-71

2. The whole amount of the compensation
appears to have been paid from the provision
made in the Estimate Accounts for the
purpose and the bills were passed in
the Controller records.

4. Adverting to para 4 of the 1st Read
from the Vice President Municipal Commissioner
to ——— do ——— 456/1870 under reply I
from ——— do ——— 558/1870 enclose copies of
to ——— do ——— 518/1870 the marginally noted correspondence
from which it will be seen that no formal
applications were made by the Municipality
for the lands required, that no Land plans
and Schedules were furnished and that with

for the exception of the ground reported to
in P.W.D. dated 24 October 1871 No 1847
no direct application was made to me to
the alienation of which the
Municipal authorities
appear to have taken possession of the
lands granted to the Municipality
in the course of procedure was pointed
out to the Collector to the Municipal
Vice President.

5. As bearing on the point now in issue
between the Municipality and the
Government I beg to draw attention
to the wording of the concluding part
of the Notification appended to the G.O.
Revenue Department quoted in the
preceding para viz "Shall be taken up
by Government at the expense of
the Madras Municipal Commission."

I have the honor to be
Sir,
Your most obedient Servant
Frederick Price
Collector

ad

P.W.D.
18[illegible]80
No.

No. 4215

Date

THE CONTROLLER,
PUBLIC WORKS ACCOUNTS,

To

FORT SAINT GEORGE, [illegible] 1876.

Sir,

[illegible]

I have the honor to be,
Sir,
Your most obedient
humble servant,

[illegible]

FROM

THE COLLECTOR OF THE

CHINGLEPUT DISTRICT,

To

THE SECRETARY TO GOVERNMENT,
IRRIGATION & REVENUE,
FORT SAINT GEORGE.

Dated 5th August 1881.
Received 8th August 1881.

ENCLOSURE.

No. 4202

Reporting what relief was taken upon the Tank's representation of the inability of the Villages to pay the cost of Canal repairs for the Delivery Channel from the Red Hills

Ltr. 12.8.80. Ltr. 14.8.80.
Ltr. Sent. 19 Sept

Conway-Gordon

Ed 29-9-69 No 3154
" 11-11-70 " 2720
" 10-12-70 " 3001
" 10-1-71 " 60
" 11 " 66 - 1102

P.W. 1876 Dept

No 5024

From

The Chairman [illegible]

To

The Secretary to Govt
P.W. Dept

No 136 W

Dated 20
Dated 5 [illegible] 1876
Recd 3 [illegible]

Forwards certain information relative to the charges for land taken up for the Madras Water Works Delivery Channel.

No T/772

The President of the Madras Municipal Commission is requested to be so good as to inform this Office at his earliest convenience what is the amount of land compensation for the Madras Water Works Delivery Channel.

Reference to the undermentioned letters [illegible] will, it is believed, help in answering for the information required.

G.O. 5th July 1867 No 2163
" 20 " " 2361
" 29th Sept " " 3154

(Sd) [illegible]
Offg. Under Secy to Govt
P.W.D.

[illegible]

To the President
Municl Commn Madras

[illegible] 24-11-77

Recd 28-8-76 [illegible]
[illegible] 26.8.76

Recd to [illegible] 31-[illegible]
[illegible] May

Madras Municipality,

EXECUTIVE ENGINEER'S OFFICE.

E. No. 404/538.

Madras, 25 September 1876.

From

L. R. BURROWS, Esq.,

Acting President Municipal Commission.

To

The Chief Secretary to Government Public Works Department.

Sir,

I am directed by the Municipal Commissioner to request that the Government may be moved to direct that the Government portion of the land in front of the Chief Justice's House may be handed over to the Municipality for purposes of a road. The whole of the land was taken up by Government for a road and has never been handed over to the Municipality and no money has been allotted on account of the Municipality for the land so taken up.

I have the honor to be,

Sir,

Your most Obedient Servant,

L. R. Burrows

Acting President Municipal Commission.

P. W. Department.

Read the following :—

From the President Mcll C. No 242. 3rd March 1880

From the President Municipal Commission No $\frac{1255}{57}$ - 7th March 1880

From Superintending Engineer Circle No 22 7th April 1880.

FOR ORDERS, with the previous papers.

Mr Fraser's delivery Channel from the Red Hills tank to Madras allowed for a beam of 12 feet on either side, and this has been taken into account in calculating the area of land which that channel would have required. The 56.2 acres therefore provided not only for a channel capable of conveying more than all the water required, but for a very considerable width of land in excess of actual requirements. The reasons why the Municipal channel as carried out required so much more land are

1st that the fall was greatly reduced

2nd the channel being carried far above ground level requires a greater width of land.
3rd the banks in this high-level part are formed from side cutting.

2. Government until the bills for compensation were received, never had any opportunity of knowing that the land required for the municipal delivery channel would be greatly in excess of that required for a channel of the kind designed by Mr Fraser. The matter was never brought before Government. The Municipality selected their own line, and though the estimates for carrying out the works were approved by Government, in the absence of information as to the extent and circumstances of the land required, as compared with Mr Fraser's superseded arrangements, it would have been impracticable for Government to know anything about the matter. No doubt the Collector should not have accepted the President's statement that the land irrespective of its extent and value was to be paid for by Government but this does not affect the equitable consideration of the case.

3. The argument in para 4 of the Acting President's letter is not, it is thought, admissible because the 56.2 acres have been valued at the rate paid for the land taken up for the Municipal channel not at Mr Fraser's rate or at the average rate paid. Had the question been laid before Government at the time that Mr Fraser's provision for the Channel was made over to the Municipality with permission to carry out their own arrangements the sum

assigned for land compensation would probably have been

$\frac{50.2}{4511.38+50.2} = \frac{50.2}{4861.58} \times 33,420 =$ Rupees 300

and possibly thereafter on representation made of the greater value of land near Madras, this allowance might have been increased to 3,000 or 4,000 Rupees, which would have been fair, but certainly the sum of Rs 5,737 now proposed to be allowed would not have been granted. Supposing the Municipality to be liable for their action in selecting a different line for their channel, and in so forming it as to occupy about 3 times as much land as would otherwise have been necessary, the allowance proposed to be made to them would seem to be extremely liberal.

Undersigning Colonel RE.
Joint-secretary to Govt
PW D Irrigation
Public Works Branch.

P. W. D.

The question seems to be - How much of a gross item of Rs 29,422 in Land Ja Delivery Channel Govt shall pay —
It is admitted Govt do pay what would have been Govt's share of France demand —
I do not pin down any estimate to this — but it must be a considerable figure —
If the statement in para 4 of Mundella Juncan letter is

74

correct – I think it goes far to show that Govt admitted or did not repudiate the remark that the disinvestment would form an item of Municipal exp: and that ~~[illegible]~~ if that was the case 10 years since – it is difficult to see change the views I had not been before aware of that letter – possibly I might to have seen it – but I think it has a very material bearing – seems to me to go very far to establish the Arundelli contention in para 8 –

Jr 19/6

25

P. W. D.

Memorandum.

There is nothing among the papers connected with the Madras Water Works and Irrigation extension project, left by the late Mr. Fraser, to show what the value of the land on his line and arrangement of the Delivery Channel was estimated to be.

2. Mr. Fraser's estimate provided a lump sum of Rupees 83,140 altogether for land compensation, and gave no details;

but his repot mentions that the Red Hills houses were valued by the Municipal Commissioners assessor, and the villages and lands by a Revenue Inspector.

3. The total compensation for the land taken up for the Delivery channel on the line adopted by the Municipality is Rs 29422 plus 15887 = 45309 of which the sum of Rupees 15887 was taken to be a fair contribution by Govt. on the ground that the area required for Mr. Fraser's channel would have cost that amount at the average rate paid for the land occupied by the Municipal channel, which required nearly

3 times as much land. The Rs 29422 is the sum which the Municipality has been deemed liable to pay.

Lumsden Col. R.E.
Joint Secy. to Govt. P.W.D.
Irrign. Br.

3. July 1880.

Encls.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

Read the following :—

To, The President, Madras Municipality } (A.C. No. 727 d/3 March 80.)

From The Asst do do (a — 235 — W.W — 7th May —)

" Offg Examiner P.W. Accts. (" — 16 W — 24th April —)

His Grace the Governor in Council considers that the claim against the Madras Municipality for payment of the land compensation in excess of that which would have been required for the line of delivery channel from the Red Hills Tank estimated for by the late Mr. Fraser, is perfectly equitable in principle, but with reference to para: 7 of the Acting President's letter

The question is briefly

above recorded, as the value of the land on Mr. Fraser's line has not been at any time determined, Govt. are willing to allow this value to be settled by arbitration if the Municipality will agree to be bound by its results, in which case the Govt. of India will be asked to grant to the capital debt to Govt. of the Municipality being increased by the amount settled as payable by them for land compensation for their channel-

2. Pending a settlement of the amount to be paid by the Municipality, the claims of the landowners will be paid from Imperial funds. It is observed from a statement dated 24th March 1879 that in the Chingleput District

H.D. is in fact how far Govt. is committed by the correspce. noted in 1870 by the then Secretary Madras Mil. with the Collr. of Chingleput. There is nothing to show that Govt. had any knowge. of that correspce. but perhaps Engr. had better search & the Collr. & know what action was taken on the Secretary's Report

I don't know what to that Govt. are bound by Govt. Lords assumption

L 18.3.6

the compensation unpaid was

For the Project other than the delivery channel &	———	19,708-3-5
-"- Delivery channel —	5,143-7-"	
In the Madras District. Statement d/ 15th Nov. 1879.		
Delivery Channel ———	3,103-1-6	
	8,246-8-6	19,708-3-5
	27,954-11-11	

The Budget provision made under B land is Rs 3,314, and such further funds as may be required will be met by reappropriation from other sub-heads.

W. 4/6

S.E. Second Circle
Chief Engr. for I.
Collr. of Chingleput.
" " Madras.
Govt. P.W. Accts.
Financial Dept.
Rev. Dept. —

Ex. Ed.

Read the following :—

Previous file on land compensation, Madras Municipal Delivery Channel—
Letter No. 462 - 3rd August 1880 from Collector of Chingleput.

FOR ORDERS.

Of the papers referred to by the Collector as bearing on the subject of the liability of the Municipality to pay the excess cost of the land taken up for the Delivery Channel, G.O. No. 3001 of the 18th December 1879 shows that the question was directly brought before Government, and a decision deferred, while the later order of the 16th January 1871 No. 60 dealt only with the immediate provision of funds shown to be required.

G.O. R.D. No. 1844 of the 24th October 1871 refers only to land needed for a subsidiary work of the Delivery channel but in

In writing in the Consp. Est. Public Wks. Dept. of 26th inst. I stated that the Govt. intended to accept the charges for the additional land required by the Municipality for the Delivery channel. On the contrary I think it indicates on the opposite view. But I am willing to admit the charge against Govt. provided as will have been incurred by the Municipality for

Recd 3.7.80. Rtd 5.7.80.
Recd 21.6.80. Rtd 1.7.80.
Cir 4.6.80 - Rtd 21.6.80
P.N. Shall do May

the correspondence forwarded by the Collector this land appears to be regarded as a part of that needed for the channel, and it may perhaps be inferred that it is included in the area acquired for the Madras Water Works and Irrigation Extension project.

W. Lindesay Colonel R.E.
Joint Secretary to Govt. W.D.
Irrigation Branch

R.C. Aug 1880.

The Papers do not state
why any means decisively
that the Dayne in
arbitration

the driving channel. but
the Govt. W.D. the water
& the Municipal boundary.
that the Q. Laws line
is an open question
& perhaps but better
to appoint an arbitrator
unless we can clinch
the line. & decide
the valuation ourselves
& if so on what basis

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f.o. 1102. 11-4-66.
— 1376. 30-4-66.
— 1662. 26-5-66.
— 3298. 16-10-66.
— 967. 27-3-67.
— 1139. 13-4-67
— 1455 - 14-5-67.
— 2798 - 11-9-67
— 3808 - 7-12-67.
— 3409. 30-10-68.
— 3410 ——"——
— 3562 - 14-11-68.
— 1014 - 24-3-69.
— 1622. 17-5-69.
— 2153. 3-7-69.
— 2327. 17-7-69.
— 2381. 20-7-69.
— 3154. 29-9-69.
— 2418 - 6-10-70.
— 2491. 23-8-71
— 2172 ——"——
— 55. 10-1-72.
— 66. 10-1-92.
C.L. 727. 3-3-80.
— 230 - 7-7-80

Cir 12.8.80. Rlt 14.8.80.
O.h. Encl. 19 Augt

S. W. D.

No 532. I

Proceedings of the Madras Government
Under date the 18 August'do
Read the following:-

To, The President, Madras Municipality } (No. 727 a/3d March 1880)
From — do — do — (" 235 W.W — " 7th May —)
" — Offg Engr. S.W. Circs: (" 16 W — " 24th April — ")
To the Collector of Chingleput (" 230 — " 7th July — ")
From — " — do — do — (" 462 — " 3rd August — ")

96

His Grace the Governor in Council considers that the claim against the Madras Municipality for payment of the land compensation in excess of that which would have been required for the line of delivery channel from

the Red Hills Tank estimated for by the late Mr. Fraser, is perfectly equitable in principle, but with preference to para: 7 of the Acting President's letter above recorded, as the value of the land on Mr. Fraser's line has not been at any time determined, Government are willing to allow this value to be settled by arbitration if the Municipality will agree to be bound by its results, in which case the Govt. of India will be asked to assent to the capital debt to Government of the Municipality being increased by the amount settled as payable by them for land compensation for their channel.

2. Pending a settlement of the amount to be paid

by the Municipality, the claims of the landowners will be paid from Imperial funds. It is observed from a statement, dated 24th March 1879, that in the Chinglepet District the compensation unpaid was

95

For the project other than the delivery channel } ——— 19,708-3-5

—"— Delivery channel —— 5,143-7-"

In the Madras District.

Statement d/15th Nov. 1879.

Delivery channel ——— 3,103-1-6

8246-8-6 19,708-3-5

27,954-11-11.

S.E. Second Circle ✓

Chief Engr. for I. ✓

Coll. of Chinglepet ✓

do — Madras ✓

Exr. P.W. Accts. ✓

Financial Dept. ✓

Revenue Dept. ✓ 28/11

The Budget provision made under B land is Rs 3314, and such further funds as may be required will be met by reappropriation from other pub. heads.

27-8-10

pray

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7.7.26 II
17/2/28 II

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Govt. of (1880) Madras.

PUBLIC WORKS.

F. 2-1-1

Dated

Issued

Recd. Encl.

G. O., 18th May 1880, No. 532 J.

Nos. 52 to 53

74

Compensation for land taken up for the Madras Municipal Delivery Channel.

Considering that the claim for — against the Madras Municipality equitable, and as the value of the land has not been determined that the same be settled by arbitration if the Municipality will consent to such settlement in which case the Govt will be asked to assent to the increase of the Capl debt of the Municipality to the

amount as may be settled as above.

Pending the above settlement the landowners will be paid from Imperial funds.