

Public Works (189 J) Department.

G.O., No. 691 J.

DATED 8th Sept 78

one copy
with no 955/78

[Despatch Abstract.]
Recd of Irrigation Rights in the Tanjore District.

From: Secy. Dept. abandoning the
proposal for the preparation of — & requesting
the B^d of Rev. to report on the nature & extent of the
legislation required for the purpose of defining & securing
the States' paramount Authority to control irrigation
to the best advantage for the public good, Commis. to the
S. E. on special duty, Tanjore, for information.

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

public good.

D 29 His presumed that pending
the receipt of orders on the report now call
for from the H² no further action
need be taken on Col Smart's letter, no A.
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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—again G.O., No. 512, Revenue, dated 30th June 1897.

ABSTRACT.—Transferring to the Public Works Department, with an expression of concurrence in the Board's remarks, Proceedings of the Board of Revenue regarding the preparation of a record of irrigation rights in the Tanjore delta.

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 596, dated 1st March 1898:—

FULL BOARD.

Read—the following letter from J. ANDREW, Esq., Collector of Tanjore, to the Secretary to the Commissioners of Land Revenue, dated Vallam, 10th February 1898, No. 520-Rev.:—

With reference to the Board's Proceedings, Mis. No. 4293, Land Revenue, dated 13th November 1897, I have the honour to submit a joint memorandum prepared by Colonel Smart, the Superintending Engineer on special duty, and myself for the establishment required for the Public Works and Revenue Departments in connection with the preparation of the record of existing arrangements for irrigation. The extra establishment required for the Public Works Department has already been asked for as the statement of establishment required under the whole project works had to be before the Chief Engineer before the 15th instant. I request that the Board will be pleased to obtain the early sanction of Government for the entertainment of the establishment required for the Special Deputy Collector as the work connected with the special duty has already been commenced by the Public Works Department in the Māvaram taluk.

2. A proposition statement in duplicate for the Revenue establishment is enclosed.

ENCLOSURES.

Memorandum regarding establishment to be entertained for the preparation of a Memorandum of existing arrangements for irrigation in the Tanjore Delta.

From Mr. Stokes' letter printed in G.O., No. 2912-W., dated 18th October 1897, the original proposal appears to have been that in framing a record of irrigation rights in regard to all the rivers, &c., in the delta proposed by the Superintending Engineer on Special duty, Tanjore, questions of admission or rejection of dams and madais and record of morais—matters which are of the greatest importance to the ryots and which appear neither in the settlement accounts nor survey maps—should also be gone into and enquired and the results should be recorded in the form of a register which may be easily understood and accessible. The Board of Revenue, however, considered that such a record having for its end the adjudication of disputed claims was impracticable unless legislation was resorted to and proposed only the preparation of a memorandum which should be confined to the description of existing arrangements for irrigation with the evidence therefor. To frame such a record it was thought necessary to ascertain the particular direct source of irrigation of each and every field naming them by minor distributaries and channels, to delineate on the map all channels, poramboke as well as patta, existing on the ground which do not find place in the survey plans and settle-ment accounts and to note down the existence of all masonry works, mud dams, &c., with the purpose they were meant to serve and also the arrangements for irrigation by means of morais, &c.

2. To secure this end it was proposed that the karnams of all the villages should be directed to prepare two statements—one showing the irrigation and the other the drainage particulars—columns 1 to 9 of the former and columns 1 to 5 of the latter being filled up from the Adangal and the rest by local inspection and under the instructions of the sub-overseers on special duty. At the end of the register a short memorandum would be attached, showing the arrangements, if any, for irrigation in the village and any morais which are being followed either by long established usage or by the decisions of courts and panchayats. In order to secure complete accuracy it was proposed that the karnams' entries should be verified by officers not less in rank than Revenue Inspectors to see whether they actually tally with the state of things on the ground. After this verification, a notification would be published informing the ryots that a register of existing arrangements for irrigation and drainage has been prepared and that it is open to inspection and calling upon them to put forward any objections they may have to the entries in the register with any evidence, documentary or otherwise, they may have in support of their contention. These objections would then be enquired into and the entries in the register corrected if necessary with reference to the results of such enquiries and the joint inspection of the Public Works Department Sub-Divisional officer and the Special Deputy Collector.

3. To finish the work as above specified, the Engineering Department originally proposed to entertain 24 sub-overseers on Rs. 35 each with a fixed travelling allowance of Rs. 15 each and to attach also two lascars on Rs. 7 each and an attender on Rs. 8 to each sub-overseer. To cope with the work of the 24 sub-overseers an establishment of 12 Revenue Inspectors on Rs. 35 each with a fixed travelling allowance of Rs. 15 and a peon on Rs. 6 to each Revenue Inspector was proposed. But at the conference held on the 29th ultimo with Mr. Hughes, the Chief Engineer for Irrigation, Colonel Smart, the Superintending Engineer on Special duty, and the Collector it was considered that the establishment proposed was too high as its cost would be nearly Rs. 70,000 as detailed in the accompanying statement; that the recording of so many details at such a prohibitive cost was unnecessary for the purposes required both by the Revenue and the Public Works Department; that it would be at best only a poor attempt to decide disputes regarding irrigation; and that it would be almost impossible to decide disputed cases without legislation; that ryots could repudiate conclusions at which the special officers might have arrived while such conclusions would in all probability practically be taken as conclusive as against Government in the future; and that it would, therefore, be unwise to enter upon such detailed work unless it could be done and checked on a scale—prohibitive in cost—that would ensure almost absolute accuracy. The conference, therefore, resolved upon a modified form of preparing the record, namely, that the poramboke channels only need be taken into account omitting channels on patta lands which are not shown in the survey map and that the Revenue Inspector need verify only 20 per cent. of the karnams' entries in the special irrigation and drainage statements above referred to, the other portion of the work remaining untouched. Fields would thus be classified under the larger channels and not under each minor distributary for each field. In fact the enquiry would deal with blocks rather than fields though the fields included in each block would be stated.

4. According to the revised plan the following establishment is proposed both for the Public Works and the Revenue Departments.

I.—PUBLIC WORKS DEPARTMENT ESTABLISHMENT.

A.—Outdoor.

(a) *Superior—Existing.*—Ten sub-overseers on Rs. 35 each with a fixed travelling allowance of Rs. 15 when working in the fields and Rs. 10 when at head-quarters.

Proposed.—There are 1,436 villages in the district according to survey and deducting therefrom the villages in the Pattukkottai taluk (99) and those in the upland parts of the district (76) which are not irrigated by the Cauvery and its branches there remain 1,261 villages with which the special work is concerned. A sub-overseer could finish his work as above modified in three days in each village or he could finish two villages in a week. The ten sub-overseers already entertained would be able to finish the work at the above rate in 63 weeks. Making allowance for rainy days during which the sub-overseers cannot do their work which is mostly on open fields, the work would, it is estimated, be finished by the existing staff in 78 weeks or a year and a-half.

(b) *Inferior—Existing.*—Ten lascars on Rs. 7 each attached to the ten sub-overseers.

Proposed.—One more lascar on Rs. 7 to be attached to each sub-overseer to enable him to do the measurement work in the fields.

B.—Office Establishment.

(a) *Superior—Existing.*—

2 Clerks on Rs. 30 each. | 4 Clerks on Rs. 15 each. | 3 Draftsmen on Rs. 50 each.

Proposed.—The reduction of work in the out-door establishment will not in any way diminish the work in the office, and on the other hand the office work will increase after the sub-overseers enter upon their duties. It is, therefore, proposed to retain the above establishment and to add the following:—

1 Clerk on Rs. 20.

1 Draftsman on Rs. 50.

The four clerks in the last grade will be employed in posting and comparing the special statements required for the department.

(b) *Inferior—Proposed.*—

2 Peons for the office on Rs. 7 each;

4 Peons on Rs. 7 each, to attend upon the Sub-Engineer by turns.

This is the scale of establishment allowed to a Sub-divisional officer of his rank.

In addition to these, it is proposed to retain the services of the supervisor on Rs. 150 to have charge of the completion of the maps and statements and to give him three peons on Rs. 7 each.

The extra establishment herein required has already been asked for by Colonel Smart as the statement of establishment required under the whole project works had to be before the Chief Engineer before the 15th instant.

II—REVENUE ESTABLISHMENT.

A.—Outdoor.

(a) *Superior—Existing.*—Nil.

Proposed.—Three Revenue Inspectors on Rs. 35 each with a fixed travelling allowance of Rs. 15. At the conference held on the 29th ultimo, it was considered that three Revenue Inspectors would be sufficient to verify 20 per cent. of the karnams' entries in the special irrigation and drainage statements. The importance of the work to be done depends upon the correctness with which the special statements are prepared. As there should be a reliable check on their work, the men chosen should be Revenue Inspectors taken from the permanent staff who have a reputation for activity and honesty of work, their places being filled up by qualified taluk gumastas and huzur clerks. As regards the emoluments, it is proposed that men from the second grade of Revenue Inspectors be taken and they be paid Rs. 35 per mensem, the pay allowed to them in the permanent line.

These officers are not entitled under the rules to travelling allowance, and it is, therefore, proposed to allow them Rs. 15 per mensem as travelling allowance, as they will have to be moving constantly and from one taluk to another as the conference decided that it will be better and cheaper in the end to take up the whole district at once instead of taluk by taluk as at first contemplated. When they travel by rail, they should be paid the usual double third-class fare.

(b) *Inferior—Existing.*—Nil.

Proposed.—To each Revenue Inspector, a peon on Rs. 6 is proposed to be attached.

B.—Office Establishment.

(a) *Superior—Existing.*—Nil.

Proposed.—

1 Head clerk on Rs. 45; 1 Clerk on Rs. 25; 3 Clerks on Rs. 15 each.

Their duties will be as follows:—

Head Clerk.—General correspondence, attending enquiries and seeing generally to the conduct of business.

Second Clerk.—Receiving petitions, abstracting them, and maintaining registers connected therewith.

One clerk on Rs. 15.—Maintaining the current and disposal registers, fair-copying and despatching.

As regards their pay it is submitted that in the course of enquiries it is likely that a large number of important and valuable records and documents will be received, the charge of which would devolve upon the head clerk. A trustworthy and reliable man with a knowledge of revenue accounts and of good business habits is necessary for the place, and it is, therefore, proposed that his pay should be fixed at Rs. 45 per mensem, which is the pay of the head clerk in General Duty Deputy Collectors' offices.

The second clerk will have a good number of petitions to attend to and it is, therefore, proposed that his pay should be Rs. 25 per mensem.

The pay of the third clerk who is to have charge of the registers may be fixed at Rs. 15.

The special statements prepared by the karnams will have to be revised by the Revenue Inspectors at their inspection and will undergo further revision with reference to the petitions that may be received and enquiries that will have to be made thereon, and also in consequence of the joint inspection of the Public Works Department Sub-divisional officer and the Special Deputy Collector. They will, therefore, have to be re-written in order to form a permanent and useful record for future reference. This work of re-writing can be done by the karnams themselves as has been arranged in the case of writing up of the diglott registers prepared by the Settlement Department. The work of comparing the registers cannot be done by the third clerk above named, and hence the necessity for the entertainment of the additional two men on Rs. 15 each. These two clerks need not be entertained until the work is sufficiently advanced to give them full employment.

(b) *Menial—Existing.*—Nil.

Proposed.—Four peons on Rs. 7 each; also one masalji on Rs. 5 to attend upon the clerks. Two peons are necessary to attend upon the Deputy Collector by turns, and two to carry tappal to and from head-quarters as the Deputy Collector will be mostly in camp.

5. *Office accommodation.*—Great inconvenience is being felt for want of a place in which to hold the office of the Deputy Collector. The building in which the Sub-Engineer's office is located has been rented for Rs. 15 a month. It has not got sufficient light and is ill-ventilated, and it has besides not sufficient accommodation for the Engineer's establishment. A house with a rent of not more than Rs. 10 a month would be sufficient to accommodate the small establishment of the Deputy Collector.

6. Forms of statements in which it is proposed to collect the information from the karnams, together with the instructions for preparing the same, are herein enclosed.

(Signed)

J. ANDREW,
Collector.

No. 1.—STATEMENT showing particulars as to irrigation in the village of _____, No. _____, taluk, _____ district.

1	2	3	4	5	6	7	8	Pattadar.		Source of irrigation.				14	15	16
								Survey number.	Letter.	Direction.	Dry, wet, unassessed or potamboke.	Single or double crop.	Extent.			
Government or inam.																
						ACS.	CTS.	ACS.	CTS.							

No. 2.—STATEMENT showing particulars as to drainage in the village of _____, No. _____, taluk, _____ district.

Government or Inam.	As per survey accounts.				Where drains into		Karnam's remarks.	Revenue Inspector's remarks.	Special officer's remarks.
	Survey number.	Letter.	Direction.	Extent.	Local name.	Public Works Department letter.			
1	2	3	4	5	6	7	8	9	10
				ACS.	CTS.				

STATEMENT showing the establishment as originally proposed and as now modified for the registration of the existing arrangements for irrigation in the Tanjore delta.

STATEMENT NO. 3

G.O., No., 2912-W, dated 18th October 1897.

Scale as originally proposed.					Scale as now modified.					Remarks.	
Authority.	Number.	Name of appointment.	Monthly rate of pay.	Cost per mensem.	Cost for the one and a half years.	Number.	Name of appointment.	Monthly rate of pay.	Cost per mensem.	Cost for the one and a half years.	
I.—ENGINEER'S ESTABLISHMENT.											
A.—Supervising.											
	1	Sub-Divisional officer ..	Rs. 400 + 30	Rs. 430	Rs. 645	1	Sub-Divisional officer ..	Rs. 400 + 30	Rs. 430	Rs. 645	For the Sub-Divisional officer. For the Supervisor.
1	1	Supervisor ..	..	..	..	1	Supervisor ..	..	..	..	
4	4	Peons ..	..	..	..	4	Peons ..	..	..	..	
3	3	Do. ..	..	..	..	3	Do. ..	..	..	..	
		Total ..	..	629	11,322		Total ..	..	629	11,322	
B.—Out-door.											
	24	Sub-Overseers ..	Rs. 35 + 15	Rs. 1,200	Rs. 1,800	10	Sub-Overseers ..	Rs. 35 + 15	Rs. 500	Rs. 750	* Fixed travelling allowance.
48	48	Lascares ..	..	..	..	20	Lascares ..	..	140	Rs. 2,800	
24	24	Attenders ..	..	..	..	..	..	..	..	..	
		Total ..	..	1,728	31,104		Total ..	..	640	11,520	
C.—Office.											
	2	Clerks ..	..	..	..	2	Clerks ..	..	..	..	
1	1	Clerk ..	..	..	..	1	Clerk ..	..	..	..	
5	5	Clerks ..	..	..	..	4	Clerks ..	..	..	..	
4	4	Do. ..	..	..	..	..	..	..	..	..	
4	4	Draftsmen ..	..	..	..	4	Draftsmen ..	..	..	..	
2	2	Peons ..	..	..	..	2	Peons ..	..	..	..	
		Total ..	..	417	7,506		Total ..	..	354	6,372	
II.—REVENUE ESTABLISHMENT.											
A.—Supervising.											
	1	Deputy Collector ..	..	..	..	1	Deputy Collector ..	..	..	..	
2	2	Peons for Deputy Collector ..	..	..	..	2	Peons for Deputy Collector ..	..	..	..	
		Total ..	..	264	4,752		Total ..	..	264	4,752	

G.O., No., 2912-W., dated 18th October 1897.

Statement showing the establishment as originally proposed and as now modified for the registration of the existing arrangements for irrigation in the Tanjore delta—*cont.*

Authority.	Scale as originally proposed.				Scale as now modified.				Remarks.	
	Number.	Name of appointment.	Monthly rate of pay.	Cost per mensem.	Cost for the one and a half years.	Number.	Name of appointment.	Monthly rate of pay.		Cost per mensem.
II.—REVENUE ESTABLISHMENT—cont.										
				Rs.	Rs.				Rs.	Rs.
12	Revenue Inspectors	..	35 + 15	600	..	3	Revenue Inspectors	35 + 15	150	..
12	Peons for Revenue Inspectors.	..	6	72	..	3	Peons for Revenue Inspectors.	6	18	..
	Total ..		..	672	12,096		Total ..	..	168	3,024
C.—Office.										
1	Head clerk	..	45	45	..	1	Head clerk	45	45	..
1	Second clerk	..	25	25	..	1	Second clerk	25	25	..
3	Clerks ..	..	15	45	..	3	Clerks ..	15	45	..
2	Peons ..	..	7	14	..	2	Peons ..	7	14	..
1	Masulchi ..	..	5	5	..	1	Masulchi ..	5	5	..
	Total ..		..	134	2,412		Total ..	..	134	2,412
	Total of Revenue and Public Works establishments.		..	..	69,192		Total of Revenue and Public Works establishments.	..	..	39,402
Office accommodation.										
..	Public Works Department	..	15	15	270	..	Public Works Department	15	15	270
..	Revenue Department ..	..	10	10	180	..	Revenue Department ..	10	10	180
	Total ..		..	..	450		Total ..	..	..	450
	Grand Total ..		..	..	69,642		Grand Total ..	..	..	39,852

G.O., No. 2912 W, dated 18th October 1897.

G.O., No. 2912 W., dated 18th October 1897.

Memorandum of instructions to be attended to by the karnams in preparing the special irrigation statement.

1. Columns 1 to 9 of the statement should be filled in from the Adangal of fasli 1306.
2. Under column 11 should be entered the irrigation source as given in the Adangal of fasli 1303, and under column 12 should be entered the local name of each source of irrigation, naming it by larger channels and not by minor distributaries, and under column 13 the special name given to it by the Public Works Department as per instructions to be personally given by the sub-overseers.

3. In column 14 should be entered the number of dams, whether mud or masonry, aqueducts, madais, &c., if any. Particulars of morais, if any, should also be given. The height and breadth of all waterways should also be noted with as much accuracy as possible.

(Signed) J. ANDREW,
Collector.

Memorandum of instructions to be attended to by the karnams in preparing the special drainage statement.

1. Columns 1 to 5 of the statement should be filled in from the Adangal of fasli 1306.

2. Under column 6 should be entered the name of the locality into which the water of the field drains and under column 7 the Public Works Department letter as per instructions to be personally given by the sub-overseers.

3. In column 8 should be entered the number of dams, mud or masonry, aqueducts, madais, &c., if any. Particulars of morais, if any, should also be given. The height and breadth of all waterways should be noted with as much accuracy as possible.

(Signed) J. ANDREW,
Collector.

*Resolution—*Mis. No. 596, dated 1st March 1898.

The Collector's letter and its enclosures will be submitted for the orders of Government.

2. The Board, as now constituted, thinks it right to express its grave apprehension that the enterprise upon which it is proposed to embark will, where its results are not positively mischievous, be wholly infructuous. One immense difficulty in regulating the distribution of water in the Tanjore delta lies in the huge number of temporary dams by means of which the water not only of irrigation, but also of drainage, channels is taken to high-level fields, or diverted from one channel to another. It is not too much to say that regarding most of these, some local dispute is either active, or slumbering and ready to burst forth whenever water becomes scarce.

3. If the new register is to show which of these dams must be recognized by Government, the enquiry should proceed on the lines sketched in paragraph 2 of the joint memorandum appended to the Collector's letter, *i.e.*, the persons interested for and against each dam must be heard, and it must be decided whether the erection of the dam is customary, and, if so, at what intervals of time, and for how long on each occasion, it may rightfully be maintained. The Collector and Engineer both recognize that the investigation of these disputes is too big a task to be undertaken without some definite end in view, particularly as the conclusions arrived at would be taken as conclusive against Government and against no one else. They accordingly propose to instruct the village karnam to enter in columns 14 and 8 of the registers such particulars regarding dams, cuts in the banks (madais) and "morais" as he deems proper, or is able, to bring to notice, and that 20 per cent. of the entries should be tested by a Revenue Inspector. It goes without saying that such a record is certain to be one-sided, incomplete, and untrustworthy. So far as the new registers deal only with the channels, omitting the investigation of claims to dams, "madais" and "morais," they will add nothing of value to our existing stock of information. The settlement register already shows the reputed source of irrigation for every field, and it is difficult to see how the remarks of the karnam, Revenue Inspector and special officer are to be put to any useful purpose after they are recorded.

4. If the enterprise on the revised lines described towards the close of paragraph 3 of the joint memorandum is to be carried out, the establishment recommended is no doubt necessary. The particulars are noted in the margin, and it will be required for at least eighteen months at a cost of Rs. 316 a month.

Out-door Establishment.

Three Revenue Inspectors on Rs. 50 each.	Rs. 150
Three peons on Rs. 6 each	18

Office Establishment.

One head clerk on Rs. 45	45
One second clerk on Rs. 25	25
Three clerks on Rs. 15 each	45
Four peons on Rs. 7 each	28
One masalji on Rs. 5	5
Total	316

5. The Board would, however, suggest that, if the experiment is to be tried, the special establishment should report progress as soon as it has completed the register of a few typical villages in Máyavaram, Shiyali and Nannilam taluks. It can then be better judged whether the registers will possess any practical value.

6. For the purposes of such a register as the Collector and Superintending Engineer propose to prepare, the two forms, which they submit, will perhaps suffice.

7. A proposition statement for the proposed establishment is submitted in duplicate. No provision has been made in the budget of 1898-99 on account of this establishment, but the charge can be met for the present from savings under "temporary establishments." If, later in the year, the provision is found to be insufficient, application will be made to Government for an additional allotment.

8. With regard to the proposal to pay office rent at Rs. 10 per mensem, the Collector has been requested to point out the source from which the charge can be met.

(True Extract.)

(Signed) R. C. C. CARR,
Secretary.

To the Secretary to Government, Revenue Department,
with letter and six enclosures to be returned
and proposition statement in duplicate
through the Accountant-General, Madras.

READ—Reference of the Board of Revenue (Land Revenue), No. 354, dated 25th March 1898.

ABSTRACT.—Submitting to Government letter from the Collector of Tanjore requesting early orders for the entertainment of the establishment required in connection with the record showing the existing arrangements for irrigation in the district.

ORDER—No. 443, Revenue, dated 12th August 1898.

Miscellaneous.

The Government on a reconsideration of the subject is disposed to concur with the views expressed by the Board and to consider that the preparation of the proposed record of irrigation arrangements in the Tanjore district would be beset with great difficulties and would probably not attain the object in view. The proposal will, therefore, be abandoned and the special establishments entertained for the purpose, dispensed with.

2. The Government, however, considers that the paramount authority of the State to regulate irrigation should be placed beyond dispute and that to this end legislation should, if necessary, be undertaken. That such general authority vests in the Government is recognised by the common law of the country and has been admitted by the decisions of the Courts. These decisions have, however, in the absence of any clear formulation of the law, laid down so many provisos and limitations to its operation that its exercise in the best interests of the community is liable to be seriously restricted.

3. The Board of Revenue are accordingly requested to report on the nature and extent of the legislation which they deem to be required for the purpose of defining and securing the State's paramount authority to control irrigation to the best advantage for the public good. In dealing with the question, the Board should bring together and comment on the various decisions of the Courts on the subject. The opinions of the District officers should also be invited and considered.

(True Extract.)

[Signature]
for Secretary to Government.

To the Board of Revenue (Land Revenue).
" the Board of Revenue (Revenue Settlement,
Land Records and Agriculture).
" the Public Works Department (Irrigation).
Copy to the Collector of Tanjore.

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