Public Works (1896). Department.

G.O., No. 360 I

DATED 24/4/96

[Despatch Abstract.]

Suit Authorising the defence at the public expense of the instituted by certain ryots regarding the supply sluice to Indugramam tank Tinnevelly Dt

BACK PAPERS.

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

FURTHER PAPERS.

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

IRRIGATION.
ESTABLISHMENT.

Govt. of {1896} Madras.

PUBLIC WORKS.

Dated April, 24th.

Encl.

Recd.

G.O. No. 360 I., 24th April 1896.

APRIL.

Suit

Authorizing the defence, at the public expense, of the — instituted by certain ryots interested in the Kodagan channel regarding the supply sluice to Pudugramam tank, Tinnevelly division.

No. 360 I., 24th April 1896.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.
Establishment.

Read—the following paper:—

From W. HUGHES, Esq., Superintending Engineer, VI Circle, to the Chief Engineer for Irrigation, dated Trichinopoly, 30th March 1896, No. 355 T.N.

I have the honour to request permission to defend suit No. 514 of 1895, brought by certain ryots interested in the Kodagan channel, under the following circumstances:—

The Pudugramam tank was originally supplied by a sluice 1½ feet square in the surplus weir in the 9th mile and also received an indefinite supply by leakage through the shutters of two large vents in the weir. When the number of sluices in the Kodagan channel was being reduced by the abolition of those which could be dispensed with, the Pudugramam sluice was closed and it was arranged to supply the tank by keeping raised some of the needle shutters of the surplus vents, but this method of supplying the tank was so abused that it was resolved to build up the surplus vents altogether and revert to the old method of supplying the tank by the sluice 1½ feet square. This was accordingly done, but complaints were made that the supply to the tank was insufficient and observations showed that this was the case in 1893, and it was then arranged to enlarge the sluice to 3′ × 2¼′ or three times its former area. From the water returns attached to the Executive Engineer's letter No. 1191, dated 21st March 1896, I should say the channel supply in that year was quite exceptionally bad and that it would be difficult to prove that the vent 1½ × 1½ feet was insufficient in ordinary seasons, if reasonable economy were exercised in the distribution of water from the tank. Probably, if the old vent had been but slightly enlarged to compensate the ryots for the loss of the leakage through the weir vents, no complaint would have been made by the lower ryots, but the comparatively great size of the new sluice naturally gives rise to the idea that very much more water is taken from the channel than formerly. The new sluice is under regulation so that no more water need be let into the tank than required to keep it at a certain level, but as there is no incentive to economy, the ryots who have the regulation of the tank sluices (of which there are 9 with a total vent area of 6·2 square feet) may leave them fully open at all times and so pass to their fields a much larger quantity of water than can be used. In this way the plaintiffs may suffer and if the principle underlying their arguments that certain villages are entitled only to a certain proportion of the available water be correct, it is possible they may gain their case.

The defence must assume that there is a prior claim to supply for the lands higher up the channel and that from the head of the channel down the lands should be given a sufficient supply until the whole is exhausted; but even if such an assumption be correct, there must be coupled with it the obligation to prevent avoidable waste. Personally, I think the Pudugramam village is entitled to receive only such share of the channel water (as nearly as ascertainable) as it received before the works were altered, but I advocate the defence of the suit in the hope that it may lead to some clear definition of the rights of the holders of irrigated land.

Order—No. 360 I., dated 24th April 1896.

The defence of the suit is authorized at the public expense and the result should be duly reported.

(True Extract.)

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

To the Superintending Engineer, VI Circle, with enclosures.
„ Chief Engineer for Irrigation.
„ Examiner, Public Works Accounts.
„ Revenue Department.

Exd. T. K. Natayana Aiyangar.
Spare Copies

No. 360 I of 24 April 1896

Public Works Department,
Irrigation Branch.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following

Letter from the Superg. Engineer, Sixth Circle } (H.Q. No. 355-TN, dated 30.3.96)

A.S.H.
20.4.96

The defence of the suit is authorized at the public expense and the result should be duly reported.

9/4

DESPATCHED
5 MAY 96

To The Superg. Engineer, Sixth Circle with Enclosures×
„ Chief Engineer for Irrigation.
„ Examiner of P.W. Accounts.
„ Revenue Dept.

× all those received with S.E.'s letter No. 355-TN, d. 30.3.96.

~~His Excellency the Governor~~

P. W. CURRE 35/4

Suit against Govt. regarding supply sluice to Puthugrammam tank. — Tinnevelly Division.

Submit.

23/4

E I. Form No. 1–1,000–27-11-96.

H.E. 16/4

N. GIRIJA.

1329

பிரதி.

தமிழ்நாடு ஆவணக் காப்பகம்.
(ஆராய்ச்சிக் கூடம்)

ஆவணங்களுக்கான கோரிக்கை.

ஏட்டின் விவரம்.

தொகுதி எண். அ.ஆ./வ.ந. எண்.	ஏட்டின் எண்.	துறை.
G.O No.	360	I
24th April		1896
P.W.D.		

தேதி: 3/12/86.

ஒப்பம்.

குறிப்பு.—(1) ஒரே கோரிக்கையில் ஒன்றுக்கு மேற்பட்ட துறைகளோடு தொடர்புள்ள ஆவணங்களைச் சேர்க்கக்கூடாது.

(2) கோரிக்கை இரட்டைப்படிகளாக எழுதப்படவேண்டும்.

P. W. CURREN 35/4

CHIEF ENGINEER
FOR IRRIGATION.
1-APR.96
No. 2571I

Encls 9
Ans: 9.4.96

From

The Supdt. Engineer
6' circle.

To

The Chief Engineer
for Irrign.

No. 355 I.W.
Dated 30' March 1896.
Despd 31/-

Enc 3.

Supply sluice to Puthu-grammam tanks:—
Requests permission to defend suit No. 514 of 1895 brought by certain ryots interested in the Kodagam channel regarding the—

23/4

S Abs
E. 16/4

F. I. Form No. 1—1,000—27-11-96.

3

H.E.17

No: 3557.

Supdg Engineer's Office, VI Circle
Trichinopoly. 30th March 1896.
= 31/

~~From~~
W. Hughes Esquire,
Superintending Engineer
VI Circle

To
The Chief Engineer 1R
~~for Irrigation~~

nclosures:—
Plaint
E. Eo No: 3579
with draft reply
to plaint with summons.
. E. Eo No: 1191 of
21-3-96 with
enclosures.
To be kindly
returned

Sir,

I have the honor to request permission to defend suit No: 514 of 1895, brought by certain ryots interested in the Kodagan channel, under the following circumstances:—

The Pudugramam tank was originally supplied by a sluice 1½ feet square in the surplus weir in the 9th mile and also received an indefinite supply by leakage through the shutters of two large vents in the weir. When the number of sluices in the Kodagan channel was being reduced by the abolition of those which could be dispensed with, the Pudu-

-framam sluice was closed and it was arranged to supply the tank by keeping raised some of the needle shutters of the surplus vents but this method of supplying the tank was so abused that it was resolved to build up the surplus vents altogether and revert to the old method of supplying the tank by the sluice 1½ ft. square. This was accordingly done but complaints were made that the supply to the tank was insufficient and observations showed that this was the case in 1893 and it was then arranged to enlarge the sluice to 3' × 2¼' or three times its former area. From the water returns attached to the Executive Engineer's letter No: 1191 d/21 March 1896, I should say the channel supply in that year was quite exceptionally bad and that it would be difficult to prove that the vent 1½ × 1½ ft. was insufficient in ordinary seasons if reasonable economy were exercised in the distribution of water from the tank. Probably if the old vent had been but slightly enlarged to compensate the ryots for the loss of the leakage through the inner vents no complaint would have been made by the lower ryots but the comparatively great size of the new sluice naturally gives rise to the idea that very much more water is taken from the channel than formerly. The new sluice is under regulation so that no more water need be let into the tank than required to keep it at a certain level, but as there is no incentive to economy the ryots, who have the regulation of the tank sluices (of which there are 9 with a total vent area of 6·2 sq. ft.) may leave them fully open at all times and so pass to their fields a much larger quantity of water than can be used. In this way the Plaintiffs may suffer and if the principle underlying their arguments that certain villages are entitled only to a certain proportion of the available water be correct it is possible they may gain their case.

The defence must assume that there is a prior claim to supply for the lands higher up the channel and that from the head of the channel down the lands should be given a sufficient supply until the whole is exhausted; but even if such an assumption be correct there must be coupled with it the obligation to prevent avoidable waste. Personally I think the Pudugrammam village is entitled to receive only such share of the channel water (as nearly as ascertainable) as it received before the works were altered, but I advocate the defence of the suit in the hope that it may lead to some clear definition of the rights of the holders of irrigated land.

I have the honour to be
Sir,
Your most obedt. Servant

W. Hughes.

Supdg. Engineer, II Circle

CB
30/3.