

Public Works (1898) Department.

G.O., No. 362 JEF

DATED 28th April 1898

[Despatch Abstract.]

Compensation for loss of Crop: Provisions
Dept. referring to the Board of Revenue for their
early remarks an opinion note from the Chief
Engineer for S.W. pointing out the necessity
of limiting the admissibility of the claims
for loss and silting by the Periyar floods
in certain villages of the Madurai & Melur taluqs.
Comd to the Officers concerned

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

The Chief Engineer
 S.E. VI
 Ex. D. W. 20/10/98

BACK PAPERS.

G.O.	No.	Department.	Date.
	123 of 5-4-98		
	PW 26898 of 18-3-98		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read Office Note from thePublic Works Department (Irrigation), No. 123, of
5th April 1898.Order thereon. No. 1648^{Min.} of 15th April 1898.

The Office Note from the
Chief Engineer for Irrigation read above
will be referred to the Board of Revenue
(Land Revenue) for very early remarks.
The proposals approved in para 1 of G.O.
No. 1345, Min., of 18th March 1898 should
in the meanwhile be held in abeyance.

(True Extract)

R. Marjambakar

Secy. to Govt.

To

The Board of Revenue (L.R.)
.. Public Works Dept.
.. Financial Department.

No 12345-88

Office Note

To The Secy, Rev Dept

From J

With reference to G.O.
No 1375 Dns of 18 Mar 98
approving the payment of Rs
1076-7-0 for loss of crop
and silting of lands by water
from the Periyar Lake, I beg
to point out the necessity
of strictly limiting the admission
of any claims of this sort to
what can be conclusively
proved to be due to the cause
asserted. I do not mean to
express any doubt of the
equity of paying the amount
sanctioned in this case and in
fact have only an imperfect
idea of the locality where the
crops are alleged to have been
destroyed but I happen to have
heard some time ago that large

Wt Sadeyeb

and in my opinion unfounded claims are to be made.

On the banks of the Vyra - Vana down to the its junction with the Surulgar about $1\frac{1}{2}$ miles above the Uttamut aicut, I expect there will be many places where land or crops have been injured but I should say ryots holding lands below this junction would have very great difficulty in proving that loss was due to Periyar water. While the Periyar works were in progress, the Uttamut aicut was rebuilt to its former length and also an additional aicut was built. Not only this, ~~some~~ vents were made in the aicut capable of discharging all the Periyar water without the water level ^{rising} ~~rising~~ to crest level and these were intended to be kept open and presumably have been throughout the Periyar irrigation season. The Max^m flood discharge is calculated

to be 11,000 Cubic feet per second the ordinary flood discharge would perhaps be a fourth of this. The Periyar discharge is 1100 Cubic feet per second. It follows that the addition of the Periyar water would not raise the level of ordinary floods at all at the aicut and but to a small extent between the aicut and the Surulgar - Vyra Vana junction.

I think all claims for loss by flooding below the Uttamut aicut are highly disputable and if any such claims are to be sent up for Govt orders I beg you will allow me to express an opinion on them.

/sd/ W.H.

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Recd
6/9/56

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Reference

on Genl. No. 5822 of 1897, dated 14th Jany. 1898 from the Board of Revenue Land Revenue, on the following letter from the Collector of Madura, Dis. No. 4467 of 1897, dated 29th November 97.

I have the honour to submit the following proposals for payment of compensation for lands in certain villages in the Cumbum valley on which the crops were destroyed or which were left waste owing to their submersion by the Periyar water.

2. The Board is aware that the Periyar project was opened in October 1895 and that the whole of the Periyar water was sent down through the Vairawanar and Suruly streams into the Vaigai. The beds of these streams being too small to contain the Periyar water, the water overflowed its banks and inundated the cultivated lands on either side until it cut a channel for itself. The destruction of crop occurred in 1895 over an area of 17.08 acres in Keelagudalur, Kumbum and Kamaiya Kandanpatty villages partly in October 1895 when the Periyar water was let down for the first time into Suruly and partly before 15th December 1895 when the river, full already of Periyar water, was swelled by heavy rains. The head sluice in the Periyar lake was closed for annual repairs on the 15th December 1895 and was not opened till towards the 22nd of June 1896. When it was reopened there was a further destruction of seedlings or sproutings over a considerable area which were sown in July 1896 and which were destroyed very soon after they were sown. The extent over which the crops were destroyed in June, July and August 1896 was 48.40 acres in Keelagudalur and Naranathenanpatty villages. In December 1896 the second crop over a further extent of 2.20 acres was destroyed in the Kumbum village. The total extent over which crops were

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destroyed in both the faslies was 67.68 acres.

3. In addition to this destruction of crop, some of the lands were rendered either permanently or ^{temporarily} ~~permanently~~ unfit for cultivation owing to the deposit of silt or owing to their having been washed away to form the riverbed in which the water is now flowing. The list of lands to be permanently acquired for the bed of the river can be made out only after the P.W. Dept. has determined on the extent necessary. This could not be determined in 1895 as the course of the river was then uncertain. In the season of 1896, the river had cut a channel for itself which will be more or less its permanent course, so that it is now possible to determine the extent of land to be acquired permanently. The Ex: Engineer has promised to submit definite proposals for the acquisition of lands permanently rendered unfit for cultivation by the action of the Periyar works after ^{an} accurate survey is made. But there is no reason why compensation for the destruction of crops and for waste due ^{to} the submersion of ^{the} land should not be given at once. Following the precedent laid down by the Settlement Commissioner in a somewhat similar case in Manjulan village in the Madura taluk, I suggested to the Sub-Collector that compensation should be given for actual loss of crop at the rate of ^{and for waste} ~~three times the assessment~~ ^{twice the assessment} while the compensation for lands rendered unfit for cultivation by silt has been fixed at a sum equal to the cost of removing the silt. A few modifications of this general principle are required in the case of wet lands cultivated ^{with} ~~in~~ dry crops. In determining the amount of compensation for loss of crops the following rates have been adopted.

1. In single crop wet lands

(a) For first or second crop wet --- three times the wet assessment.

(b) for irrigated dry crops-- twice the wet assessment + dry assessment and dry water rate.

(c) for unirrigated dry crops--twice the wet assessment ^{and} dry assessment

(2) In compounded wet lands.

(a) For 1st or 2nd crop wet - 3 times single wet assessment.

(b) For irrigated dry crops - twice single wet assessment + dry assessment and dry water rate.

(3) In double crop wet lands.

(a) for 1st or 2nd crop wet - 4 times single wet assessment.

(b) For irrigated dry crops - twice single wet assessment + dry assessment and dry water rate.

As for waste the following rates have been adopted:-

(1) In single crop wet lands - twice the single wet assessment.

(2) In compounded wet lands -

(a) where 2nd crop was raised in any of the previous five years, twice the compounded charge.

(b) where no second crop was raised in any of the previous five years, twice the single wet assessment.

(c) where no crop was raised during the previous five years, no compensation.

(3) In double crop lands, twice the double crop charge for -- waste in both seasons, and twice the single wet assessment for waste in one season.

(4) In dry lands

(a) If crop was raised in any of the previous five years - twice the dry assessment.

(b) If no crop was raised during the previous five years - no compensation.

5. Where dry crops were raised on single crop wet lands and dry assessment only was charged at jamabandy, twice the difference between dry and wet has been recommended as compensation.

Adopting these rates, the Sub-Collector has submitted the enclosed three statements (a) for lands ^{on} ~~for~~ which crops were destroyed, (b) for lands left waste; and (c) for lands requiring clearance of silt before they are again rendered fit for wet cultivation. From these statements it will be seen that the

net amount of compensation to be given excluding the remissions already granted for 131.81 acres of land left waste comes to -- Rs. 520-6-0 in fasli 1306, and Rs. 556-1-0 for the 27.22 acres of land on which crops were destroyed in faslies 1305 and 1306. The cost of clearance of silt on 2.51 acres of land rendered temporarily unfit for cultivation is estimated at Rs. 376.

I request that the rates proposed may be approved and that the Public Works Dept. may be directed to place the amount of compensation of Rs. 1076-7-0 at my disposal, as I presume the amount should be debited to the project.

Reference :-

Submitted for the orders of Government.

The Board recommends that the Collector's proposals may be approved and that sum of Rs. 1076-7-0 may be ordered to be placed at his disposal for payment of compensation for damage -

Loss of crops owing to submergence in faslis 1305 and 1306	Amount still due.	caused by the Periyar water as detailed in the margin.
Lands left waste and wet lands cultivated with dry crops in fasli 1306	Rs. 520-6-0	
	Rs. 556-1-0	
	<u>Rs. 1076-7-0</u>	

The Collector presumes that the amount should be debited to the Project. But the Board considers that the charge should be debited to land revenue, to which heads the sale proceeds of waste lands benefitted by the Periyar channel are being credited. (vide para 2 of G.O. No. 1026 Revenue, dated 7th Oct. 1903). X in H

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ORDER thereon No. 1255 M.S. dated 19th March 1908.

The Collector's proposals which are supported by the Board of Revenue are approved.

The question of the incidence of the charge will be considered in the Financial Department.
(True extract)

Handwritten signature

For Dy. Secy. to Govt.

To the Bd. of Rev. (B.R.) with memo.
Financial Dept.
Dy. Secy.