Public Works (1896) Department.

G.O., No. 18 I

DATED 6—1—96

[Despatch Abstract.]

Repairs to the Mamangidinne tank: The recovery of their share of the cost of — from the shrotriemdars having been waived, the sum of Rs 89 now at debit of "Miscellaneous advances" and due as contribution from the shrotriemdars, ordered to be adjusted in the accounts of the current year against the grant to the Nellore Dn for ordinary works und "43".

[P. W. 26. 1,000—25-10-95.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 18 I., 6th January 1896.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

Read—the following papers :—

From the Superintending Engineer, II Circle, dated 19th January 1895, No. 614 N.L.
To the " " II " " 28th " " " 2 "
From the " " II " " 6th Dec. " " 484 "

No. 250 I.

Submitted to Government.

(Signed) R. R. E. DRAKE-BROCKMAN, Col., R.E.,
Chief Engineer for Irrigation.

17th Dec. 1895.

Order—No. 18 I., dated 6th January 1896.

The sum of Rs. 89 now at debit of "Miscellaneous advances" will be adjusted in the accounts of the current year against the grant for the Nellore Division for ordinary works under "Provincial 43. Minor Works for which neither Capital nor Revenue accounts are kept, Public Works Department, Repairs."

2. Under G.O., Mis. No. 2915, Revenue Department, dated 20th July 1895, no steps need be taken for the recovery from the shrotriemdars of their share of the estimated repairs to the Mannangidinne tank sanctioned in G.O., No. 607 I., dated 4th August 1891.

(True Extract.)

Under Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Chief Engineer for Irrigation.
" Superintending Engineer, II Circle.
" Examiner, Public Works Accounts.

Exd. Shaik Karim.
Spare Copies

IRRIGATION.

Govt. of {1896} Madras.

PUBLIC WORKS.

Dated January, 6th.

Recd. *Encl.*

G.O. No. 18 I., 6th Jan. 1896.

JANUARY.

Repairs to the Mannangidinne tank

The recovery of their share of the cost of —, from the shrotriemdars having been waived, the sum of Rs. 89 now at debit of "Miscellaneous advances" and due as contribution from the Shrotriemdars, ordered to be adjusted in the accounts of the current year against the grant to the Nellore Division for Ordinary Works under "43."

PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

From Supg Engr, II Circle, No 614 W.I. d/ 19 Jan /95
to do " 2 W.I. d/ 28 Jan /95
From do. " 484 W.I. d/ 6 Dec /95
No. 250 I d/ 17.12.95

Submitted to Govt.

Order thereon
No 18 I d/ 6th January 1896

The sum of Rs 89 now at debit of "Miscellaneous Advances" will be adjusted in the accounts of the current year against the grant for the Nellore Divn for ordinary works under "Provincial 43. Minor Works for which neither Capital nor Rev. Accounts are kept - P.W.D. Repairs".

W
24 Dec

2. Under G.O. No 2915 d/ 20 July /95, Mis., Rev. Dept., no steps need be taken for the recovery from the Shrotriemdars of their

share of the estimated repairs to the Mannangidinne tank sanctioned in G.O. No. 607 I., d/ 4th Aug/91.

WC 16/12

Russell 17/12

No. 1248 a/25-11-56 Rev.
" 2152 " 12-9-67 "
" 1731 " 19-6-68 "
" 104 " 28-1-92 "
" 1032 I " 9-12-92
" 40 I " 14-1-93
" 3044 W " 27-11-94
" 958 I " 5-12-94
" 145 I " 15-2-95

No. 282 I " 1-4-78
" 258 I " 17-3-91
" 607 I " 4-8-91.

To
The Chief Engr for I.
Supg Engr II
Ex. T. W.

ICU 16/12

E. P. Form No. 1—500—14-5-95

H.E. 19/12 Rd: 23/12

49

P. W. CURRENT No. 10176

Contribution due by Shrotriemdars of Mannangidinne Tank, Nellore D., waived

× Flag Z.

Enclos: 5

Recd: 18.12.95

Issue

Records 24/12

9

P.R. 24-12-95

Keep with R 4 M D 16-1-95

10176

181

D.E.I.

Yes, this is the first occurrence of this case.

Papers on the suit brought by Govt for recovery of contribution for cost of repairs to Parayan Kolathur Shrotriem tank are put up. Though the result of this suit was in favor of Govt, permission was not given to issue the papers to the officers of the Dept for information, the Hon'ble Mr. Stokes being of opinion that it is not a conclusive decision & is doubtful law.

In Proc. No. 6681 of 13 Aug/94 the Bd. of Rev. — please see page 31 of the correspondence forwarded by the S.E. — was of opinion that there was no ground for relieving the Shrotriemdars of their share of contribution & as the only method of recovering it was by the institution of a Civil suit, the Collector was directed to have a draft plaint prepared & submitted for approval.

It does not therefore

seem necessary to obtain the Govt Solicitor's opinion in this dept.

The Supt Engr may be informed that ½ the cost of repairs should be claimed & that the Collector may be accordingly informed in view to its recovery by the institution of the Civil Suit contemplated by the Bd of Rev.

ICB
28/1

Us

28/1

Russ
28/1

Urgent

Letter No. 1339 dated 18-9-91 from the Executive Engineer Nellore Division to the Collector of Nellore.

3558 NL
16 NOV.94
P.W.D.
SECOND CIRCLE

I have the honor to inform you that an Estimate for Rs 4740 has been sanctioned for complete repairs to the Mannangadinna Tank in the Kavali Taluq. The Shotriamdars who own lands under this tank must pay their share which is one fourth or Rs 1185 in accordance with P. W. D. Code para 1341. I request you will be good enough to call on the Shotriamdars to pay their share at once so that the repairs may be started and completed before the end of the official year.

Letter No. 4280 dated 18th November 1891 from the Head Quarter Dy. Collector in charge Head Assistant Collector's Office, Nellore to the Collector of Nellore.

Adverting to your R. f No. 3342/Ver dated 8th September 1891 I have the honor to forward herewith a statement made by one of the Shrotriamdars of Mannangadinne before the Tahsildar of Kavali. The other Shrotriamdars are reported to be absent in other Taluqs. From the statement it will be observed that they are at present unable to pay the contribution. They further complain that the "complete repairs" referred to by the Executive Engineer include repairs to a Supply Channel of the Tummalapenta tank which was once repaired entirely at the Cost of Government, and would pay their share of contribution to the Amount Sanctioned for the repairs of the Mannangidimma tank only after the Completion of the work.

Endorsement by Deputy Collector for Collector, to the Ex. Engr. with an enclosure R. f. No. 3342/Ver dated 30th November 1891 Despatched 7th December 1891.

Communicated to the Executive Engineer with reference to his letter No. 1339 dated 18th September 1891. together with copy of Statement made by the Shotriamdars before the Tahsildar.

Letter No. 2138 dated 8-12-91 from the Executive Engineer Nellore Division to the Collector Nellore District

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With reference to G. O. No. 607 I. dated 4th August 1891 Sanctioning Estimate of Rs. 4740 for improving Mannangadimma tank in Kavali taluq I have the honor to enquire if the village is not a Sotriam and if so, to request that you will be so good as to ascertain from the Sotriamdars of that village if they are willing to pay their share of Contribution towards the improvement of their tank as, otherwise the Sanctioned Estimate will have to be kept in Abeyance and the circumstances reported to the Superintending Engineer for his orders.

An early reply will oblige.

Letter No. 1007 dated 7th January 1892, from the Assistant Engineer Kandukur Sub Division to the Executive Engineer Nellore Division

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Your No. 1469 E of 24-12-91.

In returning your No. 1469 E. of 24-12-91 with its Enclosures, I have the honor to report that the Shotriamdars must pay their share of the whole Estimate. Their Statement that part of the repairs are for the benefit of the Tummalapenta Tank is untrue. It is evident that they are trying to delay the execution of repairs and to evade paying their share and I think it is advisable to warn them that unless they pay their share, their supply of water from the Tank will be cut off. I request your permission to start the work as it appears that the Shotriamdars can pay after Completion of the work.

Letter No. 2353 dated 16-1-92. from the Executive Engineer to the Head Assistant Collector

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With reference to your No. 4280 dated 18th November 1891 I have the honor to State that the repairs do not include repairs to the Supply Channel to Tummalapenta Tank and that the Shotriamdars must pay the whole of their share of the estimate. With regard to the Statement the Government repaired the Supply Chal to Tummalapenta Tank without taking contribution this is not true. Government carried out Emergent Repo. to a breach and there was no time to ask the Shotriamdars to bear their part of the cost. The Shotriamdar is evidently trying to make capital out of this.

I request you will collect the share, the Shotriamdars ought to pay at an early date.

Ref No. 3342 A/Ver dated 8th ~~February~~ January 1892. from the Ag. Collector of Nellore to the Executive Engineer N. D.

In reply to your letter No. 213 B dated 9th December 1891, I have the honor to state that Mannangadimma is a Shotriam village and to refer you to this Office foot-note ref No. 3342/Ver dated 30th November 1891 to Head Assistant Collector's No. 4280 dated 18th November 1891.

2 I may in this connection invite your attention to the Collector's ruling in Brahmana Kraka Krakamma contribution case vide this Office letter No. 3218/Ver dated 13th November 1891 that contributions of the nature of the one in question are not public contributions with in the terms of para 1341 A of the Public Works Code.

Letter No. 2621 dated 13-2-92 from the Executive Engineer Nellore Division to the Collector of Nellore.

With reference to your letter No. 3342 A/Ver of 8-1-92 I have the honor to state that what is required from the Shotriamdars of Mannangidimma to admit of carrying out repairs to their tank is, an assurance that their share of contribution will be paid in instalments as in the case of Brahmana Kraka Krakamma Tank.

2. The question whether contributions of the kind are or are not public contributions within the terms of para 1341 A of the P. W. Code will be take ~~up~~ up and dealt with separately.

Ref No. 3342 & 4146/Ver dated 24th February 1892. from the Sub Collector of Nellore in charge Collector's Office to the Executive Engineer Nellore.

With reference to your letter No. 2621 dated 13th February 1892. I have the honor to refer you to the statement forwarded to you with this Office Ref No. 3342/Ver dated 30th November 1891

2 One of the Shotriamdars of Mannangidimma whose attendance could be secured, agreed in the above statement to contribute the cost of repairs to Mannangidimma tank in proportion to their interest in it, as prescribed in G. O. No. 105 (R. D) dated 15th January 1869. He argued that the estimate of the repairs, included Rs. 2600 proposed for "Yeddalamarri Uarana" which feeds Tummalapenta tank and denied their liability to contribute such cost:

I request to be informed whether the Shotriamdar's contention is tenable and what is the Shotriamdars' share in the Cost of the repairs, so that it may be ascertained when they will pay up the same.

Letter No. 919 dated 22nd March 1892. from the Ag. Head Assistant Collector Nellore to the Executive Engineers Nellore

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With reference to your letter No. 2353 dated 16th January 1892, I have the honor to inform you that the Tahsildar of Kavaly reports that the Shrotriamdars of Mannangidimma refuse to pay their share of the Estimate. The repairs of the tank may therefore be abandoned for the present.

Letter No. 2900 dated 30-3-92 from the Executive Engineers to the Collector of Nellore.

With reference to your No. 3342/Ver & 4146 dated 24th February 1892 I have the honor to request that you will be so good as to furnish me with a copy of G. O. No. 105 (R. D) dated 15th January 1869 prescribing Mannangidimma Shotriamdar's share of Contribution towards the Cost of repairs to Mannangidimma tank.

Letter No. 3342/Ver & 4146 dated 11th April 1892. from the Collector of Nellore to the Executive Engineer Nellore.

With reference to your letter No. 2900 dated 30th March 1892 I have the honor to forward herewith Copy of G. O. No. 105 R. D dated 15th January 1869.

2 I request that the information called for in this Office reference dated 24th February 1892 may be furnished at an early date.

Proceedings of the Madras Government.

Revenue Department, 15th January 1869. No. 218

Read the following Proceedings of the Board of Revenue dated 20th November 1868 No. 8202 A:-

Read the following letters from the Acting Collector of Nellore to the Acting Secretary to the Board of Revenue, dated 8th September 1868 No. 3166.

1 I have the honor to submit, for the information of the Board, Copies of the correspondence between myself and the Ag. Head Asst. Collector in regard to the restoration of Mannangidimma as sanctioned by Government, in their order, dated 19th June 1868 No. 1731, communicated with Board's Proceedings, dated 1st July last.

From Head Asst. Collector 8th August 1868. No. 192
To do 15th August 1868 No. 2889.
From do. 29th " 206

2 I have directed Mr. Stokes to put the Village in possession of the Shrotriamdars from the Current Fusli, on their Executing an engagement as proposed by him.

From the Acting Head Assistant Collector of Nellore, to the Acting Collector of Nellore, dated 8th August 1868 No. 192.

1 I have the honor to inclose a report from the Tahsildar of Kavali, forwarding a Kaifiet from the Shrotriamdars of Mannangidinne, in the matter of restoration of the Shrotriam.

2 With reference to paragraph 8 of the Board's Proceedings No. 3717 dated 19th May 1868, directing that steps should be taken, when making over the Village, to insure the maintenance of the tank, I consider that it is only necessary to require the Shrotriamdars to make themselves responsible for the execution of the ordinary repairs by Customary labor, as specified in the Board's Standing Order, and to stipulate that, whenever other repairs may become necessary (as to which the Government Engineers are to judge,) half the cost shall be paid by the Shrotriamdars, and I accordingly offered these terms to them. They have acceded to them, on the understanding that the ryots of the Circar villages irrigated under the tank are to contribute their quota of customary labor. The Tahsildar

reports that they have hitherto done so, and that there will be no difficulty on this head. I propose, therefore, with your sanction, to embody these Conditions in the Bond for the payment of the old arrears which the Shrotriamdars are to execute, and to make over the village from Fusly 1278. The Tahsildar has taken steps for the realization of the sums outstanding for Fusly 1277. I do not Consider it necessary to take any security from the Shrotriamdars for the performance of the Conditions, as the power of resumption which Government will always possess, and which can, if you think fit, be expressly reserved, amply secures them from loss.

From the Acting Collector of Nellore, to the Acting Head Assistant Collector of Nellore, dated 15th August 1868, No. 2,889.

Your Docket No. 122, dated 8th August 1868.

1 The Kavali Tahsildar's Arzi and the Kaifiat of the Mannangidinna Shotriamdars are herewith returned.

2 On the report of Mr. Dykes, and the remarks of the Board of Revenue thereon, the Government, in their order, dated 12th September 1867, No. 2152, sanctioned the restoration of the Shrotriam on payment of the arrears amounting to Rupees 220-11-7. ~~dated~~ and of Rs. 2751 expended in repairing the tank.

3 In his letter, dated 2d December 1867, No 204, the Acting Head Assistant Collector reported that the Shrotriamdars expressed their willingness to accept these terms, petitioning, however, that they might be exempted from the payment of Rs 2751 referred to as spent in repairing the tank.

4 The Acting Head Assistant Collector pointed out, in the same letter, that the tank in question irrigated more land in Government Villages than in Mannangidinne and that the cost of repairing the tank when the village was in the hands of the Shrotriamdars was borne by Government. Under these circumstances, the Government, in their order, dated 19th June 1868. No 1731 approved of the Shrotriamdars being exempted from the payment of the demand on account of the repairs.

5 From the letter under acknowledgment, it appears that the Acting Head Assistant Collector offered the following terms to the Shotriamdars:—

1st. That they should be responsible for the execution of the ordinary repairs by customary labor, as specified in the Board's Standing Orders.

2d. That, when other repairs may become necessary, half the cost shall be paid by the Shrotriamdars.

6 As regards customary labor, the Shotriamdars are bound to render it according to usage and standing order of the Board. This condition therefore, may be embodied in the agreement to be executed by the Shrotriamdars.

7 But as regards the liability of the Shotriamdars to contribute half the cost of what is called "Other repairs," it is not quite clear under what authority this offer was made. The principle on which the Shotriamdars were exempted from the payment of Rs 2751 holds good to future repairs. It was distinctly shewn by the Acting Head Assistant Collector, that, in some years, when the village was in the possession of the Shotriamdars, the cost of repairing the tank was exclusively borne by Government. The Acting Head Assistant Collector is therefore, requested to report more fully on this point.

8 It is not clear from what date the village should be restored. On this point it will be necessary to obtain the Board's orders whether the restoration is to have retrospective effect. In that case it is necessary to ascertain the demand actually realized by Government, and the demand which would be payable if the village had been on Shrotriam tenure. The question whether the village should be settled under the Inam Rules has also to be settled.

9 The undersigned requests that a complete report may be furnished in view to the Board's orders being applied for once for all.

From the Acting Head Assistant Collector to the Acting Collector of Nellore, dated 29th August 1868, No 206.

1 I have the honor to reply to your Memorandum, No. 2889, dated 15th August 1868, relative to the Mainnangidimi Shotriam.

2 With reference to paragraph 6, I beg to submit that it is the ryots collectively who are bound to contribute the customary labor, and not the Shrotriamdars; and that the Shrotriamdars standing in the possession of the Government, will possess the influence necessary to induce the ryots to contribute it, ~~which~~ while Government being in no way connected with the village, and their being no legal compulsory process (except a regular suit,) will be unable to enforce it. I therefore, considered it of importance to make the Shotriamdars personally responsible for the labor being contributed.

3 With reference to paragraph 7, I have the honor to state that I meant by "Other repairs" repairs of more important character than can be executed by customary labor, such as restoring the tank bund if breached, renewing sluices, bund, revetments and such like. In my letter to you, No. 204, dated 7th December 1867, paragraph 6, I stated that, as the interests of Government and the shotriamdars in the

tank were nearly equal,* it would be an equitable arrangement that each should bear half the cost of future repairs. This proposal was not noticed in your letter to the Board, and in their proceedings No. 3.717 dated 19th May 1868, they simply said, "the Collector will see that some arrangement is made to insure the maintenance of the tanks" In communicating to me, for my information and guidance these Proceedings and the Government order thereon,× you gave no intimation ~~to~~ of the course to be adopted. I, therefore, thought that it rested with me to propose an arrangement, and as the one I had already proposed seemed to be most equitable, and had been allowed to pass at least without objection, I acted accordingly, and ascertained that the Shotriamdars were willing to accept the terms subject to your approval. I think the Board must have intended some arrangement of the kind I proposed. I had no other authority for the course pursued. I submit that Government having hitherto reaped all the advantages from the repairs during the period of resumption

* Though more land is now irrigated in Government land than in the shotriam, more land is irrigable in the latter, and the assessment on that irrigated is greater there in the former.

× 19th June 1868
No. 1731.

was one of the grounds on which the Shotriamdars were excused payment of the sum expended. From the enclosed statement of the Demand, Collection, and Balance from all sources since the resumption (abstracted in the margin) it appears that Government have gained Rs 1562-6-8, assuming which, one may safely say, that the balances outstanding at the end of last Fusli will be realized. The Shotriam beriz as last adjusted was rupees 809-10-0.⊗ If the Shotriamdars are exonerated from all liability, they will soon allow the tank to go to ruin. I think they should at least be held resposible for the cost of future repairs in the proportion which their net interest in the tank bears to that of Government. This will be found by ascertaining the proportion which the average annual excess of demand for wet-sist× above the jodi bears to the average annual demand for all land irrigated under the tank in Circar and Shotriam villages for the five years which have elapsed since the tank was repaired 5

	gain	Loss.
1860-61	0-14-0	
1861-62	0-14-0	
1862-63	0-14-0	
1863-64	172-12-1	
1864-65		42-12-11
1865-66	454-2-7	
1866-67	323-0-2	
1867-68	76-6-10	
Balance 1867	27-0-0	
Balance 1868	549-2-11	
	1605-2-7	
Deduct	42-2-11	
	1562-5-8	

⊗ G. O. dated 25th November 1856, No 1248, quoted in Mr Dykes letter to the Board dated 25th August 1866, No 269.

× There is scarcely any dry or garden land in the village

I From the Statement in my letter of 7th Dec/67 it would seem that interest for Fusli 1276, was about one sixth.

From document No 2 cited by me, it is plain that the Shotriamdars were always held, to a certain extent, responsible for the care of the tank.

No further information as to repairs is to be found among the Taluq records, or those of this Office.

4 The enclosed statement gives the information called for in paragraph 8 of your letter. As for the question of enfranchisement, it seems to me that, as the measure would be clearly for the advantage of the Shotriamdars, it will be for them to agitate it after the Shotriam shall be restored.

The Orders of Government (12th September 1867 and 19th June 1868) approving generally of the Board's proposals to restore the Shotriam village on the repayment of a small sum of arrears due, and to relinquish the demand on account of past repairs, do not appear to have been intended in any way to interfere with the Board's discretion to make provision for future repairs necessary for the maintenance of the tank being shared proportionately between the Government and the Shotriamdars. On the contrary, in the Board's proceedings of the 19th May last, contained in proceedings of Government, dated 19th June last, the Collector was directed to make arrangements for securing the maintenance of the tank.

2 It is stated in the Acting Head Assistant Collector's letter of the 29th August 1868 that though more land is now irrigated in the Government villages than in the Shotriam, there is more irrigable land in the latter than in the former, and that the assessment on the land irrigated in the Shotriam is greater than that in the Government villages. The Board have no doubt that the Shotriamdars have always been held partly responsible for the repairs of the tank, and they approve the Collector's recommendation to put the Shotriamdars in possession from the commencement of the present Fusly on their executing an engagement as proposed by Mr. Stokes and agreed to by them, the expense of executing the more important repairs to the tank being apportioned according to their net interest as compared with that of Government as calculated in the manner proposed by the Acting Head Assistant Collector. The proportion

to be borne by the Shotriamdars will, it appears, under these terms, be very trifling.

3 It appears that the Shotriamdars have expressed their willingness to ensure the contribution of their share of the usual customary labor on the part of the ryots in the Shotriam villages, and further to contribute towards other repairs such as repairs of the bund if breached, renewing sluices &c. &c. The Board consider that the Shotriam may be made over on such conditions; it remains however, to be decided what proportion of the cost of the greater repairs shall be borne by Government and by the Shotriamdars respectively. On the one hand it was originally stated by the Shotriamdars that the Government always borne all the expenses of the repairs in consideration of the water taken for Government villages: subsequently, however, as appears from the Acting Head Assistant Collector's letter of the 8th August 1868, the Shotriamdars agreed to pay half the expense of repairs to be incurred, an arrangement which the Head Assistant Collector considered equitable, the interests of the Shotriamdars and the Government in the tank being nearly equal.

It was on the strength of this agreement, and with a view to carrying out the instructions of the Board directing the Collector to arrange for the maintenance of the tank, that the Head Asst. Collector submitted the proposal for the approval of the Collector.

4 A copy of these Proceedings will be submitted to Government with a request that the sanction of Government may, if necessary be formally accorded to the course pointed out by the Board.

No 219 Order thereon, 15th January 1869, No. 105
Irrigation No. 8.

The Government concur with the Board of Revenue in the propriety of requiring the Shotriamdars of Mannangidimme to bear, in future, a portion of the expense of executing the more important repairs to the tank which irrigates lands in that village, as well as those in certain Government villages. The sum to be contributed by the Shotriamdars should be in proportion to their interest in the tanks.

Letter No. 204 dated 2-5-92 from the Executive Engineer to the Collector of Nellore

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With reference to your letter No. 3342/Ver & 4146 dated 24th February 1892, I have the honor to state that the Estimate for Mannangidimme tank

Repairing to Tank bund	Rs 250
Constructing Weir No 1	2630
Do No 2	1450
Repairing Sluices	410

It is apparently to the second of these items that the Shotriamdars object to contribute.

2 The tank is of the Tummelapenta group and immediately above the Tummalapenta tank. It has a large catchment basin and the old calingulah was found insufficient to discharge surplus. In 1886 a ground escape was formed by removing the bund for some distance south of the calingulah but this was not found to answer as the ground got cut up. It was therefore decided to build two weirs one discharging into the Tummelapenta tank, and the other into the Buckingham Canal as the two weirs are of practically the same section, it matters nothing in point of expense which direction the surplus is discharged. The weir had to be built for the safety of Mannangidimia Tank. Tummelapenta tank having been previously entitled to the whole surplus if required does not benefit except by the somewhat greater immunity? immenuity from breaches.

Letter No. 3342/Ver & 4146 dated 10th October 1892 from the Collector of Nellore to the Executive Engineer N.D.

With reference to your letter No 204 dated 2d May 1892 I have the honor to State that the Shotriamdars of Mannangidinni have not made their appearance in spite of several notices. Orders have now been issued to summon the parties under act III of 1869 and the result will be intimated to you.

Letter No. 1617 dated 30th-11-92 From the Executive Engineer Nellore Dn. to the Collector, Nellore.

With reference to your Ref No. $\frac{3342}{Ver}$ & 4146 dated 15th October 92. I have the honor to request that you will be so good as to kindly let me know the result of your enquiry promised in the above.

Ref No. $\frac{3342, 4146}{Ver}$ dated 24th November 1892. from the Collector of Nellore to the Head Assistant Collector. (Endorsement to the following letter)

With reference to Ref No. $\frac{3342, 41.46}{Ver}$ dated 10th October 1892 the Head Assistant Collector is requested to report whether the Tahsildar of Kavali summoned the Shotriamdars under Act III of 1869 and obtained their statements. The matter has been pending very long and must be disposed of without further delay.

Ref. No. $\frac{3342, 4146}{Ver}$ dated 6th December 1892. from the Collector of Nellore to the Executive Engineer, Nellore Dn.

With reference to your Office letter No. 1617 dated 30th November 1892. I have the honor to forward Copy of Ref No. $\frac{3342, 4146}{Ver}$ dated 24th November 1892.

Letter No. $\frac{189}{Ver}$ dated 22d January 1893. from the Colle of Nellore to the Executive Engineer, Nellore Dn.

With reference to correspondence ending with Ref No. $\frac{3342 \& 4146}{Ver}$ of 1891 dated 6th December 189 I have the honor to State that the repairs to the Mannangidinni Tank may be executed. The nece contribution will be duly Collected from the Shotriam

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Letter No. 2016 dated 4-2-93 from the Executive Engin to the Collector Nellore.

With reference to your letter No. $\frac{189}{Ver}$ dated 22d instan I have the honor to State that the repairs to the Mannangidinna Tank cannot be put in hand until after the necessary contribution has actua been Collected and the intimation of the credit of the same in Treasury Account is made by you, as is ~~irrigation~~ irregular to expend Government funds on contribution works without special orders of Gover

I

I request you will be good enough to let me know when the Contribution is paid.

Ref No. $\frac{210 \& 292}{Ver}$ dated 8th February 1893 from the Ag Collector of Nellore to the Executive Engineer N. Dn.

With reference to your letter No. 2016 dated 4th February 1893. I have the honor to enclose Copy of agreement dated 2d November 1868 Executed by the Shrotriamdars and of Memo dated 22d January 1893. to the Head Assist. Collector and to state that if the amount is not voluntarily paid, it will be Collected according to the terms of the agreement. The Head Assistant Collector has been reminded.

Ref No. $\frac{210a}{Ver}$ dated 22d January 1893 from the Collector of Nellore to the Head Assistant Collector

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With reference to letter No. 20 dated 2d January 1893. the Head Assistant Collector is requested to enquire and report whether the Shrotriamdars are willing to pay the amount of Rs. 1185, being one fourth of the Estimate sanctioned for repairs to the tank or whether they wish the terms of the enclosed copy of agreement dated 2d November 1868 enforced. If they decline to pay a demand notice should be issued for the attachment of the Shrotriam.

Letter No. 2237 dated 3-3-93 from the Executive Engineer to the Collector of Nellore.

With reference to your No. $\frac{210 \& 292}{Ver}$ of 8-2-93. I have the honor to enquire if the Mamangidinni Shotriamdars have paid the amount since writing to the Head Assistant Collector on the subject. As the work is to be put in hand on 1st April 1893. I request you will be so good as to remind the Head Assistant Collector, if the amount is not yet paid.

Ref. No $\frac{210 \& 292}{Ver}$ dated 9th March 1893. from the Collector of Nellore to the Executive Engineer Nellore Dn.

With reference to your letter No. 2237 dated 3d March /93. I have the honor to state that the Head Assistant Collector has this day been reminded to expedite the Collection.

Ref. Nos. $\frac{210 \& 292}{Ver}$ dated 12th April 1893. from the Collector of Nellore to the Executive Engineer Nellore

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With reference to your letter No 31 dated 6th April 1893, I have the honor to state that orders have been issued for attachment of Mamangidinni Shotriam and the result will be communicated on receipt of report from the Head Assistant

Collector who was reminded on the 7th April to expedite the same.

Letter No. 3 of $\frac{6}{8}$/4/93 from the Executive Engineer Nellore Dn to the Collector of Nellore.

With reference to your No. $\frac{210 \& 292}{\text{Ver}}$ dated 9th ultimo I have the honor to enquire if the Mannangidinni Shotriamdars have paid the contribution.

Ref No. $\frac{210 \& 292}{\text{Ver}}$ dated 21st April 1893. from the Collector of Nellore to the Executive Engineer Nellore

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In continuation of this Office Ref No. $\frac{210 \& 292}{\text{Ver}}$ dated 12th April 1893. I have the honor to forward herewith a copy of the Head Assistant Collector's letter No. 1368 dated 8th April 1893. and to state that in the present circumstances, the money will not be in for 3 months to come, unless the Shotriamdars arrange to pay the same before the Shotriam is brought to sale.

Ref No 1368 dated 8th April 1893. from the Ag Head Assistant Collector, Nellore to the Collector of Nellore

---

In reply to your Memorandum Ref No. $\frac{210 \& 292 C}{\text{Ver}}$ dated 7th instant, I have the honor to state that the result of the issue of demand notices by the

Kavali Tahsildar to the Shotriamdars of Mannangidinni has been that the amount of contribution was not paid. He has therefore submitted No 5 Notice of attachment for publication in the District Gazette which was returned to him for certain corrections. It will be sent for publication as soon as received back from him.

Letter No. 460 M. of $\frac{5}{6}$/9/93 from the Executive Engineer N.D. to the Collector of Nellore.

With reference to your No. $\frac{210 \& 292}{\text{Ver}}$ dated 21st April/93 I have the honor to request you will be so good ~~enough~~ as to inform me if the Mannangidinni Shotriamdars have since paid the money. I should be much obliged if you will send me an early answer.

Letter No. 674 M. dated 12-12-93. from the Executive Engineer to the Collector of Nellore.

I have the honor to request a very early reply to my letter No. 460 M. dated 5-9-93 requesting to be informed if the Mannangidinni Shotriamdars have paid their contribution. The work was sanctioned so far back as August 1891 and it has not been put in hand simply because the Shotriamdars have delayed the payment of money and this delay on their part has been the cause of breaches in tank bund during the late heavy rains.

Ref No. $\frac{2541\text{-A}}{\text{Ver.}}$ dated 16th December 1893.

from the Collector of Nellore to the Executive Engineer N.D.

With reference to the correspondence closing with your letter No. 460 M. dated 5th September 1893, I have the honor to forward herewith a petition from Shotriamdars of Mannangidimi together with a sketch enclosed therein, for remarks on para 8th of the petition.

Letter No. 722 M. dated 22-12-93 from the Executive Engineer N.D. to the Collector of Nellore.

~~Repairs of Mannangidimma Tank~~

With reference to your No. $\frac{2541\text{-A}}{\text{Ver}}$ dated 16th December 93. I have the honor to report that I consider that the statement of the Shotriamdars in para 8 of their printed petition to you of no date, is deliberately false.

2. The work now proposed is not for the purpose of enlarging the tank: the work of extending the tank is to afford a proper site for the erection of suitable surplus works with a view of ensuring as far as possible the safety of the Tank. This has already been clearly stated by Mr. Hughes formerly Executive Engineer of this Division in his No. 204 dated 2d May 1892 and in the sanctioning G.O. No. I

Public Works dated 4th August 1891.

3 The application for the contribution of Rs. 1185 from the Shotriamdars was first made in this office No. 1339 dated 18th September 1891; on account of the great delay there has been in the disposal of this reference the following damage has been done.

The surplus water of Mannangidimi Tank rushed, during the storm of November last, far more suddenly than it would, if the weirs that are allowed for in the estimate had been built; and damaged Tummalapenta Tank; the repairs of which will cost one thousand rupees.

4 The work is ~~now~~ of considerable importance and I hope that the Shotriam will be brought to sale without further delay so that the work, for which funds will be available in April, may be carried out this working season.

Reminder to No. 722 M. dated 6/2/94 from the Executive Engineer to the Collector of Nellore

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I have the honor to request an early reply to this Office No. $\frac{722\text{ M.}}{22\text{-}12\text{-}93}$ on the subject of Contribution to be recovered from the Shotriamdars of Mannangidimma.

Ry Letter No. $\frac{339 \text{ of } 305}{\text{Ver}}$ dated 21st February 1894 from the Acting Collector of Nellore, to the Executive Engineer Nellore

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With reference to your letter No. 727 M. dated 26th December 1893 and the reminder thereon dated 5th February 1894, I have the honor to state that the Head Assistant Collector has been addressed for the recovery of the contribution from the Shotriamdars of Mannangidinnai, and that the fact will be intimated on receipt of reply from that Office.

Ref. No. 3390/Ver dated 7th June 1894 from the Ag. Collector of Nellore, to the Executive Engineer Nellore

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~~With reference to your letter No. 727 M. dated 26th December 1893 I have the honor to state that the contribution of Rs 60 therein referred to was collected from the Shotriamdars of Mannangidinni and credited into the Treasury at Kavali on 13th April 1894.~~

Steps are being taken for the collection of the contribution of Rs. 1185 referred to in your letter No. 722 M. dated 22nd December 1893, and the result will be intimated to you at an early date. The delay in collection of the amount is due to the correspondence going on between this and the Head Asst. Collector's Office regarding a detail of procedure connected with the sale of the Shotriam.

Ref. No. 3092/Ver dated 29th August 1894 from the Ag. Collector of Nellore to the Executive Engineer Nellore.

Your letters Nos.
1339/18-9-91, 2138/9-12-91,
2621/13-2-92, 204/2-5-92
2016/4-2-93 & 722 M/22-12-93.

With reference to the marginally noted correspondence, I have the honor to inform you that the Board of Revenue has just decided, on appeal of the Shotriamdars, that the contribution required to be collected in your letter No. 1339 dated 18th September 1891 is for the repair and not for the enlargement of the tank as contended by the Shotriamdars. The Board of Revenue considers however that the contribution cannot be recovered by attachment and sale of Shotriam under Act II of 1864 and that the only method of recovering it is by the institution of a Civil Suit against the Shotriamdars.

The Shotriamdars have been informed of the Board's orders. If they do not pay, then there is no alternative but to have recourse to the Civil Suit.

2 Under G. O. No. 105 dated 15th January 1869 quoted in your letter No. 722 M/22-12-93 the contribution should be in proportion to the Shotrimdars interest in the tank, and under para 3 of the Board's Proceedings printed in the G. O., the proportion payable is half the costs of repairs. The Board wishes to know how the proportion of 1/4 of the costs was arrived at in the present case. I request that this information may be furnished to me at your earliest convenien

---

Letter No. 554 M/12-10-94 from the Executive Engineer Nellore to the Collector of Nellore.

With reference to your No. $\frac{3092}{\text{Ver}}$ dated 29-8-94, I have the honor to state that I am unable to state how the proportion of 1/4 the Cost of repairs to the Mannangidimma Tank was arrived at though I have examined all the records connected with the subject.

2 I am of opinion that ~~that~~ the proportion was fixed arbitrarily as in the case of the Brahmana Kraka Tank where the Shotriamdars were called upon to pay 1/4 of the Cost though they cultivated 183 out of 565 acres the ayacut of the Tank (See G.O. No. $\frac{258 I}{17\text{-}3\text{-}91}$).

3 As I wish to refer the matter to the Superintending Engineer for disposal I have the honor to request you will be good enough to furnish me with a copy of the Board's Proceedings referred in para 1 of your letter No. $\frac{3092}{\text{Ver}}$ of 29-8-94.

4 As I understand the matter the settlement of 1869, can be enforced only as the result of a successful civil suit and not by an administrative order and as the repairs do not provide for any Enlargement of the Tank and would be necessary even if the lower tank were not in Existence I do not see how a Civil Suit can be avoided.

Ref. No. $\frac{3092}{\text{Ver}}$ dated 26th October 1894 from the Collector of Nellore to the Executive Engineer Nellore

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With reference to your letter No 654 M. dated 12th October/94, I have the honor to forward herewith a copy of Board's Proceedings No 4481 Mis: dated 13th Augt/94 and to request you to inform me of the result of the reference to the Superintending Engineer as soon as possible as the Board wants the information.

Proceedings of the Board of Revenue
Land Revenue

Dated 13th August 1894 No 4481 Mis

Read the following:—

I Petition from Sreeramayya and others Shotriamdars of Mannangidimi, Kavali Taluq, Nellore District Dated 16th May 1894 and reference thereon dated 2d June 1894.

2 Letter from S. H. Wynne Esqr. Ag. Collector of Nellore Dated 7th July 1894 No. $\frac{2240}{\text{Ver}}$

Resolution.

From the Executive Engineer's letter on the record, it is clear that the money is required for the repair, not the Enlargement of the tank and in its proceedings No 4666 D 7-8-89, the Board has decided to abide by the distinct order of 1869 that the Shotriamdars should pay their due portion of the charge of the works necessary for the maintena of the Tank. There is therefore no ground for relieving the Shotriamdars of their share of Contribution.

2 The Board Considers however that the

contribution cannot be recovered under Act II of 1864. The attachment made by the Collector cannot therefore be upheld. The only method of recovering it is by the institution of a Civil suit and the Collector is requested to have a draft plaint prepared and submitted for approval.

3 The Collector will report how the contribution to be levied from the Shrotriamdars came to be fixed at 1/4th of the Estimated Cost.

4 The petitioners will be referred to the Collector for orders on their petition.

Letter No. 621 M. dated 2-11-94. from the Executive Engineer, Nellore to the Collector of Nellore.

With reference to your No. 3092/Ver dated 26th/10/94. I have the honor to state that the reference to the Superintending Engineer has not been made as the copy of the Boards Proceedings asked for in para 3 of my letter No. 554 M/12-10-94 was not, previous to the receipt of your No. 3092/Ver dated 26th/10/94, received by me. The reference will now be made, and the Superintending Engineer's answer communicated to you.

---

21 JAN 95

Enclosure in Collector's endorsement No. 3342/Ver 30-11-9[illegible] to the Executive Engineer.

1891 [illegible] 13 [illegible]

1879 [illegible] 1050 [illegible] 2600 [illegible] 10 [illegible] 10 3 [illegible] 1889 [illegible] 3 [illegible]

[illegible]

Taken before me

(Sd) M. Parthasaradhi Naidu
Tahsildar

(True copy)

(Sd) B. Rangiah Naidu
Dy Collector for Collector

35

2 Rupees
Stamp

(Enclosure to Collector's No $\frac{210+292}{\text{Rev}}$ d 8-2-93
to the Rev. Supp)

1868 [illegible] 20 [illegible]

[illegible]

[illegible] 220-11-7 [illegible] 1278 [illegible]

[illegible] 1869 [illegible] 30 [illegible]

[illegible]

36

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

(True Copy)

Sd/- C. Ramaswamy Iyer
Hy. Dy. Collector
for Actg. Collector

Aromanambauk

O.W. 5-5
10176/55

Letter from C. A. D. Marjoribanks Esquire, Executive Engineer, Nellore Dn., to the Supg. Engineer, 2nd Circle, dated 13.11.94, No. 391 S. E.

*E. E's No 1339/18.9.91 and its subsequent correspondence.

I have the honour to forward herewith copies of the marginally noted* letters and to request you will be good enough to inform me whether you consider a civil suit should be instituted against the Shrotriemdars of Mannangidinne for their share of the estimated repairs to the Mannangidinne tank, sanctioned in G. O. No. 607 I dated 4th August 1891.

2. The following is a short account of the subject. The repairs to the Mannangidinne Tank are estimated to cost Rs 4.740 and the share of the shrotriemdars who own half the acreage under the tank was fixed at $\frac{1}{4}$. This they refuse to pay, alleging that the estimate provides for the enlargement, not the repairs of the tank. This is not so. The F. S. L. of the tank is unchanged and the repairs would have to be carried out even if the lower tank (the Tummalapenta tank) did not exist, it being alleged among other things by the Shrotriemdars that the repairs to the upper

or

or Mannargidinne tank were carried out in the interests of the lower tank.

3. On asking the Collector to levy the contribution due from the Shrotriemdars he stated (See enclosure — Collector's No. $\frac{3092}{\text{ver}}$ d/ 29.8.94) that the Board considered that the sum could not be recovered except by a Civil suit (See Board's Proceedings No. 4481 M d/ 13.8.94).

4. The case is a test case. Either the Shrotriemdars must be forced by a Civil Suit to pay up their contribution or in future they, and parties similarly situated, will be relieved of all expense in the upkeep of Imperial tanks in which they have an interest. Hitherto the amount could be recovered by an administrative order. Now the Civil Courts have to be resorted to and the prospect is unpromising

5. The question is a very important one and I leave it for your disposal.

6. In fixing the amount of the contribution a mistake was made about the proportion of the cost of repairs to be recovered from the

Shrotriemdars

Shrotriemdars. One-fourth was settled instead of one-half, as laid down in an agreement dated 2nd November 1868 which was not known when the question of the share to be paid by the Shrotriemdars first came up. I leave this point also to be settled by you. I am of opinion that in this instance the full contribution of half the costs should be recovered and that the Shrotriemdars should be sued in a Civil Court.

No. $\frac{614 \text{ M}}{19.1.95}$ Enclosures 6.

1 Set of Correspondence

Forwarded to the Chief Engineer for Irrigation for favour of orders.

2. If the payment is to be recovered by a Civil Suit it would appear advisable to fix the amount at ½ the estimated cost of repairs as originally agreed to by the Shrotriemdars.

W.W. Baddeley
Major R.E.
Supg. Engr: II Circle

N 15-1-95

CHIEF ENGINEER
No. 4hl
21 JAN. 95
IRRIGATION

From
The Supg Engineer
Second Circle

To
The Chief Engineer
For Irrigation

Dated 19th January 1895

Encl. 1 Set of Correspondence

No. 614 NL

Mannangidinne Tank —
Forwards correspondence regarding the contribution money due from the Shrotriamdars of Mannangidinne on account of improvements done to — & requests orders for filing a suit for its recovery.

PWS.4
10176/15

II
No 2 NL dt 28.1.95

Memo

With reference to endorsement, No. 614 N.L., d/ 19th Jan/95, of the Supg Engr, II Circle, the undersigned has the honor to inform him that he is of opinion that half the estimated cost of repairs to the Mannangidinne tank should, as suggested by the Supg Engr. be claimed & to request that the Collector may be informed accordingly in view to the recovery of the amount by the institution of the Civil suit contemplated by the Bd. of Rev. in its Procs. No. 4481 Mis, dt 13th Augt/94.

Land Revⁿ.

Return

Rs NC/95

With reference to
endorsement No. 874
dated 19th Jan/95,
of the Supt. Eng. II Circle,
the [illegible]
[illegible]

[illegible]

that he is of opinion that
half the estimated
cost of repairs to the
Mamangidinne tank
should as suggested
by the Supt. Eng. be
claimed & he requests
that the Collector may
be instructed accordingly
in view to the recovery
of the amount

Rueds
28/1

S.W. E.3
No 9026/95
The Supt. Eng.
II Circle.

1C/s
28/1

9

Proceedings of the Board of Revenue.
Land Revenue.
Dated 26th July 1895
No 3744 Mis.

ENGINEER'S OFFICE
No 1/481 N.P.
3 DEC.
P.W.D.
SECOND CIRCLE

Read the following

Revenue Department

Proceedings of the Madras Government

Read petition from the Shrotriamdars of Mamangidinne Kavali Taluq, Nellore District, dated 11th March 1895 praying that they may be exempted from the payment of Contribution for improvements to their Village Tank.

Read also Proceedings of the Board of Revenue Land Revenue, dated 24th May 1895 No. 1291 R.

Read also letters from the Collector of Nellore, dated 9th June 1895 Ref No 3092 of 94 & 1902 of 1895, submitting records relating to the contribution payable by the Shrotriamdars of Mamangidinne Kavali Taluq, Nellore District.

Read also Proceedings of the Board of Revenue, Land Revenue dated 22nd June 1895 No. 3148 Mis:

Order thereon dated 20th July 1895 No 2915 Mis:

In its proceedings dated 13th August 1894 No. 4481, the Board of Revenue decided that the Shrotriamdars of Mannangidinne in the Kavali Taluq of the Nellore District should bear their due share of the charges incurred in the Repair of the Mannangidinne tank and that a Civil Suit should be instituted against them for the recovery of the amount. The Shrotriamdars now appeal against the orders of the Board of Revenue and the Government after a careful consideration, has come to the conclusion that the petitioners' liability to contribute towards the repairs of the tank could not be affirmatively proved before the Civil Courts, in view of the following facts:-

(1) The cost of the repairs executed to the tank in the years 1816, 1825, 1826, 1827 and 1842, when the Shrotriamdars were in possession of their property was exclusively borne by Government. The amount spent in repairs when the shrotriam was under attachment was remitted by Government on the representation of the Shrotriamdars when they received back the estate in 1868, and in the only case in which a contribution has been levied, it is stated to have been paid under compulsion.

(2) It is true that when the Shrotriam was restored, the Shrotriamdars undertook to pay a contribution not exceeding half the cost of repairs; but the agreement, which is dated 2d November 1868, is signed by three only of the Shrotriamdars and it is very doubtful if it can be held to be binding on their heirs and their heirs and successors, or the other Shrotriamdars.

(3) Most important of all is the fact that when Shrotriam was settled by the Inam Department in 1873, a title deed was issued in which a certain extent is entered as the "area which the Shrotriamdars can irrigate without any additional charge for water." This condition implies that the irrigation work is a Government source (as otherwise there could be no claim to charge for water) and that to the extent mentioned in the title deed, the Government is bound to supply water free of charge.

2. In these circumstances, the Government considers that, whether the claim to receive a contribution from the Shrotriamdars is morally good or not the chances of establishing it in a Civil Court are very small; and accordingly directs that the suit, the institution of which was directed by the Board, should not be filed.

3. The petitioners will be referred to the Board of Revenue for orders.

(True Extract)
(Sd) W. B. Ailing
Ag. Asst. Secretary to Govt.

Resolution

Communicated to the Collector of Nellore for information and guidance.

2. The draft plaint called for in para 2 of B. P. $\frac{4481}{13\text{-}8\text{-}94}$ Mis and promised by the Collector in para 3 of his letter disposed of in B. P. $\frac{3148}{22\text{-}6\text{-}95}$ Mis: need not be submitted.

(3). The petitioners will be referred to the Collector for orders.

(True copy & Extract)

(S/) L. W. Swami Kannu
for Secretary

CHIEF ENGINEER
FOR IRRIGATION.
12 DEC. 95
No. 784

To The Collector of Nellore with Enclosures returned.

(True copy)

No $\frac{2058}{Ver}$ Dated 6th August 1895

Communicated to the Executive Engineer with reference to the correspondence closing with his letter No. 334 M. dated 6th July 1895. The G. O. directs that no civil suit should be filed for recovering the contributions payable by the Shrotriemdars of Mannangidinna Kavali Taluq.

The Estimate stated in my letter Ref No $\frac{3092}{Ver}$ dated 13th-4-95 as retained in this office is returned.

Ows. 22
10176/95

S/ P. J. Pope
Asst. Collector for Collector

To The Executive Engineer, Nellore

EXECUTIVE ENGINEER'S OFFICE.

7

No. 331 S.C. $\frac{25}{31}$ November $\frac{}{100}$ 1895.

From,

C. H. D. Marjoribanks Esquire,
Executive Engineer,
Nellore Division.

To

Enclosures. 1

THE Superintending Engineer,
2nd Circle.

Sir,

With reference to G. O. No $\frac{3044\ W}{27\text{-}11\text{-}94}$ I have the honor to state that Government in the Revenue Department has ~~directed~~ decided that the Shrotriemdars of Mannan-gidinna are not liable for the payment of Contribution for the repairs executed to their Tank – vide Copy of G. O. No $\frac{2915\ Mis}{20\text{-}7\text{-}95}$ enclosed.

2. I therefore request that you will be good enough to obtain the orders of Government in the P. W. D. for adjustment, as shown below, of Rs. 8 at debit of "miscellaneous

"Advances"

Closing breaches Mannangidinna Tank —	60-0-0
Establishment —	27-0-0
Tools & plant —	2-0-0
	89-0-0

I have the honor to be

Sir,

Your most obedt Servt

By order

Manager,
Executive Engineer's Office,
Nellore Dn

Compd
27-11-95

P. W. D.

ENGINEER
181 NL
3-DEC.
P.W.D.
SECOND CIRCLE

Encl 1

From

The Executive Engineer,
Nellore Division.

To
The Superintending Engineer,
Second Circle,
Bezvada.

Dated 25 }
Despatched 30 } November 1895.
Received }

CHIEF ENGINEER
FOR IRRIGATION.
12 DEC. 95
No. 78 NL

No. 331 SE

ENCLOSURES. 1

SUBJECT.

Contribution due from the Shrotriemdars of Mannangi-dinne. Requesting to obtain Government Sanction for adjustment of —— as Govt in the Rev: department has decided that it should not be collected.

Rw 8/1
10176/95

With an Endorsement on the reverse No 484 NL / 6/9 12-95

[P. W. D. 11-9-94] S. S. N. Press, Nellore.

No. 484 NL / 6/9 12-95

Forwarded to the Chief Engineer for Irrigation for favour of orders, in reference to his No II / 2 NL of 28th Jany 1895

W. Baddeley
Major R.E.

6-12-95 Supg Engr. II Circle

~~[illegible]~~

Payment of Compensat
for loss of crop on lands
submerged by improve
carried out to Bellakumry
tank of Krishnapuram in
the Sarvasiddhi taluq Vizag
patam district

—

No 193 of 9° January 1896

Rueds
20/12

F.E.J.
21/12

Wal
9/12

19.12.96

H.E. 17/12 R 19/12.

Rc. 1571

Retn
R. C. No. 1943
~~Disposal~~

VIZAGAPATAM COLLECTOR'S OFFICE
Dated 10 November 1895

From
L. C. Miller Esqre,
~~F. D'A. O. WOLFE-MURRAY ESQR.~~
Ag. Collector,
Vizagapatam District.

To
L. M. Wynch Esqre,
SECRETARY TO THE COMMISSIONERS OF
~~SALT, ABKARI AND SEPARATE REVENUE,~~
Land Revenue MADRAS.

SIR,

In G. O. No. 613 I dated 29th August 1894, communicated with Boards' Proceedings No. 5,305 Mis: dated 21st September 1894, a sum of Rs 155-15-- was sanctioned for payment to the Plaintiff in O. S. No. 222 of 1892 on the file of the District Munsiff's Court at Yellamanchili on account of damages caused by submersion of his inam lands by certain improvements made by the P. W. Department to the Billakumarapu tank of Krishnapuram in the Sarvasidhi Taluq. This amount was paid to him and his lands have recently been acquired under Act I of 1894 for the bed of the tank in order to avoid multiplicity of suits for damages caused by submersion.

2. The Plaintiff in that suit is now dead and his legal representatives 1 Y. Sanyasayya, 2 Y. Manikya and 3 Y. Rameswararow have lately served me with

with a notice under Section 424 C.P.C., threatening to sue me for the recovery of Rs 331-on account of damages caused by submersion of their inam lands (the subject matter of O.S. No 222 of 1892) in the years 1892, 1893 & 1894. Their claim is based on the decision of the District Munsiff in O.S. No 222/1892 confirmed by the District Judge on appeal, awarding damages for the year 1891. The Tahsildar of Sarvasidhi reports that the lands in question were subjected to inundation in the 3 years for which damages are now claimed and estimates the loss at Rs 302-4— as detailed in the enclosed statement. The difference of Rs 29 between this estimate and the petitioner's claim is reported to be due partly to a difference of Rs 10 in the rates adopted for 1892 for calculating value of produce and partly to a slight difference in the estimate of the outturn of the crop in that year. The claimants however are unwilling to accept the Tahsildar's estimate of their loss. The Head Assistant Collector thinks that their estimate of the outturn in 1892 may be accepted, but not their money rates and recommends payment to them of Rs 304-12-0 as detailed in the margin. I agree with him but think that the amount has to be paid by the

Rs 157. 8 – 0 Cost of Land lord's share of Paddy crop viz 2 garces and 18 3/4 putties at Rs 60 per garce for 1892.
58. 12. 0 do — viz 29 1/3 putties of paddy at Rs 60 per garce for 1893.
88. 8. 0 do — 1 garce & 14 1/4 putties of paddy at Rs 60 per garce for 1894.

P. W. Department as on the previous occasion. I therefore beg to request that the Board may be pleased to obtain the sanction of Government for the payment of Rs 304-12-0 to the claimants by the P. W. Department on account of damages for the last three years. There will be no need for payment of damages in future as the lands have since been acquired under the Land Acquisition Act.

I have the honor to be
Sir,
Your most obedient Servant
(Sd.) L. C. Miller
Ag. Collector

(True Copy)

Secretary

ment showing the damages payable to Yedida [illegible]uyasayya & others on account [illegible] Sumersion of their inam lands caused by B[illegible]akumarapu tank of Krishnapuram

Fasali	Telugu years	Estimated full outturn if no inundation is caused	Land holders share	Quantity which the landholders got from actual outturn	Difference	price per garce	Total amount of damages			Remarks
1	2	3	4	5	6	7	8			9
							Rs	a	p.	
				G. P. K	G. p. K	Rs	A			
1302	Nundana	6 garces	3 garces	u - 12 - 10	2. 17. 10	60-0-0	155	.	.	
							B			
1303	Vizaya	6 garces	3 garces	2. 0. 12½	0. 29. 7½	60-0-0	58	12	.	
							C			
1304	Jaya	3 garces	1.15	0. 0. 15	1. 14. 5	60-0-0	88	8	.	
							[illegible]02	4	.	

(A) Account No 2 for fasali 1302 shows that acres 7.16 of these inams have had 8 annas crop which if correct, the crop should have yielded more than 1½ garce but the evidence of the tenants does not show that the outturn was more than 25 putties The general estimate of crop would vary with actuals.

(B) The evidence as regards the produce for fasali 1303 is conflicting. On the whole it supports inamdar's claim

(C) In fasali 1304 the transplantation did not take place in time owing to want of rain. Subsequently there were floods which caused inundation

J. Katama Sudanloo
for Tahsildar

September 95
Ellamanchili

Rdis. 2
3328/95

1895
REVENUE DEPARTMENT.
Enclosure No. 1
To Current No. 8181

1895
REVENUE DEPARTMENT.

To be returned
to Revenue Board
with reply.

Proceedings of the Board of Revenue
(Land Revenue)
Dated 22nd November 1895.
No. 5866 Mis..

Read letter from L. C. Miller Esqre
Ag Collector, Vizagapatam, R Petn. No. 1943, dated 10th Novr. 1895.

Resolution.

Submitted for the sanction of Government.

(True Extract)
(Signed) L. M. Wynch.
Secretary.

To,
The Secretary to Govt. Revn. Dept.
with letter & Enc. to be retd.

$\frac{O}{18}$-10,000—25-3-95.

P. W. CURRENT No. 9928

ABSTRACT.

(1895.)

REVENUE DEPARTMENT.

~~Current Number.~~ 8686.

Encls 2.

Recd: 12-12-95

From

The Board of Revn:
(Land Revn)

No. 1061 d/ 15-12-92 ✓
" 42 d " 18-1-94 ✓
" 613 d " 29-8-94 ✓
" 98 d " 4-2-95
" 613 d " 29-8-94 ✓
" 389 d " 3-5-95

Endt: No: 4915.

Transferred to the Public Works Department.

Lionel Davidson
9/12
Ag: Under Secretary to Govt.

Dated 22nd } Nov/95.
Received 27th }

Enclosures 2.

No. 5866.

Fort St. George }
5th Decr: 1895 }

SUBJECT.

Submitting for the anction of Government letter from the Collector of Vizagapatam proposing to ay Rs. 304-12-0 to the owners f lands submerged by a tank in the Kristnapuram illage during faslis 1302, 1303 1304 owing to certain improvements made by the P.W.D. -ments made by the P.W.D.

To,
The Public W. Dept (I) in
Copy to Board of Revn (L.R).

W Office

Rd 9-12-95

Read the following

Proceedings of the Board of Revenue, Land Revenue, No 5866 Mis: dated 22 Nov/95
Endorsement No 4915, Rev: dated 5 Decr/95

B/

Order thereon

No. 19 I of 9th January 1896.

W
18 Dec

The payment of Rs (304-12-0) three hundred and four and annas twelve to the owners of the lands damaged by submersion by the improvements carried out to the Bellakumarapu tank of Kristnapuram in the Sarvasidhi taluq, Vizagapatam district is sanctioned the amount being debited to the divisional grant under Provincial. 43 Minor Works & Navigation, works for which neither capital nor Revenue accounts are kept, Repairs

16/12

16/12

To The Chief Engr for Irrigation
" Supg Engr I Circle
" Examiner of P W accounts
" Revenue Dept

Rd 14-12-95

~~F. E. the Governor~~

Payment of compensation
for loss of crop on lands
submerged by improvem
carried out to Bellakunsu
tank of Kristnapuram in
the Sarvasiddhi taluq, Vizag-
-patam district

—

No 19 I. of 9th January 1896

Issue

Recd
20/12

"G"

F. E. D.
21/12

B.J.
19.12.95

9/12