Public Works (1899) Department.

G.O., No. 477 W

DATED 14th Feby 1899.

[Despatch Abstract.]

Mr ~~M.R.Ry~~ N. Ratnasabapathi Pillai, Executive Engineer

Informing ——— that Govt views with displeasure his dilatory methods of disposing of public business, as evidenced by the excessive delay ~~[illegible]~~ in replying to a reference made by the Coll of Tanjore.

[P. W. 2 / 1,000—7-1-99.]

Indexed. 17/2

BACK PAPERS.

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

FURTHER PAPERS.

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

$\frac{0}{18}$ 2,000—30-3-98.

O. W.

Revenue (1898) Department.

5.3
~~10166~~

CURRENT No. 8181

4157/59

Endt: Mis. No 4763
~~Order~~

Transferred to the Public Works Department for favour of necessary action.

(By order)

Ag. Under Secretary to Govt:

Fort St: George }
3rd December 1898 }

To

The Public Works Department.

From

The Board of Revenue
Land Revenue, Madras

No. 3376 Mis.

Dated 29th November 1898

Received } 30/11
Registered } 7-12-98

Enclosures 1

Spare copies

SUBJECT.

Bringing to notice of Government the delay on the part of the Executive Engineer, Negapatam Division, Tanjo District in replying to a reference addressed to him by the Collector and requesting that steps may be taken in the P. W. D to prevent the Executive Engin dilatory procedure from hampering the revenue administration of the District.

BACK PAPERS.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2,600
5-10-98.

Proceedings of the Board of Revenue

(Land Revenue),

No. 3376 Misc., dated 29th November 1898.

Read again Board's Proceedings No. 2724, Routine dated 4th November 1898, recording with remark Revenue Business statement, Tanjore District for the quarter ending 30th September 1898.

Read also letter from J. Twigg, Esquire, Acting Collector of Tanjore, R.C. No. 2953/ver of 1896, dated 10th November 1898.

Resolution

In reviewing the Revenue Business ~~Retru~~ Return of the Tanjore District, for the quarter ending 30th September 1898, the Board noticed a statement in one of the enclosures of the Return, to the effect that eighteen reminders had been sent without effect in order to elicit a reply to a reference made to the Executive Engineer, Negapatam division, on the 25th February 1897, regarding the quantity of water flowing through the Enathangudi channel in that division. The Board thereupon desired the Collector to send a copy of his reference to the Executive Engineer and to specify the dates of the ~~eighteen~~ eighteen reminders.* The Collector was also asked to state whether the Executive Engineer had assigned any reason for the delay in replying.

*
1st- 16-3-97
2nd--30-3-97
3rd--16-6-9~~6~~7
4" --24-6-97
5" -- 8-7-97
6" --10-8-97
7" --19-9-97
8" -- 2-11-97
9" --14-12-97
10"-- 6-1-98
11" --9-2-98
12"--24-3-98
13" --7-5-98
14" 29-5-98
15" 1-9-98
16 - 17-9-98
17 - 20-9-98

2. The letter read above contains the Collector's report which shows that no answer or explanation of any kind has been received from the Executive Engineer, either to the original reference which itself specially requested the favour of a very early reply, or to any of the 18 reminders issued

between March 1897 and October 1898, of which one issued on the 7th May drew the Executive Engineer's attention to the fact that the matter was over a year old and requested him to state when a reply might be ~~except.~~ expected. The Collector adds that in June last he found it necessary to address the Superintending Engineer V. Circle, with regard to 14 long pending references delayed by the Executive Engineer, -of which however seven are still pending. The matter is brought to the notice of Government in view to steps being taken in the Public Works Department to prevent the Executive Engineer's dilatory procedure from hampering the revenue administration of the district.

(True Extract)

Lionel Davidson

Ag. Secretary.

To

The Secretary to Government, Revenue Department, with Enclosures to Collector's letter in original to be returned.

Copy to the Collector of Tanjore.

Md.R.H.

Jos.a

OLS.2
10166/58
457/58

No. $\frac{132}{\text{Rev}}$ of 1897 Head Assistant Collector's o
Koradacherri, 22nd January 18

From

N. E. Marjoribanks Esquire
Ag. Head Asst. Collector of
Tanjore,

To

The Collector of
Tanjore.

Sir,

With reference to Collector's reference on cur. no. $\frac{2953}{\text{Rev}}$ of 1896, dated 25th November 1896, and in continuation of this office Ref. on cur. no. $\frac{6269}{\text{Rev}}$ of 1896 dated 25th December 1896, I have the honor to report as follows:—

2. On the 5th January, I had to be at Tanjore and so fresh notices were issued to the parties to appear on the 18th Instant at Koradacherri. The Vandalur ryots appeared with a Vakil. One Doraisami naick appeared and stated he was of Enathankudi.— Mr Vakil Ratnasabapathi Pillai—

sent a report to say that previous engagements prevented his appearing on behalf of the Enathankudi ryot, Balakrishna Naidu, and to request that the hearing might be postponed to Negapatam.

3. The Vandalur ryots had nothing fresh to urge on this well-threshed-out subject. The matter has been in dispute between the parties since 1891 and it is extremely improbable that either side has misunderstood the other. Still more unlikely does it appear that the Enathankudi ryots are at all likely to give any concession whatsoever as a matter of grace. Their conduct in the present case shows that they are aware of their strong position (strong i.e. in that they are the party in possession of the water and the richer) and that they intend to evade as much as possible any reopening of the subject by the Revenue authorities.

4. I have carefully read all

the papers and venture to make som remarks thereon.

5. To clear the ground it is prove clearly that the Enathankudi Chann carries $\frac{2}{3}$ of the water of the Sher-kodiar while the Vandalur Channel carries the remaining one-third. The Executive Engineer has after due enquiry given it as his opinion that having regard to levels and the areas to be irrigated, the proper proportion would be $\frac{7}{12}$ down the Vandalur Channel and $\frac{5}{12}$ down the Enathankudi Channel.

6. The Enathankudi ryots take up the position that any diminution of the supply they have always received would be a loss for which they will seek remedy at law.

7. As I understand the matter, the decisions of the Courts come to this, viz, that Government is not entitled to diminish or

alter the supply of water for irrigation purposes so as to cause damage. Two questions thus arise, viz., :-

(1) Is the present supply $(\frac{2}{3})$ in the Enathangudi that, which has always existed?

8. The Vandalur ryots say no, that it was long the custom for them to dam up the head of the Enathangudi channel but that in 1891, the Enathangudi ryots objected and prevented them. This was the fons *et origo* of the present dispute. In the enquiry that followed it was found that the Vandalur ryots could not prove the agreement under which they say the custom arose. They pointed to the kattai at the head of the Enathangudi Channel as suggesting the inference that it was built to enable the channel

to be closed. The reply to this is that such kattais are sometimes built to regulate the flow into the channel as well as to facilitate blocking it up. It was also argued that if there had been a custom permitting the Vandalur ryots to block up the Enathangudi channel, why should the Enathangudi ryots have taken to objecting in 1891? The reply obviously is why should the Vandalur ryots have made this claim in 1891 if they had rested content with the water in the Vandalur Channel in previous years. The Vandalur ryots say that the Enathangudi ryots take the water of the Enathangudi Channel not only for the lands entitled according to the accounts, to irrigation from it, but also to other lands, and that is why they began to object to the Vandalur ryots blocking up the Channel.

9. On the whole, it is doubtful whether the supply now flowing in channel has not always been the same. Oral evidence in the matter is useless with men with purses like Balakrishna Naidu's concerned in the matter.

10. (2) Would any diminution of the present supply (e-g) such as would ensue if the proposal of the Executive Engineer sanctioned by the Collector in his no. 1637/Rev of 1896 dated 16th June 1896 is enforced) cause damage?

11. In all the numerous enquiries made in this matter, it apparently has never been ascertained whether the quantity of water admitted by flowing through the Enathangudi channel is more than sufficient or only just sufficient for the irrigation of the lands entitled by the Revenue Accounts to own irrigation. Obviously the Enathangudi ryots have a right to only so much water as will irrigate the lands entitled to irrigation under that channel. If they unauthorizedly have been using any surplus amount for the irrigation of other lands, then they have no remedy if this surplus is diverted elsewhere e-g to the Vandalur Channel.

12. The determination of this point must rest with the Engineering authorities. The Enathangudi ryots would have no cause of action against a morai which, while it gave them sufficient water for the lands entitled to such water, gave the surplus to the Vandalur ryots.

13. It is of course hopeless to expect that the Enathangudi ryots would admit that the water they receive through the Enathangu

channel was more than enough for the irrigation of the lands entitled to irrigation from the same. The matter must be settled by professional authorities. Then if the Enathangudi ryots are so illadvised as to resort to a suit, we will have excellent defence and justification.

14. The Executive Engineer's proposal to acquire the lands (what lands?) under the Land Acquisition Act and to redistribute them* appears to me to be preposterous and objectionable for every reason.

*sic in original

15. The connected records are submitted.

I have the honor to be,
Sir,
Your most obedt. Servant
(Sd) N. E. Marjoribanks
Ag. Head Asst. Collector

RC 2953/Ver of 96 (True Copy)
[illegible]

Communicated to the Executive Engineer, Negapatam Dn. for favor of remarks with reference

to his letter No. 746 M / 19.9.96

2. He is specially requested to state with reference to paras 11 & 12 of the Head Asst. Collector's letter,— whether the quantity of water flowing through the Enathangudi Channel is more than sufficient for the irrigation of the lands entitled to irrigation therefrom and, if so, how much of it could be diverted into the Vandalur Channel without prejudice to the irrigation of the Enathangudi lands.

3. Lists showing the fields and extents irrigated by Vandalur and Enathangudi channels have been already sent to the Executive Engineer with this office R.C. 167/Ver of 1894 dated 26th June 1894.

2

4. As the dispute has been remaining unsettled from a very long time a very early reply is specially requested.

(Signed)

13

(Signed) J. Andrew
Collector
16-2-97
(True copy)

for Ag. Collector

Sm R1

[illegible]

1898
REVENUE DEPT.
Encl. No. 1
Cur. No. 8181

14

SUPERINTENDING ENGINEER'S OFFICE
No.
15 DEC. 1898
V. CIRCLE, P.W.

15/

To be returned
to Revenue Board
with reply.

Public W. D. (1898) Department.

SUPERINTENDING ENGINEER'S OFFICE,
No. 1/15 [illegible]
5 - JAN. 1899
V. CIRCLE, P.W.D., M.S.

SUPERINTENDING ENGINEER'S OFFICE,
No. 1233 [illegible]
15 DEC. 1898
V. CIRCLE, P.W.D., M.S.

CURRENT No. ~~10166~~ 5.4

457/99

20 DEC. 8

No. 5646 C d/14th Decr. 98.

From

The Revenue Dept

No. 4763.

Dated 3 - 12 - 98

Received

Registered 3/7

Enclosures 2

Spare copies

Referred to the Supdg. Engineer, V Circle, who will obtain, & submit, a full explanation of the delay from the Executive Engineer, Negapatam Division.

AH
9-12-98

[illegible]

Secretary to Govt. P.W.D.

NEGAPATAM DIVISION, EXECUTIVE ENGINEER'S OFFICE.
Regr. No. 1113
31 DEC. 1898

No 31 N.G.
c

Rev. Forwarded to the Ex. Engineer, Negapatam Dn. for very early submission of a full explanation.

It is noted that in the list of references from the Revenue Dept remaining to be disposed of in the Negapatam Dn. submitted with the Ex Engr's No 443 S.E. d/20.10.98, the remark against the reference to the Enathangudi Channel is "will be disposed of shortly". Unless the report is [illegible] before the Ex. Engineer pro[illegible] on furlough the fact will be at once communicated to the Chief Engr [illegible] 19/12/98

Colonel R.E.
Supdg. Engr. V Circle

1000—1-9-98.

To be returned

SUBJECT

Transferring Prs of the Board of Revenue, Land Revenue Madras, remarking on the dilatory procedure of the Ex Engr Negapatam Dn in replying to a certain reference made to him regarding the quantity of water flowing through the Enathangudi channel

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

4763

Referred to the Supdg Engineer, T. Circle, who will obtain & submit the full explanation of the delay from the [illegible] Engineer, Negapatam [illegible]

Forwarded to the Ex Engineer Negapatam Dn for necessary action.

[illegible]

17

Public Works (1899) Department.

CURRENT No. 457

Order

From The Supg Engineer T Circle

No. 24W

Dated 12th January 1899

Received 17-1-99

Enclosures 5 ~~2 (of which 1 file)~~

Spare copies

SUBJECT.

Ennathangudi Channel

Forwards copy of letter from the Executive Engineer Negapatam Dn submitting his explanation for the delay in the disposal of the Collector's reference about the —

SKW

BACK PAPERS.

No.	Date.
56ubc	14.12.98

FURTHER PAPERS.

No.	Date.

Copy of communication from the Executive Engineer, Negapatam Division to the Collector of Tanjore No. 12 In dated 3 January 1899:-

With reference to your No. 2953 ver of 1896 d/16.2.97 I have the honour to report as follows:-

(1) The subject of this reference is a dispute regarding the equitable distribution of water at the tail end of Therkodiar - a branch channel of Kadoovayar, which is a drainage lying between the Odambokiar and Pandavayar. It has however a direct source of supply in Valavoikal a big off take from Odambokiar (Vettar). All the acreages under Kadoovayar irrigation below the junction of the drain with Valavoikal are classed as being irrigated by the Vala Voikal. Since the construction of the Inkan Regulator the supply in Kaduvayar has become very good.

2. Therkodiar which is a big off take from Kadoovayar nearly draws away over half the supply of Kadoovayar and I can say that it is now receiving more than double the supply it received for many years before the completion of the Inkan Regulator (Odambokiar) in 1897. That the Therkodiar supply is also augmented by drainage from Puthupathur - Kakolani and other villages benefitted by Pandavayar will also be seen from the maps enclosed.

3. I am at a loss to understand what the Head Assistant Collector means in para 9 of his No 132/Rev. of 22.1.97, copy of which was communicated with the number under reply, when he wants to know whether the supply in Yenathangudy channel is more than sufficient for the lands under it. It has already been reported that the quantity passing

in

in Yenathangudy channel is 2/3 of the whole supply while the quantity required is only $\frac{5}{12}$ being in proportion of 253 to 352. Please vide acreage information furnished in your No. $\frac{167}{\text{Rev:}}$ of 94 of 26.6.94. An excess therefore of $\frac{3}{12}$ of the supply when Therkodiar is at F.S.L is passed in Yenathangudy Channel and can be diverted for Vandalore.

4. When I wrote my letter No. $\frac{746\ \text{M.}}{19.9.96}$ I overlooked the possibility of Vandalore channel being deepened when irrigating low level fields of Vandalore during the non-morai days which will have the effect of increasing the supply to Vandalore. On reconsideration therefore I am of opinion that a turn of 30 hours in the week for the benefit of about 100 acres of high level lands in Vandalore by closing up the Yenathangudy Head sluice will be all that need be given. If approved the regulation at this point may be given thus:-

"Yenathangudy Head sluice to be closed for 30 hours in the week from 6 A.M. on Monday to 12 noon Tuesday. During other days the channels will be flowing unobstructed. The existing morai in the minor distribution of Yenathangudy channel water due to the above closure being readjusted if found necessary between the ryots of Yenathangudy and Moogikudy in proportion to their mamool".

5. As regards the suggestions for the shifting of the Vandalore channel Head higher up referred to in the petitions bearing your Nos $\frac{837\ \text{Rev. of }98}{27.5.98}$ and $\frac{2953\text{ of }96}{11.3.97\ \&\ 22.4.97}$. I have to inform you that unless the head is shifted to west of Road No. 65

there

there will be no benefit to the high level lands of Vandalore. This will involve the construction of syphons or aqueducts to cross 3 main channels and a number of other minor Kannies. The cost will be heavy and the project does not commend itself as it will complicate matters more.

6. With reference to Head assistant Collector's remarks in the concluding paras of his letter regarding the acquisition of lands and redistribution by sale suggested by me in my No. $\frac{746\ \text{M.}}{19.9.96}$ I have to state that in the absence of proper enactments empowering Government to deal with disputes of the kind I thought that the land acquisition Act might be put in force to end disputes by awarding compensation for any damages that may accrue by infringing existing mamool. The lands that I referred to are the high level lands of Vandalore which should be converted into dry or transferred to a low class land in case we cannot enforce the morai proposed on account of technical difficulties.

12.1.99 Colonel R.E.

Supg: Engineer 5 Circle

10.1.99

Copy of a letter from M.R.Ry. N. Ratnasabhapati Pillai Avergul, Rai Sahib, B.A., B.C.E., Executive Engineer, Negapatam Division, to the Supg. Engineer 5 circle, No. 6 S.I., dated 3rd. January 1899:—

In forwarding herewith a copy of my reply to the Collector regarding the Vandalore and Yenathangudy water dispute, I have the honour to inform you that the questions raised by the Collector were puzzling and as such the solutions did not suggest themselves to me. I was anxious to see whether some proposals for legislation that may enable us to deal with cases of the kind cannot be formulated, when all the statistics now under collection by Colonel Smart are ready. It may be possible to collate together similar instances and then only I think satisfactory disposals could be made for setting at rest the innumerable water disputes that are the pest of the delta.

I may also refer you to your No. $\frac{225\ W.G.}{27.8.96}$ which clearly lays down that any attempts to improve the irrigation in the Tanjore Delta will prove futile till legislation is had recourse to and the distribution of supply placed entirely in the hands of this department.

No

OWS.5 / 457/55

No. 244

22

To the Chief Engineer, P. W. Department, with reference to his No. 5646-C. dated 14th December 1898, herewith returned, with a copy of the Executive Engineer's letter No. 12-M. dated 3rd January 1899 to the Collector.

Enclosures. 2
EW, No. 5646C / 14.12.98
1 copy of letter

12.1.99
Colonel R.E.
Supg. Engineer 5 Circle

23

× Flag Z

W

The Govt. is of opinion that the explanation furnished by Mr. U. Ratnasabhapati Pillai, for the excessive delay made by him in replying to the reference made by the Collector of Tanjore, & for ~~altogether~~ ignoring the 18 reminders subsequently sent, in spite of the fact that the original reference asked for a "very early reply," is altogether unsatisfactory. ~~There is nothing to indicate~~. It is observed that when explanation was ~~called~~ at length called for from Mr. Ratnasabhapati Pillay for the delay made by him he promptly disposed

C No. 457

OW

The Revenue Dept. in it ×No. 4763 transferred to the P.W.D. for the necessary actio the Rev. Bd's Pros. flagged P i which it was brought to the notice of Govt. that a referenc made by the Collector of Tanjor to the Ex. Engr., Negapatam th Division on 25.2.97 had elicited no reply although 18 reminders had been sent. The reference further specially requested a very early reply.

A full explanation of the delay was called for from the Ex. Engineer concerned.

These papers appear to have reached the Negapatam Division on 31.12.98. ~~3.1.99~~, & on 3.1.99 the Executive Engr. replied to the Collector's referen

The Ex: Engr's explanation is at the questions raised by the ollector were puzzling, & as such he solutions did not suggest emselves to him. Further he s anxious to see whether some roposals for legislation could ot be formulated to deal ith cases of the kind, when e statistics under collection y Col. Smart are ready.

The question for decision whether this explanation can be accepted for the inordinate delay in replying to a reference of 25.2.97 in which a very early reply was specially requested, & for ignoring the 18 reminders which were sent.

For orders.

Rvr
20.1.99

of the Collector's reference, and it is obvious he could have done so long before, & did, at the very least, have ~~[illegible]~~ sent some reply to the frequent reminders sent to him.

2. Mr Ratnasabhapati Pillay will be informed that the Govt. view with displeasure his dilatory methods of disposing of public business, as evidenced by this case.

3. On the return of Mr Ratnasabhapati Pillay from furlough, the Supdg. Engr. under whom he is serving will ~~[illegible]~~ be required to make special reference in his half-yearly reports to the fact whether Mr Ratnasabhapati Pillay keeps his office work up to the mark.

AcK
20-1-99.

23.1.99

To
The Supdg. Engr. V Circle
" Revenue Dept.

10.1.9

P. W. DEPARTMENT.

READ the following:—

Proceedings of the Board of Revenue (Land Revenue) No. 3376 Misc: dated 29th November 1898.

Endorsement thereon in the Revenue Deptt: No. 4763 Mis, dated 3rd December 1898.

Endorsement thereon by the Supdg: Engineer V circle No. 24 W, dated 12th Jany 1899.

Circulated to

~~His Excellency the Governor~~

A.G.H
9.2.99

For perusal
20/2/99

Seen
10/2/99

ORDER. No: 477 W d/14.2.99

The Government is of opinion that the explanation furnished by Mr. N. Ratnasabhapati Pillay, for the excessive delay made by him in replying to the reference made by the Collector of Tanjore, and for ignoring the 18 reminders subsequently sent, in spite of the fact that the original reference asked for a "very early reply", is altogether unsatisfactory. It is observed that when explanation was at length called for from Mr. Ratnasabhapati Pillay for the delay made by him, he promptly disposed of the Collector's reference, and it is obvious he

Co

HS. 231-9 / Rc 10.2.99

uld have done so long before, and should, at the very least, have sent some reply to the frequent reminders sent to him.

2. Mr. Ratnasabhapati Pillay will be informed that the Government views with displeasure his dilatory methods of disposing of public business, as evidenced by this case.

ASK
23.1.99.

23.1.99

To

The Supdg: Engineer V circle
" Revenue Department