(1) Number of pages 32

(2) Date of repair 27-10-87

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.W. DEPARTMENT

G.O. No. / B.P. No.	2170-W	Press. / Mis.
Dated	16-9-1885	~~189~~

297.

Not to be folded or roughly handled.

16th September 1885, No. 2170 W., Public Works.

2170/1

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

Read—the following papers :—

From Lieutenant-Colonel J. L. L. MORANT, R.E., Superintendent of Works, in charge of II Circle, to the Chief Engineer, Public Works Department, dated Madras, 8th August 1885, No. 219 B.C.

With reference to Order, No. 1481 W., dated 25th June 1885, on Revenue Department Order, No. 2851, of the 5th idem, calling on Major Drake-Brockman, R.E., to explain regarding the complaints made against him by the Commissioner of Salt and Abkári Revenue, I have the honor to forward Major Drake-Brockman's letter, No. 1421, dated 4th August 1885.

2. It would appear that, for the past few years, the relations between the Salt and Public Works Department on the Buckingham canal have been somewhat strained. The boatmen navigating boats belonging to the Salt Department have repeatedly infringed the rules of canal traffic, and representations made by officers of the Public Works Department have received but scant attention. Had this evil been confined to the local officers of these departments, it might perhaps be hardly worthy of the notice of Government, as they are doubtless well able to take care of themselves. But the rules of canal traffic were prepared to protect the public, and by breaking those rules the employés of the Salt Department have jeopardised the convenience and safety of other canal customers.

3. *A propos* of this, I may quote a case that occurred during the very few months during which I had charge of the canal. Mr. A. M. Saunders, the Agent of the Madras Railway, copy of whose letter I append, reported to me that a heavily laden salt boat was found across the canal at 3 a.m. The boatmen would do nothing. Mr. Saunders had himself to unload the boat, and at last passed the obstruction after a detention of four hours. He requested the men might be punished. Finding no rule to cover the case, I reported it to the Commissioner of Salt and Abkári Revenue. He replied that I ought to have addressed the local officers, that the boat belonged to a contractor, and that he, the Commissioner, could do nothing.

4. It goes without saying that the canal rules, which have been framed by Government for the protection of the public, should be enforced with all courtesy, and that officers of all departments who use the canal should respect these rules and set an example of a loyal obedience to them.

Enclosure.

From Major R. DRAKE-BROCKMAN, R.E., A.I.C.E., Executive Engineer, Buckingham Canal Division, Pulicat, to the Superintending Engineer, II Circle, Masulipatam, dated Buckingham Canal, 4th August 1885, No. 1421.

On my return from privilege leave on the 29th instant, I found your endorsement, No. 65 C., dated 7th July 1885, on G.O., No. 1481 W., dated 25th June last, awaiting me. I lose no time in replying to the same.

2. On the 30th January last the officer in charge of the southern sub-division forwarded to me the accompanying report of boats that infringed the regulations of the canal navigation for my orders. I passed them accordingly for suspending the boat in question for fifteen days. This occurred on the 7th February, but it was not until the 23rd February that I received the letter from the Assistant Commissioner, Salt Revenue, Chingleput division, dated 17th, and despatched

21st idem. I replied to him under date the 27th, conveying my reading of the navigation rules. For this information he thanked me in his letter under date 3rd March, and asked me for twenty copies of the rules, which I sent him on the 11th of that month. I thought no more of the matter, nor did it form subject of further discussion between myself and Mr. Ditmas, although a reference to my letter to him, dated 27th February, read in connection with paragraph 9 of the letter from the Commissioner of Salt Revenue, dated 11th April last, will show that the latter officer is not correct in stating that I had given "no hint that there was any intention to summarily suspend the license of a boat belonging to another department."

3. I was surprised, therefore, to find that the Commissioner of Salt Revenue had taken up the matter and taken exception to my action in his letter under review.

4. The rules as to suspension for infringement of the canal navigation rules have always appeared to me clear enough, and from the fact that they were published in six successive issues of the *Fort St. George Gazette* on their first promulgation, and that a copy is invariably given to the salt peons who come to license their boats at my office, the officers of all departments using the canal would, I should have thought, have made themselves conversant with those rules and have seen them duly respected by their subordinates. But that this is not the case, more particularly with the officers of the Salt Department, is evidenced by the fact that frequent reports have been made to me by my subordinate officers from time to time of the neglect of the officers of the Salt Department to observe the rules of the canal. Some of these reports I instance hereunder :—

(1) On the 10th February 1883 two Salt Department boats passed through the Adyar lock at dead of night without lights.

(2) On the 25th April 1883 one of the boats of that department was found sunk to the north of the Pycroft's bridge across the canal, and seriously endangering the traffic. Thereupon I wrote to the Assistant Commissioner, and undertook myself to remove it to the Adyar and there had it made fast.

(3) On the 13th May 1883 I received a report from my southern sub-division officer complaining that a boat of the Salt Department was lying across the canal sunk at one end and obstructing the traffic; and further reported that the boats of that department were constantly floating about the canal with no one on board to look after them.

(4) On the 14th August 1883 the toll-keeper at Adyar informed me that salt boats while entering the lock have frequently only one man on board to navigate it, and that they were on that account in the habit of knocking against the lock gates and masonry and threatening thereby damage of the same. I accordingly asked the Assistant Commissioner to see that these boats were properly manned.

(5) On the 18th September 1883 the Executive Engineer, Kistna Western division, complained that a serang of a salt boat had failed to produce his license when called upon to do so by the lock superintendent.

(6) On the 2nd November 1883 the officer in charge central sub-division of this canal brought to my notice that Salt Department boat No. 28, under the orders of their shell-pit superintendent, was using the canal without a license.

(7) On the 14th July 1884 license of salt boat No. 4 was suspended for not showing a light at night.

(8) On the 4th September 1884 the southern sub-division officer reported to me that on the 30th August previous he "was compelled to take down sail and stop his boat to avoid being run down by salt inspector's budgerow No. 4, old No. 29 G.B., which was being navigated by four members of the salt police who had no knowledge of navigation, and under whose management the boat was zigzagging along the canal, at times right across the canal, and in fact perfectly unmanageable with a head wind and inexperienced crew. The men informed me," he goes on to say, "that they did not understand such work. This is the second time I have had to stop on account of the manner in which the budgerow was navigated, and it is probable that some accident will occur if it be allowed to continue."

5. In all the above instances I showed every courtesy in addressing the Assistant Commissioner concerned, requesting him to rectify these irregularities, and refrained from putting the punitive powers I held into operation. Such courtesy, I regret to say, I have not experienced at the hands of the officers of the Salt Department; notably on one occasion when after having had a portion of the alignment of the new diversion of the canal marked out by flags across land which belonged to the Salt Department, the bamboo staves were ordered to be taken up by the Assistant Commissioner of that circle, and the calico removed therefrom and sent to me under cover of a letter which informed me that the bamboos would be found, if I required them, in a certain cutcherry of the department in the neighbourhood.

6. In paragraph 10 of his letter, Mr. Bliss considers that there is no prohibition in the rules against cargo boats carrying passengers. If this argument be correct, why, I would ask, should cargo boats be measured on a method different to, and be charged at a rate of license fee less than, those intended to carry passengers? Why should the free board of passenger vessels be

fixed at three inches more than that of cargo boats, and why should a limited number of passengers, according to the superficial area of the covered space of the vessel, be fixed, and this information painted on a conspicuous part of the boat as is now done?

7. Furthermore, if a person gets his boat licensed for carrying cargo, and use it for conveying a number of his own men instead of hiring a passenger vessel which has already paid a higher rate of license fee, can such a privilege be allowed him? I presume not; otherwise the interests of those who contribute more liberally to the public revenues would not be protected.

8. As regards the suspension of a license not prohibiting a boat from plying on the canal on tolls, I submit that then the fact of such suspension would amount to no punishment at all. A boat under such circumstances can ply on the canal for a period of forty-one days without paying toll, which is only leviable every six weeks. All that the owner of a boat that is suspended for a fortnight or a month has to do will be to put in an appearance at the end of his suspension time and claim his license. I would point out that a boat licensed for the year is bound to produce his license every time it is called for, and if he cannot do so is liable to suspension to an increased period on each occasion of his failure to produce his license. If a boat licensed for the year could ply on tolls which are not heavy, it would simply put a premium on misconduct and neglect of the rules of the canal highway, and a boatman that once plied on tolls would have, I consider, to continue doing so for the remainder of the year and forfeit his license altogether. This would be much harder upon the owner than undergoing suspension for a short period. Suspension of license, I take it, is equivalent to the suspension of a pleader by the Judge of any court—it means debarring the offender from practising his profession for the time being.

Office note from the Chief Engineer for Irrigation, dated 4th September 1885.

ORDER—dated 16th September 1885, No. 2170 W., Public Works.

The foregoing letter from the Superintending Engineer, II Circle, with Major Drake-Brockman's explanation, will be communicated to the Revenue Department, with advertence to proceedings in that department, dated 5th June 1885, No. 2851.

2. The Government in the Public Works Department consider that the Executive Engineer, Buckingham canal division, has shown good grounds for the action taken by him in the matter complained of by the Commissioner of Salt Revenue. It should, however, be pointed out to the Executive Engineer that the servants of the Salt Department are not passengers in the ordinary acceptation of the term. The case in question was doubtless one in which it would have been desirable to call for explanation before inflicting a penalty; but the report sent to the Executive Engineer merely showed that a cargo boat was carrying passengers, and the toll-keeper was to blame in not explaining who the passengers were.

3. The Government entirely concur in the remarks contained in paragraph 4 of the Superintending Engineer's letter. The navigation rules must be adhered to, and there is no reason why the boats of the Salt Department should be exempted from penalties for infringement of those rules. The Government can only express a hope that there will be greater cordiality in future between the officers of the Public Works and Salt Departments in the working of the rules.

4. The Government do not consider that the Executive Engineer is correct in the contention in paragraph 8 of his letter. If the license of a boat be suspended, and it is still allowed to navigate the canal, it can be made to pay toll on passing the first toll station, and this would probably be a sufficient penalty, the license fee having already been paid.

(True Extract.)

Lieut.-Col., R.E.,
Offg. Under Secy. to Govt., P.W.D.

To the Superintending Engineer, II Circle, with one enclosure.
" Chief Engineer for Irrigation.
" Revenue Department, with one enclosure.

Exd. J. Henricus.

Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of 1885 Madras.

PUBLIC WORKS.

Dated September, 16th.

Recd. *Encl.*

G.O., 16th Sept. 1885, No. 2170 W.

SEPTEMBER.

Boat belonging to the Salt Department

Orders on explanation submitted by Major Drake-Brockman, R.E., in regard to the complaint made by the Commissioner of Salt Revenue in suspending the license of a —.

E. I. Form No. 34-F.

GOVT. OF MADRAS 1885. P.W. DEPT.

CHIEF ENGINEER FOR IRRIGATION.

2120/3

Ootacamund ~~Madras~~, 4 Septr 1885.

OFFICE NOTE.

KEEP-WITH.

No. dated 188 .

Circulation Register.

To	From	Despatch Date.	Receipt Date.
W	E.I	5/9/85	

I think Major Drake Brockman has made a good defence and it will only be necessary to point out that the servants of the Salt dept are not passengers in the ordinary acceptation of the term and to express the hope that there may be greater cordiality between the officers of the P.W & Salt Depts in future.

2. The Navigation Rules must be adhered to and there

recd 17/9

there is no reason why the Salt boats should be exempted from penalties for infringement of rules. The case is one in which it would have been desirable for the Ex. Engineer to call for explanation before inflicting penalty as Mr Bliss says, but the report sent to the Ex. Engineer states only that a cargo boat was carrying passengers, the toll Keeper was to blame, I think, for not explaining who the "passengers" were.

3. I do not think Major Drake Brockman is right in his view about Tolls and I very much doubt that he has any power to detain a boat. The less said about this the better, as until the Irrigation Bill is passed the rules, I believe, cannot legally be enforced.

4. If the license of a boat is suspended and it is still allowed to navigate the Canal it can be charged Toll on passing the first Toll station and this penalty would probably be sufficient, the License fee having already been paid

Johnstone Col. R.E.
E. I.

16/9/85

21708

No. 2193 C

Superintending Engineer's Office,
2nd Circle, Camp Madras.
8th August 1885

From

The Superintending Engineer,
2nd Circle.

To

The Chief Engineer,
Public Works Department,
Madras.

Enclosures 2
1 Executive Engineer's letter
1 copy of Mr Saunders' letter

Sir,

With reference to order No. 1481 dated 25th June 1885 on Revenue Department Order No. 2851 of the 5th Idem, calling on Major Drake-Brockman R.E. to explain regarding the Complaints made against him by the Commissioner of Salt and Abkari Revenue, I have the honor to forward Major Drake-Brockman's letter No. 1421 dated 4th August 1885.

2. It would appear that for the past few years, the relations between the Salt and Public works Department on the Buckingham Canal have been somewhat strained. The boatmen navigating boats belonging to the Salt Department

have repeatedly infringed the Rules of Canal Traffic, and representations made by Officers of the Public Works Department have received but scant attention. Had this evil been confined to the local Officers of these Departments it might perhaps be hardly worthy of the notice of Government, as they are doubtless well able to take care of themselves. But the Rules of Canal Traffic were prepared to protect the public, and by breaking those rules, the employés of the Salt Department have jeopardised the convenience and safety of other canal customers.

3 *Apropos* of this, I may quote a case that occurred during the very few months during which I had charge of the canal. Mr A. M. Saunders, the Agent of the Madras Railway, copy of whose letter I append, reported to me, that a heavily laden salt boat was found across the Canal at 3 A.M. The boatmen would do nothing. Mr Saunders had himself to unload the boat, and t last passed the obstruction after a letention of 4 hours. He requested the men

2

might be punished. Finding no rule to cover the case, I reported it to the Commissioner of Salt and Abkari Revenue. He replied, that I ought to have addressed the local Officers, that the boat belonged to a contractor, and that he, the commissioner, could do nothing.

4. It goes without saying, that the Canal Rules which have been framed by Government for the protection of the Public should be enforced with all courtesy, and that Officers of all Departments who use the Canal should respect these rules, and set an example of a loyal obedience to them.

2170/5

I have the honor to be,
Sir,
Your most Obt. Servant

J H Morant

Lieut. Colonel R.E.
Superintendent of works
in charge of II Circle.

(3) Dl. Ch. 731 E
1885/8

Ootacamund, Augt. 31. 1885.

No. 539 E.

E. J.

For remarks.

31-8-85

From

The Superintending Engineer
2nd Circle

To

The Chief Engineer
P. W. D.
Madras

Dated 8th August 1885
Despd 15th do
Recd 20 —

1481 W of 25/6/85
465 E of 12/5/85
552 W of 20/5/83

No. 219 B.C

Boats of Salt Department plying on Buckingham Canal. Forwards Major Drake-Brockman's letter explaining to the complaints made against him by the Commissioner of Salt & Abkari Revenue regarding the suspension of —

To

a.y.f. 87/8.

A. 20-8-85

Encls.

8.P.B

No. 1421

Office of the Executive Engineer
Buckingham Canal
4th August 1885.

From

The Executive Engineer
Buckingham Canal Dn.
Pulicat

To

The Superintending Engineer
2nd Circle
Masulipatam.

Sir,

On my return from privilege leave on the 29th instant I found your endorsement No. 65 C/7/7/85 on G O No. 1481 W dated 25th June last awaiting me. I lose no time in replying to the same.

2. On the 30th January last, the officer in charge of the Southern sub Division forwarded to me the accompanying report of Boats that infringed the regulations of the Canal Navigation for my orders. I passed them accordingly for suspending the boat in question for 15 days. This occurred on the 7th February, but it was not until the 23rd February that I received the letter from the Assistant Commissioner Salt Revenue Chingleput Division, dated 17th & despatched 21st idem. I replied to him under date the 27th conveying my reading of the navigation rules. For this information he thanked me in his letter under date 3rd March

and

and asked me for 20 copies of the Rules which I sent him on the 11th of that month. I thought no more of the matter nor did it form subject of further discussion between myself and Mr Ditmas, although a reference to my letter to him dated 27th February, read in connection with para 9 of the letter from the Commissioner of Salt Revenue dated 11th April last will show that the latter officer is not correct in stating that I had given "to him that there was any intention to summarily suspend the license of a boat belonging to another department".

3. I was surprised therefore to find that the Commissioner for Salt Revenue had taken up the matter and taken exception to my action in his letter under review.

4. The rules as to suspension for infringement of the Canal Navigation rules have always appeared to me clear enough, and from the fact that they were published in 6 successive issues of the Fort St George Gazette on their first promulgation, and that a copy is invariably given to the Salt peons who come to license their boats at my office, the officers of all departments using the Canal would I should have thought have

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1. On the 10th February/83 two Salt Department boats passed through the Adyar Lock at dead of night without lights.—

2. On the 25th April/83 one of the boats of that Department was found sunk to the North of the Pycrofts' Bridge across the Canal and 2/2 seriously endangering the traffic. Hereupon I wrote to the Assistant Commissioner and undertook myself to remove it to the Adyar and there had it made fast.

3. On the 13th May/83 I received a report from my Southern Sub Division officer complaining that a boat of the Salt Department was lying across the Canal sunk at one end and obstructing the traffic, and further reported that the boats of that Department were

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constantly floating about the Canal with no one on board to look after them.

4. On the 14th August/83 the Toll keeper at Adyar informed me that Salt boats while entering the Lock have frequently only one man on board to navigate it and that they were on that account in the habit of knocking against the Lock gate and masonry and threatening thereby damage of the same. I accordingly asked the Assistant Commissioner to see that these boats were properly manned.

5. On the 18th September/83 the Executive Engineer Kistna Western Division Complained that a Serang of a salt boat had failed to produce his license when Called upon to do so by the Lock Superintendent.

6. On the 2nd November/83 the Officer in charge Central sub Division of this Canal brought to my notice that Salt Department boat No 28 under the orders of their Shellpir Superintendent was using the Canal without a license.

7. On the 14th July/84 license of Salt Boat No 4 was suspended for not showing a light at night.

8th

8th. On the 4th September/84 the Southern Sub Division Officer reported to me that on the 30th August previous he was Compelled to take down sail & stop his boat to avoid being run down by Salt Inspector's Budgrow No 4 Old No 29 G B which was being navigated by 4 members of the Salt Police who had no knowledge of navigation, and under whose management the boat was zigzagging along the Canal, at times right across the Canal & in fact perfectly unmanageable with a head wind & inexperienced crew. The men informed me," he goes on to say "that they did not understand such work. This is the second time I have had to stop on account of the manner in which the Budgrow was navigated & it is probable that some accident will occur if it be allowed to Continue."

5. In all the above instances I showed every Courtesy in addressing the Assistant Commissioner Concerned, requesting him to rectify these irregularities and refrained from putting the punitive powers I held into operation. Such Courtesy I regret to say I have not experienced

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at the hands of the officers of the Salt Department; notably on one occasion when after having had a portion of the alignment of the New Diversion of the Canal marked out by flags across land which belonged to the Salt Department, the bamboo staves were ordered to be taken up by the Asstt. Commissioner of that circle, & the calico removed therefrom and sent to me under cover of a letter which informed me that the bamboos would be found if I required them in a certain Cutcherry of the Department in the neighbourhood.

6. In para 10 of his letter Mr. Bliss considers that there is no prohibition in the rules against Cargo boats carrying passengers. If this argument be correct, why, I would ask should cargo boats be measured on a method different to, and be charged at a rate of license fee less than those intended to carry passengers? Why should the freeboard of passenger vessels be fixed at 3" more than that of Cargo boats, and why should a limited number of passengers according to the superficial area of the covered space of the vessel be fixed, and this information painted on a conspicuous part of the boat as is now done?

Further

7. Furthermore, if a person gets his boat licensed for carrying Cargo, and uses it for conveying a number of his own men instead of hiring a passenger vessel which has already paid a higher rate of license fee, can such a privilege be allowed him? I presume not, otherwise the interests of those who contribute more liberally to the public revenues would not be protected.

7°/a

8. As regards the suspension of a license not prohibiting a boat from plying on the Canal on tolls, I submit that then the fact of such suspension would amount to no punishment at all. A boat under such circumstances can ply on the Canal for a period of 44 days without paying tolls which is only leviable every 6 weeks. All that the owner of a boat that is suspended for a fortnight or a month has to do will be to put in an appearance at the end of his suspension time and claim his license. I would point out that a boat licensed for the year is bound to produce his license every time it is called for, and if he cannot do so is liable to suspension, to an increased period on each occasion of his failure to produce his license. If a boat licensed for the year could ply on tolls which

Not and pay
tolls as will
be licensed

are

are not heavy, it would simply put a pre-mium for misconduct and neglect of the rules of the Canal highway, and a boatman that once plied on tolls would have, I consider, to con-tinue doing so for the remainder of the year, or forfeit his license altogether. This would be much harder upon the owner than under-going suspension for a short period. Suspension of license, I take it, is equivalent to the sus-pension of a pleader by the judge of any court; it means, debarring the offender from practising his profession for the time being.

I have the honor to be
Sir
your most obedient servant

R. E. Drake-Brockman
Major R. E., A. I. C. E.
Executive Engr B Canal Dn

ENGINEER'S OFFICE
No. 2212
14 AUG 85
P.W.D.

~~From~~ No 7 / 2212/13

The Executive Engineer,
Buckingham Canal Dn.
Pulicat

To

The Superintending Engineer
2nd Circle
Masulipatam.

Dated 4th August 1885.
Despd 5th
Received

No. 1421

Enclosures 2.

Suspension of Cargo boats No. 212 of the Salt Department—

Reporting the circumstances under which the —, was c— carried out.—

C.A.W.

I concur generally with E.I. Major Drake Brockman was clearly wrong in the contention in his para 8.

What is correct procedure now?

2120/18

US
7.9.85

to W

~~Draft order submitted for approval.~~

~~No. w~~ In G.O. of 5.6.85, No. 2851 the matter was left to the P.W. Dept for disposal.

8.9.85

PUBLIC WORKS DEPARTMENT

the P.W. Department consider

To be attached to
No. 5396

G.O. of 25.6.85 - No. 1481. W.

Please let me see the original of above

W

24.8.85

W

2170
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Original submitted.

The order was drafted in I branch, but it was numbered in W series because it was counterinitialled by you.

Cr
31.8.85

Justed

W
30/8

[illegible]
[illegible]

the P.W. Department consider

*Public Works Department.

No. 2170 W

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 16th Sept/85

Read the following

Letter from S.E. II Circle. N.E. No. 219. B.C d/ 8 August/85.
Office note from the Chief Engr: for Irrigation } " " —— d/ 4th September/85.

2170/13

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2. The Government in the P.W. Department consider

that the Executive Engineer, Buckingham Canal Division, has shown good grounds for the action taken by him in the matter complained of by the Commissioner of Salt Revenue. It should however be pointed out to the Executive Engineer that the servants of the Salt Department are not passengers in the ordinary acceptation of the term. The case in question was doubtless one in which it would have been desirable to call for explanation before inflicting a penalty; but

21/70
14

the report sent to the Executive Engineer merely showed that a cargo boat was carrying passengers; and the toll keeper was to blame in not explaining who the passengers were.

3. The Government entirely concur in the remarks contained in para 4 of the Supdg: Engineer's letter. The navigation rules must be adhered to, and there is no reason why the boats of the Salt Dept: should be exempted from

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W
8.9.85

W
8.9.85

2170/85

S. E. II Circle, with 1 enclo.
Chief Engr. for Irrgn.
Rev. Dept., with 1 enclo.

25/9/85

W/18.9

P.H. 17/9. Civ: 10/9.

W

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Gobt. of 1885 Madras.

PUBLIC WORKS.

Dated 18/9/85

Recd. Encl.

G.O., 16 Sep 1885, No. 2170 W

Boat belonging to the Salt Dept

Orders on explanation submitted by Major Drake Brockman R.E in regard to the complaint made by the Commissioner of Salt Revenue in suspending the licence of a

W4 Dn.

Sd 18/9 E 17/9