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P. W. 28.

Govt. of {1884} Madras.

REVENUE.

Issued

Recd.

Encl.

G.O., 1st April 1884, No. 455.

APRIL.

Professional advice to be given by Public Works Officers

when sought by the Revenue Department.—Expressing dissatisfaction at the Executive Engineer of South Arcot having declined to inspect a tank as desired by the Board of Revenue, and requesting it to be understood that officers of the Public Works Department are bound to assist Revenue officers with their professional advice when desired.

With order

communicated to the Supdg. Engr. V Circle.

2. Extract para 3 of these orders in the Revenue Dept. will be communicated to all officers of the dept for information and guidance.

3. The rules laid down will be embodied in the Public Works Code.

(Signed)

S. E. V Circle 8/29/14

The Supdg. Engr. V Circle for E. E. Committee } with extract para 3.

Secy. P. W. Code

1/5/84

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Para 3 - The Government desire it to be clearly understood that the officers of the Public Works Department are bound to respond to requisitions made by the Revenue Department for professional advice and assistance, and that any disregard of such requisitions, without proper grounds, will be severely noticed. On the other hand, Revenue Officers must bear in mind that the P.W.Department is short-handed and has arduous duties to perform, and should not make demands on the time of the officers of that Department without clear and absolute necessity.

Order - dated 28th.April 1884, No.1057 W, Public Works.

Communicated to the Superintending Engineer V Circle.

Extract para 3 of the orders in the Revenue Department will be communicated to all officers of the Department for information and guidance.

The substance of the order will be embodied in the Public Works Code.

(True Extract)

C. Bowen.
Major R.E.

Under Secretary to Govt.P.W.D.

To
The Supg.Engr.V Circle
Other Supg.Engrs.
Chief Engr for Irrign.
Secy P.W.Code Committee

28th. April 1884, No.1057 W , Public Works.

GOVERNMENT OF MADRAS.

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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue, dated 28th February 1884, Mis. No. 1804 :—

Read—again Board's Proceedings, dated 25th October 1883, Mis. No. 8864.

Read—also petition from DEVANAYAGA Reddi and others, Ryots of Krishnapuram village in Villupuram taluk, South Arcot district; and reference thereon, 11th December 1883 :—

Read—the following letter from A. CRUICKSHANK, Esq., Collector of South Arcot, to the Secretary to the Board of Revenue, dated Cuddalore, 2nd February 1884, No. 62 :—

With regard to the Board's reference on Petition Register No. 3755 * of 1883, I have the honor to state that, on its receipt, I desired the Sub-Collector and the Executive Engineer to inspect the subject of dispute together and submit the report required by the Board. I now submit the reports † sent me by them, from which the Board will see that these officers did not inspect the disputed land together. Some considerable time ago, I referred to the Executive Engineer for his opinion a dispute that had arisen regarding water between the ryots of Krishnapuram (an English village) and those of Manamedu (a French village) and, in submitting his report on this dispute on the 4th ultimo, the Executive Engineer remarked that he thought that the question referred to him in the Board's Proceedings under reply was the same as that on which he then reported, and asked me whether this was the case. So far as it could be ascertained from the papers in this office, it was thought that the matters in dispute in the two cases were different ; but to make sure whether this was the case or not, the Tahsildar was directed to report at once, as the Sub-Collector, who was spending his Christmas holidays in Cuddalore, was anxious to have the land in dispute inspected in company with the Executive Engineer before his return to his own head-quarters which are a long way off from the village where the land lies, while it is only about six or seven miles from Cuddalore. The Tahsildar replied without delay that the subject of dispute in the two cases was different. I informed the Executive Engineer of this at once, and his letter of the 21st ultimo is his reply, and it is for the Board to say whether their wishes are to be disregarded in the way they have been. The Executive Engineer makes remarks of a general nature which in no way assist the solution of the present dispute regarding the waterspread of tanks, and it is superfluous on my part to observe that all Revenue officers of the higher grades are now-a-days quite alive to the giving of tank bed being objectionable. The land in dispute does not, according to the accounts, form part of the bed of the tangal, but every Revenue officer knows that in many cases the water of a tank covers frequently, from various causes, more land than has been set aside for the waterspread in the accounts, and the Board will have clearly seen from all that has taken place in this case that it was my desire to make sure that the land was not required for the waterspread of the tangal, though not entered as such in the accounts, that led to the frequent references from this office to the Tahsildar which the parties objecting to what I did, have now attempted to turn to their profit by alleging that they were made with a view to constrain the Tahsildar to say the land was assignable. It is all very well for the Executive Engineer to speak about a reference to his department (*vide* paragraph 4 of his letter); but, knowing from experience what would have

* Enclosures returned.

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been the reply to such a reference (and in corroboration of this I would invite attention to the end of paragraph 5 and to paragraph 6 of the Engineer's letter), I adopted the means at my command to obtain the information I wanted.

Enclosures.

Letter from M. R. WELD, Esq., Sub-Collector of South Arcot, to the Collector of South Arcot, dated Cuddalore, 12th January 1884, No. A.

I have the honor to inform you that, as directed in Board's reference on petition No. 3755 of 1883, communicated with your footnote No. 2509 * of the 18th ultimo, I inspected the Tathan tangal in the Krishnapuram hamlet of Pakkam village of Villupuram taluk on the morning of the 12th instant.

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2. The District Engineer declined to accompany me. The place is near Cuddalore about five miles north of the Ponniar and can most conveniently be inspected from there.

3. Early in the Christmas holidays, therefore, I spoke to the Engineer about it and asked him to meet me. He said he had not yet seen the order, afterwards he told me he had written to you about it.

4. In that letter he asked if the work was not part of certain other works which he had already inspected; this letter you sent to the Tahsildar for report.

5. As I have cases posted for the 16th, I must leave Cuddalore on the 15th at latest, and as I want to get out to Chengam for the jamabandi, I cannot get back without great inconvenience; besides the inspection was to be made while there is water in the tank and the time for that is passing.

6. I therefore directed the Tahsildar to let me know about his reply to you as soon as possible.

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9. I may here mention that, during the jamabandi, I have made a practice of ascertaining the state of the irrigation works from the village officers, and in the case of imperial works, writing to the Engineer about the repairs said to be necessary, and the almost invariable reply has been that he has no time and no establishment to inspect them or have them inspected. One important case is that of the supply of two imperial and three minor tanks near Kurinjipadi under 20 miles from Cuddalore. If this officer has not time to attend to large works in which important interests are at stake, I do not think that he should be ordered to waste his valuable time in visiting a petty tangal like this.

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11. The enclosed plan has been made by the Tahsildar and is pretty correct. The fields in dispute, colored red in the plan, are Nos. 1941, 1942, 1943, which are ayyan, and 1944 and 1853 which are kalar (stiff clay), poramboke. The four first-mentioned have been assigned and the last was allowed to be cultivated on shiva jama, but the permission was afterwards withdrawn. It contains many babool trees, but being decidedly higher than the others its cultivation is less objectionable.

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half an average one; of course it is still worse in 1941 and 1943, and I do not think that the cultivation of them can be profitable if the tangal gets a full supply.

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Letter from Major A. C. SMITH, R.E., Executive Engineer, South Arcot Division, to the Collector of South Arcot, dated Cuddalore, 21st January 1884, No. 82.

In reply to your No 5, 12th January 1884, regarding the Krishnapuram Tathan tangal, I have the honor to state that I by no means wish to disregard the wishes of the Board of Revenue, but I do not see of what practical use it will be, if I were again to visit the locality in question.

2. I know the tangal and the general conditions thereof and the surrounding country fairly well, as I was in camp there at Pakkam for some days in February last year.

3. As far as I understand the state of the case, it is one of the usual disputes regarding land assigned in tank bed; this is a question which I have frequently brought to your notice, especially in my No. 884, 3rd November 1882, on the Elemodu tank.

4. The general rule that is laid down for my guidance is contained in G.O., No. 1043, 15th April 1875, wherein I am prohibited from giving any endorsement to the effect that any portion of a tank bed may be cultivated except after full inquiry and report in exceptional cases. I can find no trace of any such endorsement on the case in question. Whether or no the matter should have been referred to this department prior to assignment of the lands is not for me to decide; but had such reference been made, the chances are that I would have opposed such assigment as you know from prior correspondence what my views on this point are.

5. With regard to the land in question, I have a petition now before me from the cultivators under the Krishnapuram Tathan Tangal complaining that the parties to whom the land in the bed has been assigned have surreptitiously cut the tank bund. The reason for their doing so is obvious and strengthens my argument against assigning such lands, for though their actual cultivation may possibly do no harm *per se*, yet the practice invariably leads to irregularities of this nature, and endless disputes between the villagers and petitions and correspondence and waste of time all round. The tangal in question is a minor work only irrigating some 90 acres or so, and I have consequently endorsed on this petition, "As the tank is not Imperial, it is not under the Public Works Department."

6. In a matter of this sort, my professional assistance would only be made of use by causing a contour to be run round the waterspread at F.T.L, but not only has this department no staff to spare for such duties, but no one can tell me what F.T.L. is and my merely revisiting the spot cannot determine this.

Resolution—dated 28th February 1884, Mis. No. 1804.

The Board approve of the course suggested in paragraph 14 of the Sub-Collector's letter and direct the Collector to adopt it.

2. The Board resolve to submit to Government the review petition, reference thereon dated 11th December 1883, and the letters in reply from the Collector, Sub-Collector and Executive Engineer, in order that Government may decide whether the Executive Engineer was justified in refusing to inspect this locality which is within an easy distance of Cuddalore.

3. The Board are not aware whether Major Smith, when he wrote his letter of the 21st January 1884, had received G.O., No. 1549, dated 11th December 1883, paragraph 2 of which governs the action he should have taken on the requisition of the Collector.

(True Extract.)

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To the Collector of South Arcot.
" the Secretary to Government, Revenue Department, with papers in original to be returned.

Proceedings of the Board of Revenue, dated 25th October 1883, Mis. No. 8864.

Read—Petition Register No. 3061 of 1882, from DEVARAYA Reddi and others, Ryots of Krishnapuram village, Villapuram taluk, South Arcot district, dated 27th October 1882, appealing against the grant of darkhast for certain land; and reference thereon, dated 15th November 1882.

Read—also Petition Register No. 2677 of 1883, from the Collector of South Arcot, dated 29th September 1883, No. 337, reporting on the above.

Read—also Petition Register No. 2782 of 1883, from RANGA Reddi and others, inhabitants of Krishnapuram, attached to Pakkam village, Villupuram taluk, South Arcot district, dated 10th September 1883, appealing against the said assignment.

Resolution—dated 25th October 1883, Mis. No. 8864.

Petitioners will be informed that the Board, having considered a report received on their case from the Collector, see no reason to interfere.

(True Extract.)

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To Petitioners.

Copy to the Collector of South Arcot.

Read—Petition from DEVANAYAGA Reddi and others, Ryots of Krishnapuram village in Villupuram taluk, South Arcot district.

Abstract.—Praying, for the reasons given in this petition, for reconsideration of the Board's Proceedings, No. 8864, dated 25th October 1883, declining to interfere in the matter of their former petition appealing against the assignment under darkhast rules of certain lands in the waterspread of Thathan tangal in Krishnapuram village.

Reference on the above, dated 11th December 1883.

In view of the renewed representations of the villagers in this review petition, the Board resolve to call for a report from the Sub-Collector and the officers of the Public Works Department, who should, if possible, inspect the disputed land simultaneously as to the advisability or otherwise of assigning the land for cultivation. The inspection of the land should be made at as early a date as possible as the tangal must now be full of water. Pending the receipt by the Collector of final orders, Board's Proceedings, No. 8864, dated 25th October 1883, will be held in abeyance.

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To the Collector of South Arcot, with file to be returned.

Order—dated 1st April 1884, No. 455, Revenue.

Miscellaneous.

The Government consider that the Executive Engineer was not justified in treating a particular request of the Board of Revenue in the manner he has done.

2. It is observed that the land in question did not, according to the revenue accounts, form part of the waterspread of the tank, and was, therefore, unless there had been any special objection, available for cultivation. To determine whether there was any special objection, as alleged by the ryots, to its being assigned on darkhast, it was considered that a professional examination of the locality by the Public Works Department was necessary, and the Board accordingly desired that the Executive Engineer should inspect it in company with the Sub-Collector and give his opinion. Major Smith, however, on grounds which appear to Government to be unsatisfactory, has declined to comply with this request, and has, in so doing, laid himself open to censure.

3. The Government desire it to be clearly understood that the officers of the Public Works Department are bound to respond to requisitions made by the Revenue Department for professional advice and assistance, and that any disregard of such requisitions, without proper grounds, will be severely noticed. On the other hand, Revenue officers must bear in mind that the Public Works Department is short-handed and has arduous duties to perform, and should not make demands on the time of the officers of that department without clear and absolute necessity.

(True Extract.)

(Signed) H. E. STOKES,
Secretary to Government.

To the Board of Revenue, with six original enclosures.
,, the Public Works Department.

Ex.d. W. H. French.

60 Copies.

Communicated to the Supdg. Engr. I Circle.

2. By Govt. para 3 of the Orders in the Revenue Dept. will be communicated to all officers of the dept for information and guidance.

3. The substance of the Order will be embodied in the Public Works Code.

(Signed) J. J.

S. E. I Circle

Other Supdg. Engrs. C. E. for I. Mily. & P. Code Committee } With Govt. para 3.

Govt. of {1884} Madras.

REVENUE.

Issued

Recd. *Encl.*

G.O., 1st April 1884, No. 455.

APRIL.

Professional advice to be given by Public Works Officers

when sought by the Revenue Department.—Expressing dissatisfaction at the Executive Engineer of South Arcot having declined to inspect a tank as desired by the Board of Revenue, and requesting it to be understood that officers of the Public Works Department are bound to assist Revenue officers with their professional advice when desired.

With order

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue, dated 28th February 1884, Mis. No. 1804 :—

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Enclosures.

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Resolution—dated 28th February 1884, Mis. No. 1804.

The Board approve of the course suggested in paragraph 14 of the Sub-Collector's letter and direct the Collector to adopt it.

2. The Board resolve to submit to Government the review petition, reference thereon dated 11th December 1883, and the letters in reply from the Collector, Sub-Collector and Executive Engineer, in order that Government may decide whether the Executive Engineer was justified in refusing to inspect this locality which is within an easy distance of Cuddalore.

3. The Board are not aware whether Major Smith, when he wrote his letter of the 21st January 1884, had received G.O., No. 1549, dated 11th December 1883, paragraph 2 of which governs the action he should have taken on the requisition of the Collector.

(True Extract.)

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To the Collector of South Arcot.
,, the Secretary to Government, Revenue Department, with papers in original to be returned.

Proceedings of the Board of Revenue, dated 25th October 1883, Mis. No. 8864.

Read—Petition Register No. 3061 of 1882, from DEVARAYA Reddi and others, Ryots of Krishnapuram village, Villapuram taluk, South Arcot district, dated 27th October 1882, appealing against the grant of darkhast for certain land; and reference thereon, dated 15th November 1882.

Read—also Petition Register No. 2677 of 1883, from the Collector of South Arcot, dated 29th September 1883, No. 337, reporting on the above.

Read—also Petition Register No. 2782 of 1883, from RANGA Reddi and others, inhabitants of Krishnapuram, attached to Pakkam village, Villupuram taluk, South Arcot district, dated 10th September 1883, appealing against the said assignment.

Resolution—dated 25th October 1883, Mis. No. 8864.

Petitioners will be informed that the Board, having considered a report received on their case from the Collector, see no reason to interfere.

(True Extract.)

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To Petitioners.

Copy to the Collector of South Arcot.

Read—Petition from DEVANAYAGA Reddi and others, Ryots of Krishnapuram village in Villupuram taluk, South Arcot district.

Abstract.—Praying, for the reasons given in this petition, for reconsideration of the Board's Proceedings, No. 8864, dated 25th October 1883, declining to interfere in the matter of their former petition appealing against the assignment under darkhast rules of certain lands in the waterspread of Thathan tangal in Krishnapuram village.

Reference on the above, dated 11th December 1883.

In view of the renewed representations of the villagers in this review petition, the Board resolve to call for a report from the Sub-Collector and the officers of the Public Works Department, who should, if possible, inspect the disputed land simultaneously as to the advisability or otherwise of assigning the land for cultivation. The inspection of the land should be made at as early a date as possible as the tangal must now be full of water. Pending the receipt by the Collector of final orders, Board's Proceedings, No. 8864, dated 25th October 1883, will be held in abeyance.

(Signed) G. MACKENZIE,
Acting Sub-Secretary.

To the Collector of South Arcot, with file to be returned.

Order—dated 1st April 1884, No. 455, Revenue.

Miscellaneous.

The Government consider that the Executive Engineer was not justified in treating a particular request of the Board of Revenue in the manner he has done.

2. It is observed that the land in question did not, according to the revenue accounts, form part of the waterspread of the tank, and was, therefore, unless there had been any special objection, available for cultivation. To determine whether there was any special objection, as alleged by the ryots, to its being assigned on darkhast, it was considered that a professional examination of the locality by the Public Works Department was necessary, and the Board accordingly desired that the Executive Engineer should inspect it in company with the Sub-Collector and give his opinion. Major Smith, however, on grounds which appear to Government to be unsatisfactory, has declined to comply with this request, and has, in so doing, laid himself open to censure.

3. The Government desire it to be clearly understood that the officers of the Public Works Department are bound to respond to requisitions made by the Revenue Department for professional advice and assistance, and that any disregard of such requisitions, without proper grounds, will be severely noticed. On the other hand, Revenue officers must bear in mind that the Public Works Department is short-handed and has arduous duties to perform, and should not make demands on the time of the officers of that department without clear and absolute necessity.

(True Extract.)

(Signed) H. E. STOKES,
Secretary to Government.

To the Board of Revenue, with six original enclosures.
,, the Public Works Department.

Exd. W. H. French.

60 Copies.