M.R.O. 1—77,006—3-6-37.

(1) Number of pages 20

(2) Date of repair 20-9-39

(3) Initials of the Reference [signature] 20.9.39

MADRAS RECORD OFFICE.

Government of Madras.

P. W. D. Irrigation DEPARTMENT.

G.O. No. 828. I. Press / Mis. Original

Dated 11. 9 1884.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 9th February 1882, No. 431 :—

Read—the following letter from J. F. PRICE, Esq., Collector and President of the Local Fund Board, Chingleput District, to the Secretary to the Board of Revenue, dated Saidápet, 10th January 1882, No. 13 :—

I have the honor to submit, for the consideration and orders of the Board of Revenue, a correspondence relative to the question of renting the fishery of the Chembrambakum tank in the Saidápet taluk.

2. This arose from a report made to me by the Police to the effect that persons were fishing in this tank without permission.

3. I then addressed the General Charge Deputy Collector, and he having stated that, in his opinion, Rs. 1,500 per annum could be obtained from the Chembrambakum tank alone, I sent on his letter with a foot-note to the Executive Engineer, and did so as the tank is a large one and in charge of the Public Works Department.

4. The result has been a letter from the Superintending Engineer to the Executive Engineer, in which it is stated that the "Chief Engineer for Irrigation considers that until the Irrigation Bill, now under consideration, has been matured, the renting of the right of fishing in the Chembrambakum tank, &c., had better be postponed," and that as the Public Works officers are responsible for the good order of the tanks "the letting out of the fishing rights should be in their hands and not in the hands of officers of other Departments whose opinions may differ materially as to the importance of enforcing the conditions attached to the lease."

5. The proceeds of the rents of fisheries is an item of Incorporated Local Funds and not of Imperial Revenue. The funds of this circle are in anything but a flourishing condition, and we want every rupee that we can get. I am unable to see why it should be desirable to put off the letting of the fishery of a tank because an Irrigation Bill which may not, and probably will not, become law for many months, or perhaps even years to come, is under consideration.

6. I do not in the least object to the officers of the Public Works Department leasing the right to the fishing of any large tanks in their charge, though I venture to think that we could get better prices than they can, provided that they do not take the money as Imperial Revenue, but pay it in to Local Funds.

7. I only wish to work what will prove a source of profit to Local Funds, which are sadly in want of every addition that they can obtain. I do not care in the least what is the agency by which this is effected. Indeed the undertaking of the sale and supervision of fishing by the Public Works Department would be a relief to us.

8. I do not, however, see why the rental could not be made now under such conditions as may appear to the officers of the Public Works Department necessary for the protection of the Chembrambakum tank. All that I want is the money.

Resolution—dated 9th February 1882, No. 431.

Submitted for the orders of Government.

2. The Board observe that it is the custom throughout the Presidency for Collectors to lease the fisheries in tanks and that the receipts from such fisheries are a Local Fund asset (G.O., 12th March 1878, No. 199-I).

3. In drawing up these leases Collectors can consult the officers of the Public Works Department in order that conditions may be imposed in regard to points affecting the preservation of irrigation works if there be any, though no such questions have arisen hitherto.

(True Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department.

Endorsement on the above, dated 14th February 1882.

Referred to the Chief Engineer for Irrigation for remarks.

(Signed) C. G. MASTER,
Secretary to Government.

READ—the following letter from Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, to the Secretary to Government, Revenue Department, dated Buckingham Canal, 25th February 1882, No. 10-W :—

With reference to your endorsement, dated 14th instant, on the Proceedings, No. 431, of the 9th idem, of the Board of Revenue, I have the honor to say that, if Government consider it to be desirable that the right of fishing in the Chembrambakum tank should be leased at once without waiting for the Bill by which it is intended to regulate the management and provide for the due protection of irrigation works generally, I would recommend that the lease should be granted in the Public Works Department, and the proceeds paid in to the credit of Incorporated Local Funds.

2. The Board of Revenue remark that no questions affecting the preservation of irrigation works have arisen in connection with fishery leases granted by Revenue officers. This is a mistake—for the acts of fishermen, whether contractors or others, are a constant source of trouble and expense. In rivers, dams for fishing purposes are put up and occasion damage: in drains and distributaries, bunds are constructed and obstruct the flow of water: at anicuts and other regulating works the aprons are sometimes disturbed in searching for fish and especially for eels, and either from the state of the law, or from the unwillingness of the magistrates to restrain the fishermen, it has been found difficult to exercise any control over these proceedings. In P. M. G., No. 13-I, of the 8th January 1880, will be found the particulars of some cases which occurred in Tanjore.

3. It is desirable therefore that there should be no conflict of authority, but that the Public Works officers, who are responsible for the efficiency of the works, should grant the leases and provide in these for full control including the cancelment of the lease and the forfeiture of instalments of the rent paid, if the prescribed conditions be not attended to by the contractors.

4. In the case of the Chembrambakum tank, fishing should be permitted only from the margin of the waterspread or from boats or rafts, and not from the bund or masonry works; for if a fisherman be allowed to fish from the bund, the temptation to secure fish which may have been seen to go into the spaces between the revetment stones, or to use the sluice heads for fishing purposes, is liable to be

irresistible, and the removal of a stone or two of the revetment may lead to great damage, while any interference with the sluices would be highly objectionable.

There is a conservancy establishment in charge of the tank and the Superintendent will therefore be able to look after the fishery contractor, and see that the conditions of the lease are duly attended to.

5. It may be readily admitted that a lease granted by the Revenue officers would fetch more than one issued in the Public Works Department, because the conditions prescribed, even if the same in both cases, would not be enforced in the former; this would be true to a considerable extent even were the Collector to be desirous of enforcing them, for the number of authorities through whom the report of infringements would pass would practically result in the contractor doing as he pleased. The Collector has no means of exercising direct control over a contractor.

ORDER—dated 14th March 1882, No. 297, Revenue.

Miscellaneous.

The Government concur with the Chief Engineer for Irrigation, and the Board are requested to issue the necessary orders accordingly.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
" Chief Engineer for Irrigation.
" Financial Department.
" Accountant-General.

Exd. W. H. French.

80 Copies.

ENCLOSURE
15 JUL 82
EXAMINER, P.W. ACCOUNTS.

Govt. of {1882} Madras.

REVENUE.

Order, dated 14th March 1882, No. 297.

Leasing the Fishery of the Chembrambakum Tank —Chingleput.— Opinion of Chief Engineer for Irrigation on the subject of— concurred with, and the Board requested to issue the necessary orders accordingly.

Revenue Dept.

Proceedings of the Madras Govt: &c—

Read the following:

not commund

No. 1021.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th April 1882.

Read the following Proceedings of the Madras Government, Revenue Department, dated 14th March 1882, No. 297, Revenue:—

ABSTRACT.—Opinion of Chief Engineer for Irrigation on the subject of leasing the Fishery of the Chembrambakum Tank, Chingleput, concurred with, and the Board requested to issue the necessary orders accordingly.

COMMUNICATED to all Collectors, who will observe that the right of fishing in Irrigation works under the control of the Public Works Department should be leased out by the officer in charge of the work, the proceeds being paid in to credit of Local Funds.

(A true Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To all Collectors, with copies of G.O., dated 14th March 1882, No. 297, Revenue Department.
Copy to the Secretary to Government, Revenue Department.

Order thereon, 21st March 1882, No: 1415.

Recorded.

(True Extract.)

Lmas

ag: asstt: secy:
for secy: to Govt:

Exd. A. Raitt.

To The P.W. Dept.

ENCLOSUR
15 JUL
EXAMINER, P.W. ACCOUNTS

1882.

Board of Revenue,
MADRAS.

To

ALL COLLECTORS.

SUPERINTENDING ENGINEER
20 AUG 84
6TH CIRCLE

Printed April 13th.

Received

PROCEEDINGS, 6TH APRIL 1882, No. 1021.

No. 403 Id/23rd May/82.

B

Communicated to the Chief Engineer for Irrigation and all Superintending Engineers

A.S.R
13-5-82

Dorbs

Ch. Engr for I
Supdg Engrs

Ecld
B/5

No. 403 Id/23rd May 82

INFORMING all Collectors that the right of *fishing in Irrigation Works* under the control of Public Works Department should be leased out by the officer in charge of the work.

Entd. in Receipt Regr.

Wtbowden

5932

RK.

Please send
Demi one to Ch Engr
Irrig for the B
Proc of May 1882
if not already returned

Asst
Returned
this day
now produced

17.7.82

17-7-82

[Exr. Wks. Form No. 111.]

GOVT. OF MADRAS. } 1884. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 16th JULY 1884.

OFFICE NOTE No. 278.

To

I.

PLEASE STATE THE FUND TO WHICH THE SALE PROCEEDS OF SHELLS IN RIVER BEDS SHOULD BE CREDITED.

2. SALES OF FISHERIES ARE CREDITED TO LOCAL FUNDS UNDER G.O. NO. 403. I. DATED 23RD. MAY 1882, AND THE EXECUTIVE ENGINEER NEGAPATAM IS OF OPINION THAT THE SALE PROCEEDS OF SHELLS SHOULD BE TREATED IN THE SAME WAY.

C.

It would perhaps be worth while to ask Government to settle this point.

KEEP WITH Genl. No.

dated 18 .

O.S. 11/9

C. 3.9.84 R. 11.9.84

Hello..

agree with E.E.
Nagapatam - If proceeds
fisheries in tanks and
canals are credited to
Local, shells in river
beds, which cannot
in any way be said to
have been brought there
by the expenditure of
Imperial funds" should
assessments follow the
same rule.

D
for D.E.I.
8/7

Please see the shells collected?
I want particulars before I
can move in the matter. Is
anything paid now by Govt.?

Govt
21/7/84

R.No 276
23.7.84

D.No.157
C.
Have you the facts.
If so, please let us
have them.

D
8/7

[Exr. Wks. Form No. 111.]

1/3075/84/50

1/269/84

CHIEF SUPERINTENDING ENGINEER
6 AUG 84
S.W. CIRCLE

GOVT. OF MADRAS. } 1884. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 25th July 1884.

OFFICE NOTE No. 306.

Enc: 5

To

Dy: E.E.

The receipt in question Rs. 30/- was on account of the lease of the right of collecting shells in the Kadooryaur and Vellayaur for 1 year, procured by the Executive Engineer, Negapatam Division.

DC

b
25/7.
A.A.

Govt
25/7.
E.I.

For information

D

KEEP WITH Genl. No.

dated 18 .

No. 2678 13

Executive Engineer's Office
Negapatam 18th August 1884

From,

The Executive Engineer
Negapatam Division

To,

The Superintending Engineer
C. Circle

Sir,

In returning your endorse-
-ment No. 7811 of 9th Instant, forward-
-ing Office notes from the Examiner
to the Irrigation Chief Engineer
regarding the sale of the right to Collect
Shells in the Kadumyaur in this Division,
I have the honor to report as follows-

2 On the 27th February 1884 I received
a petition addressed to Mr. Lord Superinten-
in Charge of Negapatam Town Works
from one Ponnoosamy Pillay of Autha-
-napattai offering Rs 30 for permission
to Collect shells for a year in Vellayar and
Kadumyaur. Mr. Lord recommended
this offer although there was no such
precedent as the Rivers belong to Govt.

3 I accepted this offer with a proviso that this Department will not be responsible for preserving shells from others.

4. In April the amount was paid by the above individual and it was credited in accounts to "Incorporated Local" similar to the proceeds of the sale of fisheries had been done under G.O. No. 297 Revenue Department dated 14th March 1882.

I have &c &c

(Signed) D H Wilks
Executive Engineer.

No. 780 T.T.

True Copy forwarded to the Chief Engineer for Irrigation with reference to his No. VI T.T. of 2nd August/84. The Superintending Engineer considers that the Executive Engineer should not have sold the right to collect shells without reference, but as they have been sold, he is right in crediting the amount realized to Incorporated Local Funds the same as proceeds from Fisheries are credited.

Enclos 8.

Supg Engineer's Office (Circle Camp) Upparamicut 21st August/84

Lieut Col R E
Superintending Engineer 6th Circle

PWCno. 7340 V.

CHIEF ENGINEER
25 AUG
1884
IRRIGATION

R 895

From,

The Supt. Engineer
6: Circle.

To,

The Chief Engineer
for Irrign

No 7807 T.J

Dated 21st august/84
Rect 2d Septr/84
males 8.

No. 828 J of 11th Sept/84

Reports in regard to the lease of the right of collecting shells in the Kadavyar &c.—

8289

O.L.S. 11/9

17

PUBLIC WORKS DEPARTMENT.

No 828 J

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 11th September 84

READ the following

Duplt

From the Examiner of P. W.a. Office Note No. 278 dy. 16th July 1884.
From the Supg. Engr. VI Circle Endorsement No. 7807 T.J. dy. 21st Augt 84

The sale proceeds of shells in river beds will be credited to Local Funds.

2. Orders will issue in the Financial Department regarding the course to be followed in disposing of similar applications for the right of collecting shells in river beds.

Supg Engr VI Circle
Ch. for Irrign
Exr. P. W. Accts
Rev Dept
Trl Dept, with copy of the corren
18/9/84.

(Chief Secy for Communications)

1/9/84 JW

G.O. 636 I dy 27-12-77
" 637 I dy —do—
" 403 I dy 23-5-82

P.S. 11/9.
D. 3.9.84 R 11-9-84
D. 3.9.84

20-4-11 ✓

15-10-25 B III ✓

26.5.26 II ✓
29.7.26 II ✓

14-11-32 B III ✓

7340

Govt. of {1884} Madras.

PUBLIC WORKS.

12/9

Dated

Read. Encl.

G.O., 11 Septr 1884, No. 828

Shells

Rivers beds ?

Sale proceeds of —
to be credited to
Local Funds

Dept 8/9
10/