

Public Works (1898) Department.

Shew Proof

G.O., No. 881 I
882

DATED 10 Nov 98

110/5 60/2

Sunkesala Aicut

[Despatch Abstract.]

Considering that the Rukka from the Resident to the Minister at Hyderabad, No 1982 of 28th Oct 1861 does not convey the consent of this Govt to the stipulation referred to, that in connection with the construction of the Sunkesala Aicut, a sufficient flow of water should be allowed to Rajoli other villages in H.A. the Nagar's territory, observing that the claims made for enlarging the sluice in the — or for paying compensation cannot be admitted, that no further claim is justly tenable; directing that the Resident at Hyderabad be informed accordingly.

Sunkesala Aicut

Considering that the Rukka from the Resident to the Minister at Hyderabad No 1982 of 28th Oct 1861 does not convey the consent of this Govt to the stipulation referred to, viz, that a sufficient flow of water should be allowed to Rajoli other villages in H.A. the Nagar's territory, observing that the claims made for enlarging the sluice or for paying compensation cannot be admitted, that no further claim is justly tenable.

IRRIGATION.

Government {1898} of Madras.
PUBLIC WORKS.

Recd.

Enclosures

Regd.

1898.

Spare copies

Letter, No. 882 I., 10th November 1898.

NOVEMBER.

Sunkesala Anicut

Considering that the *ruka* from the Resident to the Minister at Hyderabad, No. 1982, dated 28th October 1861, does not convey the consent of this Government to the stipulation referred to, viz., that a sufficient flow of water should be allowed to Rajooli and other villages in His Highness the Nizam's territory; and observing that the claims made for enlarging the sluice in the — or for paying compensation cannot be admitted, and that no further claim is justly tenable.

No. 882 I., 10TH NOVEMBER 1898.

PUBLIC WORKS DEPARTMENT.

Irrigation.

LETTER—from

W. HUGHES, Esq.,

Joint Secretary to the Government of Madras,

Public Works Department,

Irrigation Branch,

To

THE RESIDENT AT HYDERABAD.

SIR,

With reference to the correspondence ending with your letter, No. 5727, dated 26th September 1898, I am directed to inform you that this Government considers that the ruka, No. 1982, dated 28th October 1861, does not convey its consent to the express stipulation said, in the last clause of paragraph 3 (c) of letter, No. 704, dated 15th May 1898, from His Highness the Nizam's Minister, to have been made by Sir Salar Jung and assented to by the Madras Government that a sufficient flow of water should be allowed to Rajooli and other villages. What appears to have been consented to was that existing rights should not be interfered with. The village of Rajooli is situated a short distance below the anicut, near the river margin, and at some height above the river.

I am to say that this Government is of opinion that the sluice provided in the anicut and through which a copious supply of water is passed is large enough to supply drinking water, that the claims made for enlarging the sluice or for paying compensation cannot be admitted, and that no further claim is justly tenable.

I have the honour to be,

Sir,

Your most obedient servant,

Joint Secretary to Government,
Irrigation Branch.

FORT ST. GEORGE,
10th November 1898.

Exd. T. K. Narayana Aiyangar.

IRRIGATION.

Government {1898} of Madras.
PUBLIC WORKS.

Recd.

Regd.

} 1898.

Enclosures

Spare copies

G.O., No. 881 I., 10th November 1898.

NOVEMBER.

Sunkesala Anicut

Considering that the *ruka* from the Resident to the Minister at Hyderabad, No. 1982, dated 28th October 1861, does not convey the consent of this Government to the stipulation referred to, viz., that a sufficient flow of water should be allowed to Rajooli and other villages in His Highness the Nizam's territory; observing that the claims made for enlarging the sluice in the — or for paying compensation cannot be admitted, and that no further claim is justly tenable; and directing that the Resident at Hyderabad be informed accordingly.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

READ—the following papers:—

From the Resident at Hyderabad, to the Chief Secretary to the Government of Madras, dated Hyderabad, 3rd June 1898, No. 3443.

I have the honour to refer to your letter, No. 137-R., dated the 22nd May 1895, regarding the claims of the Rajah of Gadwal in connection with the construction of the Sunkesala anicut.

2. I now enclose, for the information of the Governor in Council, a copy of a letter on the subject, No. 704, dated the 15th May 1898, from His Highness the Nizam's Minister. It will be seen that claims (c), (f) and (g) are the only ones left open. The views of His Highness' Government of the matter will doubtless receive the consideration of His Excellency the Governor in Council.

ENCLOSURE.

From His Highness the Nizam's Minister, Hyderabad, to the Resident at Hyderabad, dated the 15th May 1898, No. 704.

Will you kindly refer to correspondence ending with your letter, No. 2218, dated 30th November 1897, regarding the claim of the Rajah of Gadwal for compensation connected with the Kurnool canal.

2. The papers were referred to the Subadar for report after local enquiry by a joint committee consisting of officers of both Governments. This committee was constituted as follows:—

For the Madras Government.

- (1) Mr. C. M. Mullaly, Collector of Kurnool.
- (2) Colonel Rawson, R.E.
- (3) Mr. A. C. Pereira.

For His Highness' Government.

- (1) Nawab Rafat Yar Jung Bahadur, Subadar of Gulburgah.
- (2) Mir Liakat Ali, Talukdar of Raichur.
- (3) Mr. C. Dunhill, Irrigation Engineer.

For the Rajah.

The Rajah in person with two Agents.

3. The Committee has disposed of certain of the questions in dispute, and other matters remain unsettled as will be seen below.

The claims are ten in number and consist of—

- (a) Compensation for 69 bighas of land taken from the Rajah in 1861. This claim will be disposed of by His Highness' Government and need not be referred to here in detail.
- (b) Compensation for certain other lands which have been destroyed by digging pits. This claim has been settled by joint consent, the Madras Government having agreed to give the Rajah certain plots of land as compensation for the excess land occupied by the canal, and the Rajah having agreed to receive the same.
- (c) Water for irrigation has been cut off by 24 moats in the Rajah's village of Rajooli. This claim is in reality connected with two other claims, viz., (f) and (g), the first of which is that the sluice should be enlarged and the channel be cleared, so as to allow a sufficient flow of water to the moats in future, and the second that compensation should be given for the loss caused by rendering the wells useless in the past. On all these points, the Madras Government have declined to allow the claim on the ground that "Government cannot recognize any obligation to alter the conditions agreed to when the works were constructed by the Madras Irrigation Canal Company." These in reality are the only points on which His Highness' Government

feel constrained to differ from the decision of the Madras Government and for the following reasons:—

His Highness' Government concur in the opinion of the Madras Government that the original conditions, under which the land was made over, should not be altered, but on a reference to the correspondence which preceded the making over of the land for the purposes of the anicut, an express stipulation was made by Sir Salar Jung that a sufficient flow of water should be allowed to Rajooli and other villages. To this stipulation the Madras Government gave their consent, as intimated by the Resident's letter, No. 1983, dated 19th October 1861. It appears from the Subadar's report, and from that of Mr. Ottman, the Assistant Engineer in charge of the canal, that the present sluice is quite insufficient, and that owing to the channel being silted up, there is no proper flow of water. Further, in his letter No. 709 of 5th December 1885, Mr. Ottman gave a guarantee to the Rajah that the channel should be kept clear. There is, therefore, no question of altering the original conditions under which the land was given to the Canal Company. As a matter of fact, the Madras Government have recognized the necessity for widening the sluice and of keeping the channel open (*vide* enclosure to Resident's letter, No. 2286 of 23rd July 1886). In paragraph 5 of the Superintending Engineer's letter which formed an enclosure to this letter, dated 22nd March 1886, it is stated that the mouth of the sluice will be widened and the repairs carried out annually. This, however, has not been done, and the consequence is that from year to year the Rajah has suffered loss. It seems, therefore, that either the sluice should be widened so as to give a sufficient flow of water to the Rajah's land and the channel be kept clear, or else that an adequate annual compensation should be given to him for the loss he may sustain. This compensation, His Highness' Government is of opinion, is due from the Canal Company whose interests have been taken over by the Madras Government. The Rajah estimates his loss at Rs. 851 per annum, which for 30 years would amount to the large sum of Rs. 25,530.

(d) This was a claim for compensation on account of the submersion of certain low-lying lands situated behind the north anicut, or up stream. The Madras Government having agreed either to construct certain protective embankments or to hand over the estimated cost of such embankments to the Rajah in settlement of all claims, the Rajah withdrew this claim.

(e) The embankments of the streams mentioned by the Madras Irrigation Canal Company should be restored and compensation paid for loss of revenue past and future.

In the opinion of the Joint Committee and of the Subadar it does not seem that any of the original embankments of streams have been carried away or injured. The settlement of this claim, therefore, will go with that of claim (d).

(f) & (g) The settlement of these two claims has been discussed under the claim (c) and if the suggestions of His Highness' Government are accepted, the three claims will be lumped together.

(h) Compensation for loss caused by erosion in the east island situated below the S. anicut. That a certain amount of loss by erosion has been incurred seems clear, but it is not established—

- (1) what the extent of the loss by erosion has been;
- (2) whether such erosion is greater in extent than would have been caused by ordinary flood water if no anicut had been there; and
- (3) whether there has not been any corresponding accretion as is so often the case in fluvial islands.

Bearing in mind the very changeable nature of all such islands in Indian rivers, and that the floods of each season have, from time immemorial, caused a certain change in their contour, with erosions at one part and corresponding accretions at another, His Highness' Government are of opinion that before a claim for compensation can be established, very clear proof of abnormal damage caused by the erection of the anicut would be necessary. In the absence of this proof His Highness' Government are of opinion that this claim cannot be admitted.

(j) That excavations in the land south of the stop bank which has not been handed over to the Company should be prohibited.

This claim has been settled, the Government of Madras having ordered a demarcation of the canal land, and having prohibited any excavation outside the boundary of the land handed over, except with the Rajah's consent.

(k) That stone be only taken from the bed of the channel and from such localities as will not endanger the villages of Rajooli and the neighbourhood.

This claim has also been settled, and the Joint Commission has decided that no stones should be taken from any place outside the canal lands without the permission of the Rajah.

4. I shall feel obliged if you will kindly now make a further reference to the Madras Government regarding such claims as still remain unsettled.

No. 1285.

Transferred to the Public Works Department.

10th June 1898.

(Signed) A. R. KNAPP,
Ag. Under Secretary.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

X No. 881 I. dated 10.11.98
Letter from the Resident at Hyderabad
No. 3280 C dated 22nd July 1898 to the Chief Secy Govt. Madras.

with enclosure -

" No. 3280 C dated 22nd July 1898 to the Resident at Hyderabad

" No. 4956 dated 13th August 1898 from the do do.

" No. 4003C dated 13 Sept - to do do.

" No. 5727 dated 26 Sept - from do do.

As observed by the Resident in the first of the letters read above the only claims left open are those referred to as (c) (f) and (g) -

These claims as described in the Proceedings of Madras Govt. No. 623 I dated 14th August 1891 are to the effect that (c) water for irrigation has been cut off from Rajooli and other villages by the anicut.

(f) To enlarge water for irrigation has been cut off from Rajooli and other villages by the anicut and that the sluice in the anicut should be enlarged and the channel leading to it cleared - that the anicut should be enlarged.

To the Secretary to Govt. Res. Dept. for forwarding of counter initials -

4

No. 881 I., 10TH NOVEMBER 1898.

To the Resident at Hyderabad, dated 22nd July 1898, No. 3280 C.
From the " " " 13th August 1898, No. 4956.
To the " " " 13th September 1898, No. 4003 C.
From the " " " 26th " " " 5727.

ORDER—No. 881 I., dated 10th November 1898.

As observed by the Resident in the first of the letters read above, the only claims left open are those referred to as (c), (f) and (g). These claims as described in the Proceedings of Madras Government, No. 623 I., dated 14th August 1891, are to the effect that water for irrigation has been cut off from Rajooli and other villages by the anicut, and that the sluice in the anicut should be enlarged and the channel leading to it cleared and that compensation should be paid to the Rajah.

It is observed that His Highness the Nizam's Government accept the opinion of this Government that it cannot recognise any obligation to alter the conditions agreed to when the works were constructed by the Madras Irrigation and Canal Company, but submit that in the correspondence which preceded the making over of the land for the purposes of the anicut, an express stipulation was made by Sir Salar Jung that a sufficient flow of water should be allowed to Rajooli and other villages and that the Madras Government assented to this as intimated by the Resident's letter, No. 1983, dated 19th October 1861.

From the reply of the Resident to the reference made to him on the subject, it would appear that no such letter can be traced in the records of the Resident's office, but the Resident forwards a translation of a ruka, No. 1982, dated 28th October 1861.

The Government considers that this ruka does not convey the consent of the Madras Government to the stipulation referred to above, but that what appears to have been consented to was that existing rights should not be interfered with, and the Consulting Engineer to the Irrigation Company says he was not aware of any existing channels (irrigation) below Sunkesala. The village of Rajooli is situated a short distance below the anicut, near the river margin, and at some height above the river. The Government is of opinion that the sluices provided in the anicut and through which a copious supply of water is passed is large enough to supply drinking water, and that the claims made for enlarging the sluice or for paying compensation cannot be admitted and that no further claim is justly tenable.

2. The following letter will be addressed to the Resident at Hyderabad.

[Here enter No. 882 I., dated 10th November 1898.]

(True Extract.)

(Signed) W. HUGHES,
Joint Secy. to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
" Superintending Engineer, III Circle.
" Examiner, Public Works Accounts.
" Revenue Department.

~~An adequate annual~~
Compensation should be
paid to the Rajah for
~~the loss he may sustain~~

It is observed that His
Highness the Nizam
Govt. accept the opinion
of this Govt. that it cannot
recognize any obligation
to alter the conditions
agreed to when the works
were constructed by the
Madras Irrigation and
Canal Company but
submit that in the correspondence
which preceded the making
over of the land for the
purpose of the aicut, an
express stipulation was
made by Sir Selas Jung
that a sufficient flow
of water should be allowed
to Rajoli and other
villages and that the Madras
Govt. assented to this as
intimated by the Resident's
letter No. 1983 dated 19th October
1861 -

From the reply of the Resident
to the reference made of him
on the subject it would
appear that no such letter

Can be traced in the
records of the Resident's
office, but the Resident
forwards a translation of
a ruka No. 1982 dated
28th October 1861 -

~~This~~ The Govt. considers
that this ruka does not
convey the consent of the
Madras Government to the
stipulation referred to above
but that what appears
to have been consented to
was that existing rights
should not be interfered
with, and the Consulting
Engineer to the Irrigation
Company says he was
not aware of any existing
channels (irrigation) below
Gurkesala - The village
of Rajoli is situated a
short distance below the
aicut - near the river (major)
& at some height above the
river - The Govt. is of
opinion that the sluice
provided in the aicut
and through which a copious
supply of water is passed
is large enough to supply
drinking water, and that
the claims made for
enlarging the sluice or
for paying compensation

cannot be admitted
and that no further
claim is justly tenable.
The following letter will
be addressed to the
Resident at Hyderabad -
13/10

W.H.
15/10/95

To
The Chief Eng for Irrigation
Sub Eng. in Charge
of P.W.D.
Hyd Dept.
29/11/95

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following

No. 882 L 7 10.11.98.
To The Resident at Hyderabad.

W.P.C. 5/10/95

Sir, With reference to
the correspondence
ending with your letter,
N. 5727, of 26 Sept/95,
I am directed to inform
you that this Govt
considers that the
Circular, N. 1982, of
28 Oct/61, does not
convey its consent
to the express stipu-
lation said, in the
last clause of para
3(c) of letter, N. 704,
of 15 May/95, from
H. H. the Nizam's
Minister, to have
been made by Sir
Salar Jung & assented

per W
29/11/95

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following

128

That the sluice provided in the ancient & through which a copious supply of water is passed is large enough to supply drinking water, that the claims made for enlarging the sluice or for paying compensation cannot be admitted & that no further claim is justly tenable.

15/10
18.

W.H.
15.10.98

to by the Madras Govt that a sufficient flow of water should be allowed to Rajoli & other villages. What appears to have been consented to was that existing rights should not be interfered with. In his letter, No 29, of 18 Sept/01. the Consulting Engineer to the Irrigation & Canal Co said that he was not aware of any existing channels (irrigation) below Sunkesala. The village of Rajoli is situated a short distance below the ancient, near the river margin & at some height above the river.

I am to say that this Govt is of opinion

10/11/98

W.S.

Please put up with it.
In this order I
thought it was
agreed with the
Rev. Dep. &
not referred to
the Com. by the
existence of
channels below
Sunkesulu - or was
this only in the
letter to the Resident.

28/1/98

Original file
submitted. The Res
Dept suggestion referred
to the omission in the
letter to the Resident.

28/1/98
W.S.
nearly any of the
has seen the
alone of
29/1/98

6239 14-8-91 + 3879 2-5-95

W.S. Mohan
28/1/98

3

The orders of 1891 and 1895 were
not sent for the counter-initialed
of the Revenue Dept before
issue, though copies of the
same were communicated
for information.

W.S.
31.10.98
R.S.
1-11-98

Seen
2-11-98

No objection in this dept:
but I doubt whether the
sentence marked A in the
draft to the Resident ^{carries the argument}. Here
ignorance of the existence
of rights - if they did exist -
would be no answer, I fear,
to the neglect of a stipulation
to respect such rights.
The sentence might perhaps
be omitted: this ^{is not then} ~~is not then~~ ^{is not then} ~~is not then~~
^{implicit} ~~implicit~~ ^{implicit} ~~implicit~~ ^{implicit} ~~implicit~~ ^{implicit} ~~implicit~~ ^{implicit} ~~implicit~~
on the ~~ground that~~ ^{ground that} ~~ground that~~ ^{ground that} ~~ground that~~ ^{ground that} ~~ground that~~ ^{ground that} ~~ground that~~ ^{ground that}
~~of the promise to make~~ ^{of the promise to make} ~~of the promise to make~~ ^{of the promise to make} ~~of the promise to make~~ ^{of the promise to make} ~~of the promise to make~~ ^{of the promise to make} ~~of the promise to make~~ ^{of the promise to make}
to have been made, and its
inadequacy to cover so
and that what passed
could reasonably be held
to cover so vague & indefinite

an obligation as the supply
of sufficient water for irrigation
for all time coming; & that
there was in fact no agreement
to that effect.

S. R. 3/11/98

D. W. (S) no.

Public Works (1898) Department.

CURRENT No. 9252

Proof

881
88231

4952
6882
8067

From
The Chief Engineer
for Irrigation

Order

No. 2851

Dated 15-10-98

Received }
Registered } 8.11.98

Enclosures 1 big file.

Spare copies

SUBJECT.

Claims of the Rajah of Garwal
in connection with the construction
of the Sunkesala Amrit —
note declining to accept the

from orders -
 nets
 57 11/80 51 marked
 He Sentence may be
 by the Rev. Sack! made
 omitted + the order
 is need

10. $\frac{6232}{14.8.91}$ H

The P. W. Department forwards, for counter-signature, drafts of an order and a letter to the Resident at Hyderabad intimating that this Govt cannot recognise certain claims put forward by the Nizam's Govt on behalf of the Rajah of Gadigal. The Nizam's Govt urges the desirability of widening the sluice in the Pankasala anicut, Kurmool - Cuddapah Canal, and of keeping clear the channel leading to the sluice in it and supplying water to Rajah's villages in the Rajah's territory, for compensating the Rajah for the loss of irrigation sustained, which according to the Rajah amounts to Rs 851 per annum.

above were put forward in 1911
but the Govt declined to accept
them on the ground that the
Govt cannot recognise any

H.E. the Governor

PUBLIC WORKS DEPARTMENT,

IRRIGATION BRANCH.

6

60. 623 9
14.8.91

A

P

~~claim~~ obligation to alter the conditions agreed to when the works were constructed by the Madras Irrigation Canal Company.

~~This design was submitted to the Govt. on 14.8.91.~~

The Nizam's Govt., while accepting the general principle enunciated by this Govt. re: to the admission of claims to water in connection with the Kurnool-Cuddapah Canal, refers to a stipulation, consented to by this Govt., to allow ^{sufficiently} water for Rajoli ~~and~~ villages, ^{which suggests that, on} ~~the~~ ^{the} ~~ground~~ ^{ground}, the claims may be allowed. A perusal of a rika on which the evidence of the said consent is based having, however, failed to prove the consent of Govt. ~~to any such~~ stipulation, it is now proposed to reply to the Resident that the claims of the Rajah of Gadval cannot be admitted. There does not appear to be any objection for to counterminuting the draft. It may be noted that

claims of the Rajah of Gadval in connection with the construction of the Lunkesala Canal

Read the following:-

Flag W

Letter from the Resident at Hyderabad No. 3443 d. 3rd June 98 to the Chief Secy to Govt. Madras.

Flag D

Note for orders dated 6th July 98 - Letter No. 3280 C. d. 22. 7. 98 - to the Resident.

Flag X

No. 184956 d. 13th Aug. 1898 from the Resident with enclosures.

FOR ORDERS.

Flag D.

D.S.

Flag N.

Flag J

The correspondence asked for by H.E. in his note dated 19.7.98 on this note for orders given above, has now been forwarded by the Resident at Hyderabad, but it would appear that the Resident's letter No. 1983 dated 19th Oct. 1861 quoted at the top of page 3 of the copy of the minutes letter cannot be traced in the records of the Resident's office. The Resident however forwarded a translation of a rika No. 1982 dated the 28th Oct. 1861 addressed by the Resident to the Minister which he thinks may be the paper asked for.

The letter quoted by the
 Minister as N^o 1983 dated
 19th Oct. /61 in his letter
 N^o 704 dated 15th May /98 May 0.
 was said to convey the
 consent of the Madras Govt.
 to a stipulation that "a
 sufficient flow of water"
 "should be allowed to"
 "Rajoli and other villages"
 But the rule now forwarded
 merely forwards to the Minister
 a letter received from the
 Secy to Govt. Fort S. George
 by the Resident together with
 an enclosure which was a
 letter addressed by the Consulting
 Engineer of the Canal Company
 to the Madras Govt. - The
 letter from the Secy to Govt.
 Fort S. George (N^o 1946 d. 22 Oct 61) May 2
 points to the enclosure and says
 that it explains "that the ancient
proposed to be built by the Company
will not interfere with any
existing rights or with the supply
of water to H. H. the Vizian's
territories." Turning to the
 enclosure itself it will be
 observed that the Consulting

Engineer was not aware
 that there were any channels
of irrigation below Sankesala
~~and the right of supply~~
 that is below the ancient, and
 the right of supply of water
 to H. H. the Vizian's territories
 to which he alludes were
 existing rights to channels
 of irrigation to parts of the
 Raichur Doab above
 Sankesala - The Consulting
 Engineer points out that
 originally it was in
 contemplation to construct
 the ancient above some of
 these channels and it
 would appear that this fact
 led to some correspondence
 with regard to arrangements
 being made not to interfere
 with their supply -

The rule a translation of
 which has now been forwarded
 does not appear to convey
 the consent of the Madras
 Govt. to a stipulation that
 a sufficient flow of water
 should be allowed to Rajoli
 and other villages, and the
 letter quoted by the Minister
 as giving this consent cannot

be traced in the records of
the office of the Resident -

What appears to have been
considered to was that existing
right should not be interfered
with and the Consulting Engineer
says he was not aware of any
existing channels (irrigation)
below Sunkasala -

The Consulting Engineer said that
shuies would be to be built in
the ancient but it is not clear
for what if for any specific
purpose - a sluice ^{of an area of} ~~5 ft square~~ measuring 5,89 ft.

actually was built which the
S. Engr. in his letter in P.M.F.

No. 479 I d. 23. May 85 said
was intended to supply Rajoli
with drinking water, and in
the Collection report published

in P.M.F. No. 387 I d. 2. May 95
the ~~error~~ it is reported that the
sluice supplied about 80 acres
and the Collection agreed with
the Sup. and Executive Engineers
that it was sufficient in size.

The question remaining to be decided
appears to be whether the sluice
should be made 3 ft wide +
5 ft high or 3 times its present size

and whether the Royal
Gadawar is entitled
to compensation - The
Royal estimates his loss
at Rs 851/- per annum
which for 30 years would
amount to the large sum
of Rs 25,530 -

In the opinion of the
H. H. S. both claims
3/10/88 are excessive and
should not be
admitted.

The village of Rajoli
is situated a short distance
below the sluice, near
the river margin, at
some height above the
river & the sluice provided
in the sluice it is large enough to supply
drinking water, a copious
supply of which is needed
and no further claim
is justly tenable.

JCR
H. H. S.
4/10/88

188. The Governor

PUBLIC WORKS DEPARTMENT,

IRRIGATION BRANCH.

the claims of the Rajah of
Gwal in connection with
construction of the
Sunkeralu ancient
canal at
Kurnool Dt.

Read the following:—

From the Resident of Hyderabad
No. 3443 d. 3rd June 88 to the Chief
Secy to the Govt of Madras.

FOR ORDERS.

May 11.

It would be satisfactory, before disposing
of the question, to see the correspondence
referred to by the Resident at the foot
of page 2 of the enclosure to the
Resident's letter of the 3rd June 1898.
The Resident has asked for a copy of
that correspondence.

854 19.7.98

N.B. The documents flagged C were
sent by the same courier flag G.

P.M.S. No. 427 I
d. 2.6.94.

+ to no longer a matter as a sufficient fund of

for irrigation purposes.

4.64

In P.M.S. No. 623 I d. 14.9.98
the Govt. passed orders on
certain claims made by the
Rajah of Gwal in connection
with the Sunkeralu ancient
canal which supplies the Kurnool
Canal with water.

There were 10 claims marked
(a) to (j) & there had been
the subject of correspondence
for years ~~related to~~ they
related to the period since
the canal was projected in
1861—

In June 1894 it was arranged
that certain officers of this
Govt. should meet the officers
of H.H. the Nizam's Govt. in
order that all the matters in
dispute with the Rajah of
Gwal should be settled.

FOR ORDERS.

PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

Read the following:—

The meeting took place on
the 23rd Feb^r 1895 and
five of the five claims
were settled leaving claims
(c) (e) (f) (g) & (h) to be
settled by the two Govts.
His Gov^t dealt with these
in L.O. no 387 dated 2nd
May 1895 with regard
to claims (e) & (f) which
were ~~that~~ that certain tanks
should be restored and that
a sluice ~~in the ancient~~ should
be enlarged & its leading channel
cleared, this Gov^t ruled
that it could not recognise
any obligations to alter the
conditions agreed to when
the works were constructed by
the Madras Irrigation Canal
Company — with regard to
claims (g) & (h) which were
for compensation on account
of certain wells being rendered
useless and for encroachment
of the rivers this Gov^t ruled
that no evidence of any loss
appeared to have been
forth coming at the time of

Flag T.

FOR ORDERS.

The inquiry — and further
that no compensation for
claim (b) or any other claim
would be given until the
Rajah accepted the ruling
of this Gov^t on all points
and agreed to make no
further claims — The
Resident was addressed
with reference to claim
(c) —

The Resident — now forwards
a copy of a letter on the
subject from H. H. the
Vizam's minister for the
consideration of H. H. the
Gov^r in Council — The
subject would appear to
have again been considered
by a joint Committee
consisting of officers of both

Read the following:—

FOR ORDERS.

A sufficient flow of water to the Rajah's land and the Channel be kept clear, or else that an adequate annual compensation should be given to him for the loss he may sustain — The Rajah estimates his loss at Rs 851 per annum which for 30 years would amount to Rs 25,530 —

With reference to the widening of the sluice & keeping the Channel open the ^{decision of} ~~order~~ of the Madras Govt in S.O. No 623 I dated 14 Aug 1881 it is that Government cannot recognise any obligation to alter the conditions agreed to when the works were constructed by the Madras Irrigation & Canal Com^y. & H. H. the

a sluice made by the Canal Com^y in the ancient to pass water for Rajoli. The area of the sluice is 5 square feet. The irrigated area appears to be about 80 acres.

Flag H.

Forsements. In the opinion of this Committee claim (e) should go with claim (d) which has been withdrawn by the Rajah — ~~it is not~~ and H. H. Govt are of opinion that claim (h) cannot be admitted, neither of these claims therefore ~~for~~ require further consideration and there remain open only claims (c) (f) & (g) —

These claims are:—

(c) Water for irrigation has been cut off from Rajoli & other villages by the ancient —

(f) To enlarge sluice on (sic "and") clear channel for irrigation & domestic purposes —

(g) Compensation asked for on account of wells being rendered useless —

As suggested by H. H. the Vizian's minister these three may be taken together the claim is either that the sluice referred to should be widened so as to give

FOR ORDERS.

Nizam's Govt. concurs
in this opinion but submit
that in the correspondence
which preceded the making
over of the land for the
purposes of the ancient an-
nual stipulation was made
by Sir Salar Jung that a
sufficient flow of water
should be allowed to Rajorli
and other villages and that
the Madras Govt. assented
to this as intimated by the
Residents Letter N^o 1983 dated
19th Oct: 1861 -

The following Proceedings
of the Madras Govt. refer to
the assurances given to H.H.
Govt. on this subject in 1861 -

P.M.G. P.W.D. dated 22nd Oct 61.
Forwarded to the Resident at
Hyderabad a copy of a letter
from the Consulting Eng^r for the
Irrigation & Canal Co^y N^o 266
d. 18 Sept: 1861 in which it was
explained that the ^{proposed} ancient works
not interfere with any existing
rights or with the supply of water
to H.H. the Nizam's territories -

Flag C -

PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

Read the following: -

Flag M

P.M.G. P.W.D. d. 29 Oct^r 1861
dealing with a request from
the Nizam's minister that
"the necessary instructions
" should be issued for

FOR ORDERS.

" Ensuring an equal supply
" of water to the Nizam's
" Side of the river " in
which the Govt. referred
the Resident to the
order of the 22nd Oct.
saying that the assurance
required by the minister
was conveyed therein -

Flag C

Flag B

P.M.G. P.W.D. dated 30th
Oct: 1861 Submit the
Correspondence of the Govt.
of India and in paras
2nd & 3rd of the letter N^o 2012
of the date from the Secy
to Govt. For S^t George to
the Secy to Govt. of India
it is stated that Govt.
~~was not~~ had been able
to give an assurance

FOR ORDERS.

that the ancient would
be so erected as to ensure
to his (H.H. the Nizam) side
of the river a supply of
water equal to that provided
for the British bank of the
river should be at any
time feel disposed to enter
into arrangements for the
construction of works necessary
for this purpose.

In none of these orders is
any reference made to the
size or description of the
sluice to be constructed in
the ancient ~~and~~ In P.M.F.
no. 711 I d. 7 Aug. 1884 Flag N.
a complaint from H.H.
the Nizam's Govt that the
sluice had become choked
with silt is dealt with.
All that is asked is that
the silt should be cleared.

In P.M.F. no. 42 I d. 15 Jan. 85 Flag E
the Sup^r En^r the sluice was
directed to report further
on the measures necessary
to keep the sluice open.
and P.M.F. no. 478 I d. 23 May 85 Flag J
deals with the measures taken
for keeping the sluice open.

PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

Read the following:—

Flag F

It would appear from the
En^r's letter published
with P.M.F. no. 479 I d
23 May 1885, that the
sluice in question was
intended to supply the people
FOR ORDERS. of Rajol.
with drinking water. In
order to get water to the sluice
in the hot weather a channel
has to be dug from a pool
about a mile or a mile
and a half up the river.
Four men were then employed
to keep this channel open
+ he thought this should be
done every year.

In 1886 a complaint was
received from the vulajars through
the Resident that they were
suffering for want of water
& men were employed for
keeping the channel open.
In Decr 1886 the Rajah
complained that the sluice
was not large enough and
asked that it should be made
5 ft high and 3 ft wide or
another opening made.

FOR ORDERS.

This Govt does not appear
 to have agreed to
 widen the sluice although
 the L. Engr. (Col Vivian) in
 a letter dated 22 March 1886
 recommended this.

From the correspondence
 & the report of the L. Engr.
 of 1885 it is not clear

that a widening of the sluice
 would be of much service
 to the Rajoli people ~~about~~
 that it is the siltling up of
 the existing channel in the
 hot weather that interferes
 with the supply - ~~the~~

~~question~~ It may be considered
 whether if a widening of the
 sluice would satisfy the
 claim made the sluice
 not be done - as to

Compensation for past years
 it is not known on what
 ground the amount Rs 857
 is arrived at. The L. Engr.
 said that the water was
 only required for drinking
 purposes - It does not
 appear from the papers
 collected that any demand

for an increase in the
 size of the sluice was
 made till Feb 1886
 or 25 years after it
 was first ~~made~~
 agreed to -

6/7/88

W.H.
 67-98
 Jt. Secy P.W.D.
 I.B.

Public (1898) Department.

CURRENT No. 8067

From the Offg. Resident at
 Hyderabad

No. 5727

Dated 26 September 1898.

Received } 28 - or -
 Registered }

Enclosures one

Spare copies

SUBJECT.

Water from the Jungabadda
 to the Rajoli and other villages
 in His Highness the Nizam's
 territory.

Stating that no letter reg.
 the diversion of — appears
 to have been addressed to the
 Nizam's Minister.

To D.E.

1002

msd

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Translation of a rukka from the Resident,
Hyderabad, to His Highness the Nizam's Govern-
ment, N^o 1982, dated 28th October 1861.

With reference to your rukka N^o 2298,
dated 21st instant. regarding the application
of land for the construction of a canal, I
have the honor to forward a letter from the
Government of Madras, N^o 1946, dated 22nd idem,
together with its enclosure, from which it will be
seen that no objection whatever will be raised
to the Nizam's people taking water from the
canal, and that the Madras Government request
that early orders may be issued for the transfer
of the land in question. I beg therefore that
you will kindly let me have the akkams referred
to in your rukka quoted above.

(True Translation)

Campbell

Extra Assistant Resident.

Mc

Political Office.

No. 5727 of 1898.

FROM

J. A. Crawford Esquire,

Offg. RESIDENT AT HYDERABAD,

TO

The Secretary to the Government of Madras,

Public Works Department, Irrigation Branch

Madras.

Dated Hyderabad Residency, the 26th September 1898.

SIR,

With reference to your letter No. 4003-C, dated the 13th September 1898, I have the honour to say that, so far as the records of this office show, no letter No. 1983, dated the 19th October 1861, regarding the diversion of water from the Tungabadra to the Rajoli and other villages in His Highness the Nizam's territory appears to have been addressed by the Resident to His Highness the Nizam's Minister.

2. I enclose, however, a translation of a ruka No. 1982, dated the 28th October 1861, addressed to His Highness' Minister, which apparently is the communication required by the Madras Government.

I have the honour to be,

Sir,

Your most obedient servant,

Herbert M.
OFFG. RESIDENT.

* quoted in
first line
of page 3 of
Enclosure
to Residents
letter no. 3443
of 23rd Sept 1898
1003

P.W.D.
8067/1898

To issue from W. Mice No. 4003C. d/13-9-98

To.

The Resident at Hyderabad

Sir,

In acknowledging, with thanks, the receipt of the papers forwarded with your letter No. 4956, dated 13th August 1898, I am directed to request that you will be so good as to forward also a copy of your letter No. 1983, dated 19th October 1861 to H. H. the Nizam's Minister ⁱⁿ ~~conveying~~ ^{terminating} the consent of the Madras Govt for ~~causing a free~~ ^{a sufficient} flow of Nangabudra water being allowed to Rajoli & other villages.

1008
17/9/98

17/9/98
H
11/11/98

gcl
8/9

13/9/98

Public Works (1898)

Department.

CURRENT No 6882

From the Offg. Resident at
Hyderabad.

No. 4956

Dated 13th August 1898

Received 317th — or —

Registered

Enclosures 2

Spare copies

SUBJECT.

Sankesala Ancient.
Inwarding a copy of each
of the letters relating to the
grant of land to the Madras
Sring. Company for the construction
of the —

Recd on the 23rd Aug 1898
from W. office

on the subject, I beg to state that Mr. Wilson, the Executive Engineer of Raichur-Doab, in the Hyderabad Assigned territories, has been requested to place himself in communication with you and to furnish me with a full report on the projects so far as they may affect the interests of the Hyderabad country.

S.N. 4.

No. 1863, dated the 14th December 1859.

From—The Resident, Hyderabad,

To—Chief Secretary to the Government of Madras,

I beg to enclose copy of a letter which I have addressed under this date to Captain Rundall, Consulting Engineer for Irrigation Company.

S.N. 5.

No. 17, dated the 27th December 1859.

From—The Consulting Engineer for Madras Irrigation Company,

To—The Resident, Hyderabad.

In acknowledging the receipt of your letter of the 14th instant, I have the honor to observe that the projects mentioned in my letter of the 10th idem were simply those under contemplation. No definite plans and estimates have yet been laid before Government. Much less will any sanction be accorded for the commencement of work until the Company have obtained all requisite permission from His Highness the Nizam.

2. I shall be happy to afford all the information in my power that the Executive Engineer of the Raichur-Doab may see fit to call for.

S.N. 6.

No. 18, dated the 4th January 1860.

From—The Secretary to the Government of Fort St. George,

To—The Resident, Hyderabad.

This Government called on the Consulting Engineer for the Madras Irrigation and Canal Company, for the information requested in your letter of the 8th November 1859, No. 1649, in respect to any works proposed to be erected by that Company on the Tungabadra or Kistna rivers; but that officer, mistaking the purport of the requisition, furnished the information direct to you. His letter, of which he transmitted a copy to this Government, appears however to contain all that is required, and it does not seem to this Government necessary for them to add anything more to it.

2. I am directed to add with reference to your letter to Captain Rundall, received with one to my address, dated 14th December 1859, No. 1863, that this Government are desirous to satisfy His Highness the Nizam and to do nothing at all injurious to his interests, and that with that view, Captain Rundall has been instructed to put himself in communication with Mr. Wilson, in the case of any work decided upon in connection with the two rivers referred to.

S.N. 7.

No. 768, dated the 16th April 1860.

From—The Secretary to the Government of Fort St. George,

To—The Resident, Hyderabad.

Referring to recent correspondence* regarding the works to be undertaken by the Madras Canal and Irrigation Company, I am directed to state that Captain Rundall, the Government

* From the Resident, Hyderabad, 8th November 1859, No. 1649.
From do. 14th December " " 1863.
To do. 4th January " " 18.

Consulting Engineer, has proposed to go to Hyderabad for the purpose of representing to you in person the operations contemplated by the Company, as respects the Hyderabad country and the Assigned Districts. The Government are disposed to approve this course, as likely to save correspondence; and they propose with your concurrence, to direct Captain Rundall to proceed to Hyderabad accordingly.

No. 824, dated the 21st April 1860.

S.N. 8.

From—The Resident, Hyderabad,

To—The Secretary to the Government, Public Works Department, Fort St. George.

Stating that Captain Rundall has proposed to go to Hyderabad to represent in person to the Resident the operations contemplated by the Madras Canal and Irrigation Company, as respects the Hyderabad Cantonment and Assigned Districts.

I have the honor to acknowledge the receipt of your letter of the 16th instant, No. 768, and to state that I shall be happy to see Captain Rundall, as soon as he can make it convenient to come, and shall be glad if he will take up his abode at the Residency during his stay at Hyderabad.

S.N. 9.

No. 1652, dated the 30th August 1861.

From—The Secretary to Government, Public Works Department, Fort St George,

To—The Resident, Hyderabad.

I have the honor, under the orders of the Governor in Council, to transmit to you herewith copy of a letter* from the Consulting Engineer for the Madras Irrigation and Canal Company, together with the plan† and schedule therein referred to, on the subject of certain land situated within the limits of the territory of the Rajah of Gudwal, a feudatory of His Highness the Nizam, required for the works of the Company at Kurnul, and to request that you will adopt measures for the transfer of the land in question to the Company through the Collector of Kurnul.

2. The total extent applied for is acres 68.45, and this Government will be prepared to pay such compensation as you may consider equitable.

ENCLOSURE 1 OF S.N. 9.

No. 20, dated the 17th August 1861.

From—The Consulting Engineer for Irrigation and Canal Company, Madras,

To—The Secretary to the Government, Public Works Department, Fort St. George.

I have the honor to forward the accompanying plan and schedule received from the agent for land situated within the limits of the territory of the independent Rajah of Gudwal, a feudatory of His Highness the Nizam, and with reference to proceedings* of Government of the 28th November last, to request that, as suggested in the Collector's letter therein quoted, a reference may be made regarding the same to the Resident at Hyderabad, with a view to the land being transferred to the Company.

2. This land is at the site of the anicut, one end of which rests on the village of Sankesala in British territory, the other on the village of Rajooloo belonging to Gudwal.

3. In the centre of the river is an island belonging to the latter village; across the island an embankment has to be carried to connect the two branches of the anicut.

4. The total area of land applied for is 68.45 acres, of which 65.48 are under class A and 2.97 under class D. The land in class A will be always necessary to provide material for the repair of the embankment and the other works.

5. The following is the explanation given by the Chief Engineer for the various portions of land applied for:—

"Land plan No. 8 shows on the north bank of the river an area of 2½ acres, which is required both during the construction of the anicut for the preparation of materials, and afterwards in the event of repairs being necessary; No. 1 (1 acre) of this is cultivated, the remainder is waste ground. The buildings will not be interfered with, and there will be free access to them at all times."

"The land applied for under class D Nos. 4 and 5, is required for the purpose of making an embankment on either side of the two streams to exclude the very high flood waters. There will be a drainage culvert in each bank provided with a trap."

"The land on the island (No. 3) will be required for the embankment connecting the two anicuts, and besides this a considerable quantity of material for the construction both of the anicut and of the embankment will be taken from it, so that after the construction of the works the land below the embankment will be comparatively of no value."

"It is necessary that the Company should possess some ground close to their works, especially where the land does not belong to Government."

(4)

ENCLOSURE 2 OF S.N. 9.

Madras Irrigation and Canal Company.

LAND PLAN No. 8.

Schedule of land required in the village of Rajooloo, territories of the Rajah of Gudwal.

Reference on plan.	Purpose for which required.	Class A.	Class B.	Class C.	Class D.
		Colored pink.	Colored yellow.	Colored purple.	Colored green.
		Aeres.			Aeres.
A-1	Station ground at the north end of the Anicut.	1.06	...	...	...
A-2	No. 2 ...	1.42	...	...	...
A-3	Required for earth for embankment and for materials	...	...	...	...
D-4	Embankment of stream	...	...	...	...
D-5	Do. do.	...	...	...	1.71
		...	...	...	1.26
	Total	65.48	...	...	2.97

(Signed) F. H. RUNDALL, Captain,

Consulting Engineer for Irrigation and Canal Company.

Constg. Engr's Office, I. and C. Co.,
Madras, dated 17th August 1861.

(Signed) G. GORDON,

Executive Engineer.

(Signed) H. C. COTTON,

Chief Engineer.

S.N. 10.

No. 1367, dated the 5th September 1861.

From—The Resident, Hyderabad,

To—The Secretary to the Government of Fort St. George.

I have the honor to acknowledge the receipt of your letter No. 1652, dated the 30th August 1861, and in reply I beg to inform you that I shall be happy to address His Highness the Nizam's Government on the subject of the transfer of certain land required by the Madras Irrigation Canal Company; but I would, in the first instance, solicit your attention to the correspondence which has already passed on this subject as noted in the margin.

1. From the Resident, to the Chief Secretary to the Government, Fort St. George, No. 1649, dated the 8th November 1859.
2. From the Chief Secretary, No. 1863, dated the 14th December 1859.
3. From the Chief Secretary to the Resident, No. 18, dated the 4th January 1860.
4. From the Chief Secretary, No. 768, dated the 16th April 1860.
5. To the Chief Secretary No. 824, dated the 21st April 1860.
6. From Captain Rundall, dated the 10th December 1859.
7. From the Resident, to Captain Rundall, No. 1862, dated the 14th December 1859.
8. From Captain Rundall, No. 17, dated the 27th December 1859.

2. In this correspondence I am informed that sanction to the commencement of any work of this nature will not be accorded until the requisite permission from His Highness the Nizam has been obtained, and also that all existing rights will be strictly preserved.

3. I am aware that His Highness will at once request to be assured that this anicut will be erected on such a principle as will ensure to his side of the river a supply of water equal to that provided for the British bank of the river, should he at any time feel disposed to enter into arrangements for the construction

(5)

of works necessary for this purpose, and it is therefore very desirable that I should be placed in a position to afford a full assurance to the Nizam that this will be done.

S.N. 11.

No. 1745, dated the 18th September 1861.

From—The Deputy Secretary to the Government, Public Works Department, Madras,
To—The Resident, Hyderabad.

I have the honor, under the orders of the Governor in Council, to transmit to you herewith copy of a letter* from the Consulting Engineer for the Madras Irrigation and Canal Company, together with the plan and schedules therein referred to, on the subject of certain land, situated within the limits of the territory of His Highness the Nizam, required for the works of the Company, and to request that you will adopt measures for the transfer of the land in question to the Company through the Collector of Kurnul. The total extent applied for is acres 493.34.

2. I am also to inform you that your letter dated 5th instant, No. 1367, has been referred to Captain Rundall for explanation, and that the matter therein alluded to will form the subject of a separate communication.

3. Enclosed I forward for your information a copy of the rules for regulating the terms on which land is to be provided by Government for the purposes of the Irrigation and Canal Company.

ENCLOSURE 1 OF S.N. 11.

No. 23, dated the 2nd September 1861.

From—Captain F. H. Rundall, Consulting Engineer for Irrigation and Canal Company, Madras,
To—J. D. Sim, Esq., Secretary to the Government.

* Letter No. 347 of the 7th August 1861, herein enclosed.

I have the honor to forward the accompanying plans and schedules received* from the Agent for land situated in the territory of His Highness the Nizam.

2. The Chief Engineer states that this land will be required for the Company's main channel at about the 35th mile from Sankesala, and that the application has preceded the submission of the estimate, which is nearly complete, in order to allow of the sanction being received for the transfer by the time the estimate has received the sanction of Government.

3. The plans and schedules have been duly checked in my office, and found to be correct. The total area of the ground asked for is 493.34 acres, of which 371.64 is under class A, and 121.7 is under class B.

4. I beg, therefore, that the necessary reference may be made to the Resident at Hyderabad for the transfer of the land in question.

No. 347, dated the 7th August 1861.

From—F. Agnew, Esq., Agent for Madras Irrigation and Canal Company.
To—Captain F. H. Rundall, Consulting Engineer for Madras Irrigation and Canal Company.

* No. 702.
† No. 26.

I have the honor to forward copy of a letter* from the Chief Engineer, enclosing a tracing† of land in the territory of the Nizam of Hyderabad, together with the schedules thereto belonging in duplicate.

No. 702, dated the 29th July 1861.

From—H. C. Cotton, Esq., Chief Engineer,
To—F. Agnew, Esq., Agent for Madras Irrigation and Canal Company.

Accompanying I have the pleasure to forward a tracing of land in two villages in the territory of the Nizam of Hyderabad, which will be required for the main channel at about the 35th mile from Sankesala. I send this plan with schedules in the same form as is required for land in the British territory, and I send it in advance of the other land plans, as more time may possibly be required to obtain the transfer of the land. The latter will be forwarded in a few days with the estimate for the channel to be laid before the Government.

(True copy.)

(Signed) F. AGNEW,
Agent, Madras Irrigation and Canal Company.

Madras Irrigation and Canal Company.

LAND PLAN No. 26.

Schedule of land required in the village of Reclumpaud, Nizam's territories.

Reference on plan.	Purpose for which required.	Class A.	Class B.	Class C.	Class D.
		Colored pink.	Colored yellow.	Colored purple.	Colored green.
		Acres.	Acres.		
1	Canal and banks including diversion of roads.	271.10	...	...	...
2	Extra excavation for making embankment.	...	52.9	...	...
	Total ...	271.10	52.9	...	...

(Signed) R. SMITH,
Executive Engineer, Hindri Division.

(Signed) H. C. COTTON,
Chief Engineer.

Jolapuram, Executive Engineer's Office,
Dated the 21st August 1861.

(Signed) F. H. RUNDALL, Captain,
Consulting Engr. for I. & C. Co.

Madras Irrigation and Canal Company.

LAND PLAN No. 26.

Schedule of land required in the village of Sultanpur, Nizam's territories.

Reference on plan.	Purpose for which required.	Class A.	Class B.	Class C.	Class D.
		Colored pink.	Colored yellow.	Colored purple.	Colored green.
		Acres.	Acres.		
3	Canal and banks including diversion of road.	100.54	...	...	...
4	Extra excavation for making embankment...	...	68.8	...	...
	Total ...	100.54	68.8	...	...

(Signed) R. SMITH,
Executive Engineer, Hindri Division.

(Signed) H. C. COTTON,
Chief Engineer.

Jolapuram, Executive Engineer's Office,
Dated the 21st August 1861.

(Signed) F. H. RUNDALL, Captain,
Consulting Engr. for I. and C. Co.

ENCLOSURE 2 OF S.N. 11.

Rules for regulating the terms on which land is to be provided for the purposes of the Irrigation and Canal Company, approved by Government in their proceedings of the 21st July 1860. No. 1565.

The land required for the purposes of the Irrigation and Canal Company may be divided into four classes, A, B, C, and D.

First class, A.—Land which the Company receives free of charge under the contracts with the Government for permanent occupation.

Second class, B.—Land also provided free of cost, but only for temporary occupation.

Third class, C.—Land which the Company has to provide at its own cost.

Fourth class, D.—Land which does not come into the possession of the Company at all.

2. Class A. will comprise the land required for permanent works, including the canals with their locks, weirs, sluices, bridges, &c., all stationary workshops, permanent storehouses, lock toll-houses and the like, necessary for the canal when completed. The occupation of the land by the Irrigation Company will be so far permanent, that it will only cease when their contract expires, and the whole lapses to Government.

3. Class B. will contain such land as is essential for the execution of the permanent works, but not required wholly or in part, after their completion. Such will be land for spoil banks, for extra excavation to make banks, or for the temporary storage of materials. The occupation of this class of land will in most cases be temporary. On its restoration to the Government, the proper time for which will be settled in each case between the Company's Officer and the Consulting Engineer, it will be for the Revenue Officers to dispose of it to the best advantage in the interests of Government.

4. Class C. will contain the land which the Irrigation Company has to provide at its own cost. This is the land which is required for the provision or preparation of materials; for purposes contingent on the actual execution of the works on the line, or for other miscellaneous objects which the Government recognizes as falling legitimately within the scope of the Irrigation Company's operations, though not giving the Company a claim to the provision of land free of charge, as the Irrigation Company is bound to pay for the construction of all works out of the capital, receiving only from Government without charge the land on which the works stand, the provision of all materials, and the conveniences requisite for the execution of all works are to be at the cost of the Irrigation Company. In this class, therefore, will fall all land for brick-making, for quarrying, all st. for roads to canals in progress, for houses for persons employed on the works, &c. So also land taken for the dwellings of lock keepers, or persons connected with the charge or management of any of the works when completed, and for other similar purposes, will come under class C. It is proper to bear in mind that this land will in part be deteriorated by the use to which it is put, and in part will not be deteriorated. Further, the occupation of some of it will be temporary, and of some of it may be permanent. In all cases, however, it will be most convenient to deal with the land in the first instance in the same manner. It will be taken possession of by the Government and handed over to the Irrigation Company for occupation at a fair rental. When the necessity for occupation ceases, the land will be given up again to Government by the Irrigation Company, the proper time for this being determined as under clause B. by the Irrigation Officers and Consulting Engineer. On its restoration to Government, the Revenue Officers will examine the condition of the land. If it has not been deteriorated, all claim against the Irrigation Company will then cease on account of it. If it has been deteriorated the Revenue Officers will assess the amount of the injury done, and the Irrigation Company will pay that amount; and such payment, like the rent, will be charged against the Company's capital. In both cases the Revenue Officers will then further dispose of the land in the best way possible.

5. Class D. will contain that land which being required in consequence of the works of the Irrigation Company, still does not come into the occupation of the Irrigation Company, it will be provided free of charge. It will be exclusively land for roads, either new roads leading to the canal stations, or diversions or changes of old roads made necessary by the canals.

6. It has been ruled by the Government of India, that inconvenience is likely to arise if private Companies are permitted to hold land on their own account or otherwise than as above explained. By causing them to rent from the Government all land to which they are not entitled free, in the manner above explained, simplicity in the tenure of their property will be secured, which will be a matter of importance at a future time, when the works may be transferred to Government.

7. Houses, trees, tanks, or other property, on land which is not provided free of charge, and for which separate payment or compensation is necessary, will be paid for at once by the Irrigation Company. In the case of land provided free of charge, the materials, &c., derived from the "clearance" of the surface, which then will be at the expense of Government, will be disposed of by the Revenue Officers to the best advantage.

8. All land required for the canals, whether main or subsidiary, will be applied for in continuous portions; the plans will be drawn to a scale of 88 yards to the inch, and the measurements and areas will be recorded in accordance with the fiscal divisions of villages, taluks and districts in a schedule, of which a form is annexed, showing in detail the several classes to which the land belongs.

9. The several classes of land will be colored pink, yellow, purple and green, respectively, in the plans, and the exact purpose to which each parcel of land is to be devoted will be noticed in the schedule.

10. Detached portions of land should be referred to some fixed point on one of the main sheets, with such distances and compass or other bearings, as will enable the land to be identified at once. A corresponding entry should also be made on the main sheet to draw attention to the detached portion.

11. The general correctness of the plans and schedules of the Irrigation Company's Engineers being attested by the Consulting Engineer, the applications will be forwarded to and dealt with as may be necessary by the revenue authorities under the orders of the Government. The Revenue Officers are to be held strictly responsible for the regular adjustment by the Irrigation Company of all charges on account of land, to be determined in the manner above explained.

12. A complete set of land-plans should be recorded in the Consulting Engineer's office, and a copy forwarded to Collectors of districts. When it may be found expedient, in order to expedite the making over of the land, to employ a special Commissioner for this duty, the Irrigation Engineers should supply an additional copy of the land-plan for the use of the Commissioner.

13. The Consulting Engineer to Government, and the local revenue authorities, will be held responsible for the punctual fulfilment of the foregoing orders in their respective departments, and for the careful record of plans in their respective offices.

14. All contemplated changes in the land in possession of the Irrigation Company should be promptly reported by the Agent to the Consulting Engineer, who will notify the same to the Government and to the Board of Revenue; it will be the duty of the latter to see that the necessary steps are taken by the Collector for entering such changes in the district records, and for carrying out all further proceedings that are requisite on such an occurrence.

15. It will also be the duty of the Board of Revenue and the Consulting Engineer to see that a correct register and record of title of all lands held by the Irrigation Company is carefully kept; for the whole of such lands may one day revert to the Crown. Also that all rents or payments for clearances, &c., chargeable in behalf of Government against the Irrigation Company, are duly realized.

Plan Sheet No.

CANAL.

District.

SCHEDULE of land required for the use of the Irrigation and Canal Company in villages _____

Taluk _____

District. _____

No. on Plan.	Purpose for which required.	A.	B.	C.	D.
		Colored pink.	Colored yellow.	Colored purple.	Colored green.
		Land for essentially permanent occupation by regular works and sections.	Land temporarily but specifically required for essential purposes of construction which will cause deterioration.	Land required for extra contract purposes which will cause deterioration.	Land required for extra contract purposes which will not involve deterioration.
1	Site of bank from chain to chain.	108 9 4	...	...	...
2	Spoil bank from ...	...	18 3 6	...	...
3	For quarrying stone	...	...	1 3 2	...
4	For temporary road leading from village of _____ to canal of _____	...	...	...	0 3 8

F. H. RUNDALL, Captain,
Consulting Engineer for the Irrigation
and Canal Company.

S.N. 11-A.

Translation of ruka from the Resident to His Highness the Nizam's Minister, No. 1749, dated the 30th September 1861.

I beg to enclose two letters in original (to be returned) from the Government of Madras, together with enclosures and maps, regarding land required for construction of a canal, and to request you will kindly issue orders to the officials concerned for the land being made over as requested in the said letters.

- 1. Letter No. 1652, dated the 30th August 1861.
- 2. Letter No. 1745, dated the 18th September 1861.

S.N. 12.

No. 1640, dated the 22nd October 1861.

From—The Resident, Hyderabad.

To—The Chief Secretary to the Government, Fort St. George.

A reference having been made to the Nizam's Government on the subject of the letters as per margin, I beg to enclose copy of a note received from the Minister in reply, intimating that orders will be sent for the transfer of the lands alluded to, but that it is requested the necessary instructions may

be issued for ensuring an equal supply of water to the Nizam's side of the river, and that the same may be communicated to me for the information of the Hyderabad Government.

S.N. 12-A.

Translation of ruka from His Highness the Nizam's Minister, to the Resident, Hyderabad, No. 2298, dated 21st October 1861.

With reference to your ruka No. 1749, dated 30th September 1861, forwarding two letters from the Government of Madras with enclosures, and requesting that orders may be issued to the officials concerned for the land therein referred to, required for the construction of a canal, being made over, I beg to state that I will send you the akhams directing the officials concerned to make over the land as requested, but it is necessary that the bank of the canal should be constructed in such a manner that there be no hindrance put in the way of the ilakadars of His Highness in obtaining water whenever they like from this side of the river.

2. Kindly address the Government of Madras, and inform me.

3. The letters, etc., received with your ruka under reply are herewith returned.

S.N. 13.

No. 1946, dated the 22nd October 1861.

From—The Secretary to the Government, Fort St. George,

To—The Resident, Hyderabad.

I am directed by the Governor in Council to acknowledge the receipt of your letter, dated the 5th ultimo, No. 1367, and to forward to you in reply thereto copy of one received from the Consulting Engineer for the Madras Irrigation and Canal Company, in which he explains that the anicut proposed to be built by the Company will not interfere with any existing rights, or with the supply of water to His Highness the Nizam's territories.

2. The Governor in Council trusts that under the explanation afforded you will have no difficulty in obtaining the early transfer to the Company of the land applied for in my letters noted in the margin.

30th August 1861, No. 1652.
18th September 1861, No. 1745.

ENCLOSURE OF S.N. 13.

No. 29, dated the 18th September 1861.

From—Captain F. H. Rundall, Consulting Engineer for Irrigation and Canal Company,
To—The Secretary to the Government, in the Department of Public Works, Fort St. George.

With reference to proceedings of Government of the 14th instant, No. 1727, I have the honor to observe that the proposed anicut will in no way interfere with any existing rights or the supply of water to His Highness the Nizam's territories. At the time the correspondence alluded to by the Resident took place, it was in contemplation to construct an anicut at the site of the first dam, on the river from which, and also below which, were led off several channels of irrigation to parts of the Raichur-Doab, and it was necessary that provision should be made to prevent any interference with their regular supply. Below Sankesala, however, there are, not that I am aware, any channels of irrigation. The anicut is situated about 35 miles from the point of confluence of the Tungabhadra and Kistna, the country has so steep a slope to the river, that I do not think any but a very trifling quantity of land could be commanded between it and Kurnul; but beyond that town, possibly from 8 to 10,000 acres might be irrigated. The quantity of water passing down during an ordinary fresh is about 80 millions of cubic yards per hour, and it is estimated that between the months of June and January the discharge is never less than 2 millions, and on an average 5 millions cubic yards per hour. Of this the Irrigation Company will only be able to carry off less than half a million, and after the month of December they will not be allowed to take any; hence it will be seen that their consumption will make scarcely any sensible effect on the river during the season of the fresh, and that there is much more water than can possibly be turned to account in the territories of the Nizam. sluices also will be constructed in the body of the anicut by which the water in the river will be discharged whenever required.

2. The Assigned Districts being no longer under British control, I was unable to confer with the Executive Engineer of the Raichur-Doab, as directed in the order of Government of 4th June 1860, and therefore when submitting the plans and estimates for the anicut at Sankesala, it was my intention to have represented the above particulars to Government for communication to the Resident at Hyderabad.

B-765—3

This letter +
enclosure were
forwarded to the
Nizam's
Govt with a
ruka from the
Resident No. 1946
d. 28 Oct. 1861

The Resident
cannot write back
the letter No. 1946
d. 19 Oct. 61
but he thinks that
this ruka is
probably the
paper intended
to be forwarded

HS
3/10

List of papers forwarded with letter
No 4956 dated the 13th August 1898,
to the Secretary to the Government of
Madras, Public Works Department.

No 1649, dated 8th November 1859
to the Government of Madras.

Dated 10th December 1859 from Con-
sulting Engineer for Madras Irrigation
and Canal Company

No 1862, dated 14th December 1859
to the Consulting Engineer for Madras
Irrigation ^{& Canal} Company.

No 1863, dated 14th December 1859,
to the Government of Madras.

No 17, dated 27th December 1859, from
the Consulting Engineer for Madras
Irrigation Company.

No 18, dated 4th January 1860, from
the Government of Madras.

No 768 dated 16th April 1860, from
do do

No 824, dated 21st April 1860, to
do do

No 1652, dated 30th August 1861,
from do do with enclosures.

0251
6882/52

No

N^o 1367, dated 5th September 1861,
to the Government of Madras.

N^o 1745, dated 18th September 1861,
from — do — with enclosures.

N^o 1749, dated 30th September 1861,
to His Highness' Minister.

N^o 1640, dated 22nd October 1861,
to the Government of Madras.

N^o 2298, dated 21st October 1861,
from His Highness' Minister.

N^o 1946, dated 22nd October 1861,
from the Government of Madras.

Political Office.

No. 4956 of 1898.

FROM

J. A. Crawford Esquire,
Officiating RESIDENT AT HYDERABAD,

TO

The Secretary to the
Government of Madras
Public Works Department,
Madras.

Dated Hyderabad Residency, the 13th August 1898.

SIR,

In compliance with the
request contained in your letter
N^o 3280 C, dated the 22nd July
1898, I have the honor to forward
a copy of each of the letters noted
in the annexed list regarding the
grant of land to the Madras Irriga-
tion Company for the construction
of the Sankesala Anicut.

I have the honor to be,
Sir,

Your most obedient servant,
J. A. Crawford

H.R.P.O.—No. 642-F--9-7-98--500—[C.O.C.] Offg. Resident.

No. 32800 d/22-7-98

To the ~~Director~~
at Hyderabad

Sir

Referring to your
letter No 3443 of 8/6/98
to the Chief Secretary
to the Govt of Madras

I am directed to request
that you will ^{be} so good
as to forward copies

cc. ^x Correspondence which
preceded the making
of the land for
the building of the (high) of page 2, of the
document
of the correspondence
referred to at foot of
enclosure to your
letter under reference

23/7/98

JCL
20/7/98

22/7/98

23/7/98

Political (1898) Department.

M.O. written to for
SO. R 137 bag 22nd May 98
& connected papers.

CURRENT No. 4952

Ref
6/6/98

This paper must be either Revenue or P.W.D. Act. please

This belongs to P.W.D. Irrigation Branch.

6/7/98

From

The Resident at
Hyderabad.

Order No. 1205 of 10 June 1898

No. 3443

Transferred to the Public
Works Department.

Approved.

Cmb
8/6/98

Ag Under Secretary.

Dated

3rd

Received

Registered

Enclosures 2 one

Spare copies

SUBJECT.

Forw. Copy of a letter No. 704,
of 15th May 1898, from H. H. the
Nizam's Minister, re the claims
of the Rajah of Gadwal in
connection with the construc-
tion of the Saikesala ariek.

Please put up papers

Submitted -

10/6

27/6/98

with paper

13/7/98

I have had the file
completed - the work
has been sent to the

10/6/98

are substituted for original
file will be more handy

46

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Copy of letter No. 704, dated the 15th. May 1898, from His Highness the Nizam's Minister, Hyderabad, to the Resident at Hyderabad.

-----o-----

Will you kindly refer to correspondence ending with your letter No. 2218, dated 30th. November 1897, regarding the claim of the Rajah of Gadwal for compensation connected with the Karnool Canal.

2. The papers were referred to the Subadar for report after local enquiry by a Joint Committee consisting of Officers of both Governments. This Committee was constituted as follows:-

FOR THE MADRAS GOVERNMENT.

1. Mr. C.M. Mullaly,
Collector of Karnool.
2. Colonel Rawson, R. E.
3. Mr. A.C. Pereira.

FOR HIS HIGHNESS' GOVERNMENT.

1. Nawab Rafat Yar Jung Bahadur,
Subadar of Gulburgah.
2. Mir Liakat Ali,
Talukdar of Raichur,
3. Mr. C. Dunhill,
Irrigation Engineer.

FOR THE RAJAH.

The Rajah in person with two Agents.

3. The Committee has disposed of certain of the questions in dispute, and other matters remain unsettled as will be seen below.

The claims are ten in number and consist of :-

2

X (a) Compensation for 69 bighas of land taken from the Rajah in 1861.

This claim will be disposed of by His Highness' Government and need not be referred to here in detail.

(b) Compensation for certain other lands which have been destroyed by digging pits.

This claim has been settled by joint consent, the Madras Government having agreed to give the Rajah certain plots of land as compensation for the excess land occupied by the Canal, and the Rajah having agreed to receive the same.

X (c) Water for irrigation has been cut off by 24 moats in the Rajah's village of Rajooli. This claim is in reality connected with two other claims, viz, (f) and (g), the first of which is that the sluice should be enlarged and the channel be cleared, so as to allow a sufficient flow of water to the moats in future, and the second that compensation should be given for the loss caused by rendering the wells useless in the past. On all these points, the Madras Government have declined to allow the claim on the ground that "Government cannot recognize any obligation to alter the conditions agreed to when the works were constructed by the Madras Irrigation Canal Company." These in reality are the only points on which His Highness' Government feel constrained to differ from the decision of the Madras Government and for the following reasons:-

His Highness' Government concur in the opinion of the Madras Government that the original conditions, under which the land was made over, should not be altered, but on a reference to the correspondence which preceded the making over of the land for the purposes of the Anicut, an express stipulation was made by Sir Salar Jung that a sufficient flow of water should be allowed to Rajooli and other villages. To this stipulation the Madras Government gave their consent,

as

3

as intimated by the Resident's letter No. 1983, dated 19th. October 1861. It appears from the Subadar's report, and from that of Mr. Ottman, the Assistant Engineer in charge of the Canal, that the present sluice is quite insufficient, and that owing to the channel being silted up, there is no proper flow of water. Further in his letter No. 709 of 5th. December 1885, Mr. Ottman gave a guarantee to the Rajah that the channel should be kept clear. There is, therefore, no question of altering the original conditions under which the land was given to the Canal Company. As a matter of fact, the Madras Government have recognized the necessity for widening the sluice and of keeping the channel open, vide enclosure to Resident's letter No. 2286 of 23rd. July 1886. In para 5 of the Superintending Engineer's letter which formed an enclosure to this letter, dated 22nd. March 1886, it is stated that the mouth of the sluice will be widened and the repairs carried out annually. This, however, has not been done, and the consequence is that from year to year the Rajah has suffered loss. It seems therefore that either the sluice should be widened so as to give a sufficient flow of water to the Rajah's land and the channel be kept clear, or else that an adequate annual compensation should be given to him for the loss he may sustain. This compensation, His Highness' Government is of opinion, is due from the Canal Company whose interests have been taken over by the Madras Government. The Rajah estimates his loss at Rs. 851/- per annum which for 30 years would amount to the large sum of Rs. 25,530/-.

(d) This was a claim for compensation on account of the submersion of certain low-lying lands situated behind the north anicut, or up stream. The Madras Government having agreed either to construct certain protective embankments or to hand over the estimated cost of such embankments to the Rajah in settlement of all claims, the Rajah withdrew this claim.

(e)

IX
(e) The embankments of the streams mentioned by the Madras Irrigation Canal Company should be restored and compensation paid for loss of revenue past and future.

In the opinion of the Joint Committee and of the Subadar it does not seem that any of the original embankments of streams have been carried away or injured. The settlement of this claim therefore will ^{go} with that of claim (d).

(f & g) The settlement of these two claims ^{has} ~~have~~ been discussed under the claim (c) and if the suggestions of His Highness' Government are accepted, the three claims will be lumped together.

(h) Compensation for loss caused by erosion in the east island situated below the S. anicut.

That a certain amount of loss by erosion has been incurred seems clear, but it is not established:-

- (1) What the extent of the loss by erosion has been.
- (2) Whether such erosion is greater in extent than would have been caused by ordinary flood water if no anicut had been there, and
- (3) Whether there has not been any correspondence accretion as is so often the case in fluvial islands.

Bearing in mind the very changeable nature of all such islands in Indian rivers, and that the floods of each season have, from time immemorial, caused a certain change in their contour, with erosions at one part and corresponding accretions at another, His Highness' Government are of opinion that before a claim for compensation can be established, very clear proof of abnormal damage caused by the erection of the anicut would be necessary. In the absence of this proof His Highness' Government are of opinion that this claim cannot be admitted.

(j) That excavations in the land south of the stop bank which has not been handed over to the Company should be prohibited.

This

SP
This claim has been settled, the Government of Madras having ordered a demarcation of the Canal land, and having prohibited any excavation outside the boundary of the land handed over, except with the Rajah's consent.

(k) That stone be only taken from the bed of the channel and from such localities as will not endanger the villages of Rajooli and the neighbourhood.

This claim has also been settled, and the Joint Commission has decided that no stones should be taken from any place outside the Canal lands without the permission of the Rajah.

(4) I shall feel obliged if you will kindly now make a further reference to the Madras Government regarding such claims as still remain unsettled.

(True Copy)

Shangraw
Offg: Superintendent,

Issue Branch,

Resident's Office.

Current No 781

Political Office.

No. 3443 of 1898.

From

Sir T. Chichele-Plowden K. C. S. I.,
Resident at Hyderabad,

To

The Chief Secretary to the Government of Madras,

Dated Hyderabad Residency, the 3rd June 1898.

CHIEF SECRETARY
GOVERNMENT OF MADRAS
6 JUN 1898

Sir,

Hay, F.

I have the honor to refer to your letter No. R-137, dated the 22nd May 1895, regarding the claims of the Rajah of Gadwal in connection with the construction of the Sankesala --- anicut.

2. I now enclose for the information of the Governor in Council a copy of a letter on the subject No. 704, dated the 15th May 1898, from His Highness the Nizam's Minister. It will be seen that claims (c) (f) and (g) are the only ones left open. The views of His Highness' Government of the matter will doubtless receive the consideration of His Excellency the Governor in Council.

I have the honor to be,

Sir,

Your most obedient servant,

Comu
For R E S I D E N T.

M

*enclos. no 1
6004. CN 781*

*Dec. 1
4557/98*