6931, 5315 7607

Public Works (1896) Department.

G.O., No. 8793

DATED 24th October 1896

---

with remarks

[Despatch Abstract.]

Fishing: Directing with remarks that the right of — in waters under
the charge of the P.W.D. within the limits of the Chi-
dambaram Municipality be sold by that Dept.
in future, the sale proceeds being credited to municipal
funds.

T.C.
24/10

24/10

BACK PAPERS.

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

FURTHER PAPERS.

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

IRRIGATION.

Government (1896) of Madras.

PUBLIC WORKS.

Recd. } 1896.
Regd. }

Enclosures
Spare copies

G.O., No. 879 I., 24th October 1896.

OCTOBER.

Fishing

Directing, with remarks, that the right of — in waters under the charge of the Public Works Department within the limits of the Chidambaram municipality, be sold by that department in future, the sale-proceeds being credited to Municipal funds.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

Read—the following papers:—

G.O., No. 297, Revenue, dated 14th March 1882.

From the Chairman, Municipal Council, Chidambaram,	dated	27th April 1896,	No. 58.
,, ,, ,, ,,	,,	1st May ,,	,, 64.
Endorsement from the Local and Municipal Dept.,	,,	5th ,, ,,	,, 646.
,, ,, Public Works Department,	,,	25th June ,,	,, 2659 C.
From the Chairman, Municipal Council, Chidambaram,	,,	21st May ,,	,, 92.
From the Local and Municipal Department,	,,	30th July ,,	,, 878.
From the Public Works Department,	,,	11th August ,,	,, 3051 C.

From Lieut.-Col. C. C. RAWSON, R.E., Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Chepâk, 19th August 1896, No. 238 W.

With reference to your endorsement, No. 2659 C., dated 25th June 1896, forwarding for report endorsement in the Local and Municipal Department regarding certain fishery rents of the Pasimuthan odai, &c., within the limits of the Chidambaram municipality, South Arcot, I have the honour to forward copy of letter No. 200 S.E., dated 13th March 1896, from the Executive Engineer, South Arcot division, on the subject, with copy of my endorsement, No. 81 E.I., dated 30th March 1896, thereon, and of the Irrigation Chief Engineer's reply No. V./67 S.A. dated 9th April 1896, with copy of G.O., No. 297, Revenue, dated 14th March 1882, quoted in that reply.

2. From the correspondence embodied in the Revenue G.O. just quoted, it will be seen that the right of fishing in waters under the charge of the Public Works Department should be sold by that department, the sale-proceeds being credited to Local and Municipal funds, when such waters lie within the limits of those corporations, and that the Chidambaram municipality has no right to effect such sale. The Executive Engineer, South Arcot, was, with reference to his letter noted above, referred to this G.O. in the Revenue Department, but the municipality, being threatened with a suit by the contractor to whom they had sold the fishery rights for loss owing to the action of the Public Works Department in reselling them, have applied to Government to allow them to enjoy the rents of the channel fishery as formerly. How the ruling in the Revenue G.O. referred to was first lost sight of and the municipality allowed to effect the sale, is not known; but considering that the proceeds of the sale by the Public Works Department have to be credited to the funds of the municipality, I do not approve of the rule being longer broken in favour of that body, especially as the Executive Engineer in his No. 508 M., dated 8th May 1896, embodied in the Proceedings of the Municipal Council forwarded with your endorsement No. 3051 C., dated 11th August 1896, has informed the Chairman that the lease of the contractor to whom the council had rented the channel fishery could be extended for a period equal to that during which the lessee engaged by the Public Works Department held the right.

3. Under the circumstances I do not consider that the municipality have any just cause for complaint, and I would beg to recommend that the Executive Engineer's suggestion in regard to extending the municipal lessee's term to recoup him for any loss he may have sustained while he was ousted by the Public Works Department lessee may be approved, and that the renting of the channels within municipal limits for right of fishing in them, be ordered to be resumed by the Public Works Department, the sale-proceeds being credited to Municipal funds.

4. The papers received with both your endorsements quoted above are herewith returned.

Order—No. 879 I., dated 24th October 1896.

The right of fishing in waters under the charge of the Public Works Department, within the limits of the Chidambaram municipality, South Arcot, will, in future, be sold by that department, the sale-proceeds being credited to Municipal funds.

2. The suggestion to extend the municipal lessee's term to compensate him for any loss which he might have sustained while he was deprived of his lease, is approved. The Superintending Engineer, V Circle, will, in communication with the Collector of South Arcot, settle the period for which the lease granted by the municipality should be extended.

(True Extract.)

Under Secretary to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
,, Superintending Engineer, V Circle.
,, Examiner, Public Works Accounts.
,, Local and Municipal Department.
,, Revenue Department.

Exd. T. K. Narayana Aiyangar.

5

H.E.

PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

No. 879 I d/ 24th October 1896.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Irrigation

UNDER date the

READ the following

Quote

Pross:of the Madras Government, Rev: Deptt: (H.E. No:297 dated 4th March 1882)

Letter from the Chairman Municipal Council Chidambaram --Do--No:58 dated 27th April 1896.

-------------Do------------- --Do--No:64 dated 1st May 1896.

Endorsement from the Local and Municipal Department---------- --Do--No:646 dated 5th May 1896.

Endorsement from the P.W. Department--Do--No:2659.C. dated 25th June/96.

Letter from the Chairman Municipal Council Chidambaram---------------Do:- No:92 dated 21st May 1896.

From the Local and Municipal Deptt:--Do--No:878 dated 30th July 1896.

From the Public Works Department-- --Do--No:3051.C. dated 11th Aug:1896

Print

From the Suptg Engineer Fifth Circle-Do--No:238.W. dated 19th August/96

The right of fishing in waters within the limits of the Chidambaram municipality & are under the charge of the P.W.D. will in future be ~~always~~ sold by that Department the sale proceeds being credited to ~~the~~ Municipal o~~r Local~~ Funds ~~as the case may be~~.

2 ~~In the present instance~~ The suggestion to extend the Municipal lessee's term to compensate him for any loss which he might have sustained while he was deprived of his lease is approved. The Superintending Engineer Fifth Circle, will in

communication

To
The Hon Chief Secretary to Govt
Local & Municipal Deptt for
favour of counter-initials

Rec-10/10

ASH
21.10.96

O S 4 / 6

Issue
W.H.

Communication with the Collector of South Arcot, settle the period for which the lease granted by the Municipality should be extended.

JH 17/9/96

Recd 25/9/96

AA 13.10.96

Wd 17.10.96

To The Chief Engr. for Irrign.
" Supg. Engr. Fifth Circle
" Collector S. Arcot
" Local & Municipal Dept.
" Revenue Dept.

E. I. Form No 1–1,000–27-11-96.

H.S. 19/10. R 23/10.

Public Works (189 6) Department.

CURRENT No. 7607

R 191

C

Order
No. 3268 C d/4 September 1896

To G.I.

For favour of disposal.

27/8/96

4.9.96

From Supg: Engineer V Circle

No. 238 W.

Dated 19th August 1896
Received 24.8.96
Enclosures ~~4~~ 11
Spare copies –

SUBJECT.

Renting of the right of fishing in channels &c. within Municipal limits

Recommends that — may be ordered to be resumed by the P. W. Dept.

Sent again 8/10/96 R 16/10

20/9

[P. W. 19 / 1,000—5-8-96.]

O.L.S. 352 R 31/8-

BACK PAPERS.

G.O.	No.	Department.	Date.
	283-293 G	G. of India P.W.D.	5.2.87
	4273C	Madras P.W.D.	24.11.87
	4596C	"	12.12.87
	4602C	"	12.12.87
	311D	"	12.6.88
	164D	"	14.5.88
	2104W	"	11.7.88
	2659C	"	25.6.96
	3051C	"	11.8.96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 200 S.E dy 13th March 1896

From J. S. Wilson Esquire
Executive Engineer South Arcot Dn:

To the Supg. Engineer, V Circle,

Sir,

I have the honour to forward a file of correspondence regarding the sales of fishery rights in Government channels within the Chidambaram Municipality and to suggest that the orders of Government be obtained.

2. The case is as follows.-
Notice having been given, the Chidambaram Sub Dl: Officer sold by auction the right of fishing in the Imperial channels, and among others in the Pasimuthan Odai and Khan Saib's Canal parts of which are within the Municipal limits. On the 14th January 1896 he received a letter from the Chairman of the Chidambaram Municipality, protesting against this, and stating that the Municipality had also sold the same fishing rights.

3. It appears that in previous years the sales have been conducted by the Municipality, a course, which in my opinion, is objectionable, as it vests in the Municipality a partial control over the channels.

4. If the Revenue from these fisheries be considered to belong to the Municipality there would be no difficulty in paying the amount, realized by the sales direct to the Chairman or in crediting it to the Municipality, through the Financial Department, a course which would give the P. W. Dept: the undivided control over the channels mentioned.

5. As this particular case is not likely to be an isolated one, I would suggest that general orders

be

be obtained.

I have &c.
Signed - J. S. Wilson
Executive Engineer
South Arcot Dn:

R191/2

No. 81 E. I dt 30th March 1896

Copy to the Chief Engineer for Irrigation with Copy of the Correspondence and of the Sketch Map, for favour of orders.

Signed - C. C. Rawson, Lt Col: R.E.
Supg Engineer V Circle

No. $\frac{V}{67 \text{ S.A.}}$ dt 9th April 1896

Memorandum

With reference to Endorsement No. 81 E. I dt 30-3-96, from the Supg: Engineer, V Circle, the undersigned has the honour to invite attention to G.O. No. 297 Rev: dt 14-3-1882 a copy of which was communicated to the Supg: Engineer, with this office Endorsement No. 11 Cu dt 4th April 1882. Under this order the right of fishing in the waters under the charge of P.W.D. should be sold by that Department the sale proceeds being credited to Local or Municipal Funds as the case may be.

(By order)
Signed - F. J. Wilson
Asstt. Chief Engr: for Irrigation

(True Copies)
19.8.96
Lt Col: R.E.
Supg Engineer V Circle

OW. 1/3607/96

SUPERINTENDING ENGINEER'S OFFICE,
V CIRCLE, MADRAS,
Chepâk, 19th August 1896.

No. 238 I.

From
Lt Colonel C. C. Rawson R.E.
SUPERINTENDING ENGINEER, V CIRCLE,

To
THE Chief Engineer P.W. Department

118

Enclosures.

SIR,

With reference to your Endorsement No. 2659 C dt 25th June 1896 forwarding for report Endorsement in the Local and Municipal Department, regarding certain fishery rents of the Pasimuthan Odai &c within the limits of the Chidambaram Municipality, South Arcot, I have the honour to forward Copy of letter No. 200 S.E dt 13th March 1896 from the Executive Engineer South Arcot Division on the Subject, with copy of my Endorsement No. 81 E. I. dt 30th March 1896 thereon, and of the Irrigation Chief Engineer's reply No. $\frac{V}{67 \text{ S.a.}}$ dt 9th April 1896, with Copy of G.O. No. 297 Rev. dt 14th March 1882 quoted in that reply.

on Irrig. office No. 10 dt 25.2.82 -
D.O. 24-8-96

2. From the correspondence embodied in the Rev: G.O. just quoted, it will be seen that the right of fishing

in

250—31-10-94.

in waters under the charge of the P.W.D. should be sold by that Dept:, the sale proceeds being credited to Local and Municipal funds, when such waters lie within the limits of those Corporations, and that the Chidambaram Municipality has no right to effect such sale. The Executive Engineer South Arcot was with reference to his letter noted above, referred to this G.O. in the Rev: Dept:, but the Municipality being threatened with a suit by the Contractor to whom they had sold the fishery rights, for loss owing to the action of the P.W.D. in reselling them, have applied to Government, to allow them to enjoy the rents of the channel fishery as formerly. How the ruling in the Rev: G.O. referred to was first lost sight of, and the municipality allowed to effect the sale, is not known, but considering that the proceeds of the sale by the P.W.D., have to be credited to the funds of the municipality, I do not approve of the rule being longer broken in favour of that body, especially as the Executive Engineer in his No 508 M d/8th May 1896 embodied in the Proceedings of the Municipal Council forwarded with your Endorsement No 3051 C d/11th August 1896, has informed the Chairman that the lease of the Contractor to whom the Council had rented the channel fishery could be extended for a period equal to that during which the lessee engaged by the P.W.D. held the right.

3. Under the circumstances I do not consider that the municipality have any just cause for complaint and I would beg to recommend that the Executive Engineer's suggestion in regard to extending the municipal lessee's term to recoup him for any loss he may have sustained while he was ousted by the P.W.D. lessee may be approved, and that ~~in due time immediately after~~ the renting of the channels within Municipal limits for right of fishing in them, be ordered to be resumed by the P.W.D., the sale proceeds being credited to municipal funds.

4. The papers received with both your Endorsements quoted above are herewith returned.

12 P

I have the honour to be
Sir
Your most obdt. Servt.

19.8.96.
Lt Col. R.E.
Supg Engineer V Circle

19.8.96

From

THE SUPERINTENDING ENGINEER,

V CIRCLE,

R191/1

To

THE

Dated }
Recd. } 189 .

ENCLOSURES.

No.

From 1993/Cur 96

The Chairman
Municipal Council
Chidambaram

To

The Chief Secretary
to Government
Fort St George
(Through the Head Asst. Collector and Collector of South Arcot)

Dated 21st }
Despd 22nd } May 1896
Recvd }

Enclosures 2
No 92

Submitting for the orders of Government extract from the Executive Engineer's letter No $\frac{508 m}{8-5-96}$ regarding the enjoyment of the fishery rents of the Pasimuthan odai drainage channel within municipal limits.

No. 803 Ens cur

MUNICIPAL COUNCILLORS' OFFICE
CHIDAMBARAM

From,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
CHIDAMBARAM.

23 MAY 96
SOUTH ARCOT

To,

The Chief Secretary
to Government
Fort St George
(Through the Head Asst. Collector and Collector of S. Arcot)

Dated 21st }
Received } May 1896.

No. 92

REFERENCE R191/4

This/Your office letter No.

Sir,

Enc 1646/10-6-96

In continuation of my letters Nos $\frac{58}{27-4-96}$ and $\frac{64}{1-5-96}$, I have the honour to forward herewith a copy of letter No 508 m dated 8th instant from the Executive Engineer South Arcot Division regarding the enjoyment of the fishery rents of the Pasimuthan odai drainage channel within the municipal limits for such orders as the Government may deem fit to pass in the matter. By following the plan suggested by the Executive Engineer, the municipality will sustain a loss.

2. A copy of the council's resolution in the matter at its meeting held on the 16th instant is also herewith submitted.

I have the honour to be
Sir
your most obedient servant
Ramsawmich
Chairman

13 AUG 1896
CIRCLE, P.W.D., MADRAS.

~~Forwarded~~

~~Ag H Asst Collector~~
~~25-5-96~~

Submitted. The previous papers were called for by the acting Head Assistant Collector to enable him to ascertain the facts of the case and hence the delay.

J R Coombes
20/7
for Collector.

South Arcot
Collector's Office
Cuddalore
18th July 1896

To,
The Chief Secretary to
Government Local and
Municipal Depts:
Fort Saint George.

~~Local & Municipal Dept~~

1896. 2115 M

~~CURRENT No.~~

~~Local and Munic~~ Department.

From

The Collector of
South Arcot.

To

The Chief Secretary
to Government
Madras.

R 191
3

Dated 18th
Despatched 20th } July 1896.
Received 21 JUL 96

No 2659 C, d 25-6-96
" 2104 W, d 11-7-88
" 164 D, d 14-5-88
" 311 D, d 12-6-88
" 4602 C, d 12-12-87
" 4596 C, d 12-12-87
" 4273 C, d 24-11-87

No. 600 of 96

Enclosure. Engr's 2 ~~None~~

Subject.

Submitting the Chidambaram Municipal Chairman's letter No. 92 d/ 21st May 1896 and its encls: regarding the enjoyment of certain fishery rents accruing within the Municipality.

No. 878

Transferred to the Public works Department.

W. D. Phillips
Ag Assistant Secretary

P.R.
24/7/96

~~Fort St George~~ }
30th July 1896 }

To The Public works Department

P. W. CURRENT No. ~~6931~~ E. 2/0

7607/96

SUPERINTENDING ENGINEER'S OFFICE, V. CIRCLE, P. W. D., MADRAS.
No. 603. W.
13 AUG. 1896

Encls 3

Ans: 31.7.96

No. 3051 Cd/ 11th August 1896

Referred to the Supdg: Engineer V Circle in continuation of endorsement No. 2659 Cd/ 25th June 1896.

D. W. Campbell Col. RE
Jt: Secy: to Govt

13.8.96
Papers soon

2417 O.L.S. 308 R 7/8

Government of Madras.
1896

P. W. DEPARTMENT.

~~CURRENT No.~~

P. W. CURRENT No. ~~5315~~ E 6

SUPERINTENDING ENGINEER'S OFFICE, CHEPAUK. P. W. D. 5TH CIRCLE.
29 JUN 96
No. 469 W

Encls 2 7607/96

Ans: 12-6-96

No. dated

From

The Local & Municipal Dept.

~~Enclos.~~

No. 646

Dated 10.6.96

~~Received~~

SUBJECT.

Fishery rents of Pasimuthan Odai &c: Transferring letter from the Chairman, Municipal Council, Chidambaram requesting that the Municipality may be allowed to enjoy the ——.

2104 W d/ 11.7.88
164 D d/ 14.5.88
311 D d/ 12.6.88
4602 C d/ 12.12.87
4596 C d/ 12.12.87
4273 C d/ 24.11.87

No. 2659 Cd/ 25th June 1896

Referred to the Supdg: Engineer V Circle for favour of report.

D. W. Campbell Col. RE
Jt. Secretary to Govt.
P. W. D.

R 191
7

Sir,

Previous old references cannot be traceable. — E.S.

18/6 at 194 R 22/6

P. W. 29.
2000—1-5-96.

Public Works (1896) Department.

CURRENT No.

Order

From

The Chairman
Municipal Council
Chidambaram

No. 92.

Dated 21st May 1896

Received

Enclosures 2

Spare copies

SUBJECT.

Submitting for the order of Govt Extract from the S.E. Engr's letter No $\frac{5084}{8\text{-}5\text{-}96}$ regarding the enjoyment of the fishing rents of the Pasimuthan odai drainage Channel within municipal limits

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

D P W

5th Circle.

South Arcot Divl offi

Camp. Cuddalore

dated 8th May 1896.

No 508 M.

From

J. S. Wilson Esquire
Executive Engineer
South Arcot, Dn

To

The Chairman
Municipal Council
Chidambaram

Sir,

Referring to your letter No 63 dated 1st May 1896, I have the honour to state that the period of Appasamy Nattar's lease may be extended, in communication with the Sub Dn officer Chidambaram for a length of time equal to the time during which the lessee engaged by this department held the right.

+ + + + + + + + + + + + + + +

I have the honour to be
Sir
your most obedient servant

(sd) J. S. Wilson
Executive Engineer
South Arcot Dn.

(True extract)

Ramasawmi

Chairman

SUPERINTENDING ENGINEER'S OFFICE
No. ....
13 AUG 1896
V. CIRCLE, MADRAS.

1795

Bd 924
6094/96
7609

2118

Extract from the Proceedings of the Municipal councillors of Chidambaram passed at their meeting held on Saturday the 16th day of May 1896

Present

M.R.Ry G. Ramaswamy aiyer avergal. Chairman
" Ramasawmy moodeliar avergal
" V. S. Chidambara Chettiar avergal
" M. Ramaswamy aiyer avergal.
" K. Varaha chariar avergal
" V. Soobbaroya moodeliar avergal
" Pannambala Pillai avergal
" C. N. Sreenivasa aiyer avergal
Hayath Zaul Khan Saib avergal
M.R.Ry Kandasawmy moodeliar avergal
" M. C. Ramaswamy aiyer avergal
" M. Sambasawmy aiyer avergal B.A.

absent 3 Councillors.

+ +

VI Read letter No 508 M dated 8th Instant from the Executive Engineer South Arcot Dn stating that the period of Appadasawmy Pattar's lease may be extended in communication with the Sub Dn officer Chidambaram for a length of time equal to that during which the lease engaged by his department held the rights.

Government will be addressed on the subject.

+ +

(Sd) G. Ramaswamy aiyah
Chairman

(True extract)
Ramaswamy
Chairman

Public Works (1896) Department.

CURRENT No.

Order

From
The Chairman
Municipal Council
Chidambaram

No. 64

Dated 1st May 1896

Received

Enclosures

Spare copies

SUBJECT.

Soliciting to obtain the sanction of Govt to allow the Municipality to enjoy the fishery rents ~~with~~ the Channels within Municipal limits as heretofore.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

From Current 1545 d/96.

Municipal Dept. CURRENT No. 1516 M

C. No 614/Ry 96

The Chairman

Municipal Council

Chidambaram

3 MAY. 96 ASSISTANT COLLECTOR'S OFFICE SOUTH ARCOT.

To

The Chief Secretary

to Government

Fort St. George

(Through the Head Asst Collector and Collector of South Arcot)

dated 1st. }
despd }
Received } May 1896

24 MAY. 96

No Enclosure

No 64

Soliciting to obtain the Sanction of Government to allow the Municipality to enjoy the fishery Rents of Padimuthan odai &c within Municipal limits as heretofore.

(with Encl.)

Forwarded

DESPATCHED 18 MAY. 96

V. Mardine

Ag H. A. C.

16. 5. 96

COLLECTOR'S OFFICE 19 MAY 96 SOUTH ARCOT

R 191/8

Forwarded

Ag Collector

22 - 5 - 96.

despd 22 5 96

Rh 19-5.

C nos 1515 & 1516 m

No 646

Transferred to the Public Works Department.

W W Phillips

Ag. Assistant Secretary

P R

5/6/96

Fort St. George }
10th June 1896 }

To the Public Works Department.

4/6

Municipal office
Chidambaram
1st May 1896

From
The Chairman, Municipal Council
Chidambaram

To
The Chief Secretary to Government
Fort Saint George.
(Through the Head Asst Collector and Collector of South Arcot.)

Sir,

I have the honor to inform you that since writing my letter no. 58/27.4.96 the Executive Engineer South Arcot states in his letter no. 432 M/25-4-96 that "the sale conducted by the municipality may stand considering the amount realized by the sale as conducted by the municipality and the time which has elapsed since the auction." It is very likely that the municipal sales fetch greater amounts than the sales by the D.P.W. If the Council be deprived of the right of selling the fishery rents, the amount to be realized by the sales by the D.P.W. will be

Considerably small. I therefore request that you will be pleased to obtain the sanction of Government to allow the Municipality to enjoy the fishery rents of the Channels &c ~~within municipal limits~~ as heretofore, as requested in my letter above adverted to.

I have the honor to be
Sir,
your most obedient servt
Ramaswami
Chairman.

Public Works (1896) Department.

CURRENT No.

Order

From The Chairman
Municipal Council
Chidambaram

No. 58

Dated 27 April 1896

Received

Enclosures 1.

Spare copies

SUBJECT.

Soliciting to obtain the sanction of Govt to allow the Municipality to enjoy the fishery rents of Pasumuthan odai Channel within municipal limits as heretofore.

Considerable [illegible] I therefore

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Proceedings of the Municipal Councillors of Chidambaram passed at their meeting held on Saturday the 25th day of April 1886

Present

M.R.Ry. G. Ramaswamy aiyer avergal Chairman
" K. Varadachariar avergal
" C. N. Sreenivasa aiyer avergal
Mr G. A. W. Villans
Hazarath Laul Khan Saib avergal
M.R.Ry Ponnambala Pillai avergal
" Kandasawmy Moodeliar avergal
" V. Loakanaya Moodeliar avergal
" V. Swaminada Jata Vallabar avergal B.A
" N. Sambasawmy aiyer avergal B.A

absent 6 Councillors

+ +

V. Read notice given by Apposawmy Mattan expressing his intention of suing the council for the loss sustained by him in the Pasi Muthan Odai fishery Contract.

Resolved that the Government be addressed on the subject and the petitioner be informed of the same.

+ +

(Sd) G. Ramaswamyaiyah
Chairman

(True extract) Ramaswami
Chairman

Considerable : Small. I therefore

R191

Municipal office
Chidambaram
27th April 1896

Municipal D
CURRENT
K-15

No. 58

From,

The Chairman, Municipal Council
Chidambaram

To.

The Chief Secretary to Government
Fort St George.
(~~Through the Head~~ assistant Collector ~~of~~
and Collector of South Arcot)

Sir,

I have the honor to bring to your notice that the Municipal Council has been enjoying the fishery rents of Pasumuthan odai channels &c within Municipal limits for the last 8 years without any objection by the Public works Department and the rents of these channels were accordingly sold in July last for Rs 220 for one year. While so it would appear that the Sub. Division Officer Chidambaram sold the fishery rents of the above channels and others early in January last for a less sum: Before the commencement of the sale, the purchaser of the fishery rents at the Municipal sale objected to the same;

His objection was overruled and the sale conducted. The municipal renter having brought the above facts to the notice of the Council, the Executive Engineer South Arcot Division was requested in my letter no $\frac{573}{23.3.1896}$ to cancel the sale: He has replied saying that the Superintending Engineer has been addressed on the subject with a request to move the Government to allow the D.P.W to sell the fishery rents of the channels and allow the Municipal Council simply to have credited to its funds the sale proceeds thereof: The purchaser of the fishery rents at the municipal sale has now given a notice to the Council that he would sue it for the loss sustained by him in the present instance: The Council consequently resolved at its meeting held on the 25th Instant to address the Government on the Subject:

2: I therefore request that you will be pleased to obtain the sanction of Government to allow the Municipality to enjoy the fishery rents of the channel as heretofore:

3: A copy of the Proceedings of the Council on the Subject is also herewith forwarded.

I have the honor to be
Sir
your most obedient servant
Ramasawmi
Chairman

Municipal Dept

CURRENT No. 1515 M

Current 1545/96

C. No. 613/96

To The Chairman
Municipal Council
Chidambaram

30 APR 96

SOUTH ARCOT

Forwarded

Ag H. A. C.
16/5

COLLECTOR'S OFFICE
19 MAY 96
SOUTH ARCOT

To The Chief Secretary
to Government
Fort St George
(Through the Head Asst
Collector and Collector
of South Arcot)

Forwarded

Ag Collector
22-5-96

Despd 22-5-96

19-5.

Dated 27th April 1896
Despd 28th April 1896
Received 24 MAY. 96

Enclosure 1

No 587

Solicting to obtain the
sanction of Government
to allow the Municipality
to enjoy the fishery rents
of Pasimuthan odai channel
within Municipal limits
as heretofore.

4/6.

14TH MARCH 1882, No. 297, REVENUE.

872

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 9th February 1882, No. 431 :—

Read—the following letter from J. F. PRICE, Esq., Collector and President of the Local Fund Board, Chingleput District, to the Secretary to the Board of Revenue, dated Saidápet, 10th January 1882, No. 13 :—

I have the honor to submit, for the consideration and orders of the Board of Revenue, a correspondence relative to the question of renting the fishery of the Chembrambakum tank in the Saidápet taluk.

2. This arose from a report made to me by the Police to the effect that persons were fishing in this tank without permission.

3. I then addressed the General Charge Deputy Collector, and he having stated that, in his opinion, Rs. 1,500 per annum could be obtained from the Chembrambakum tank alone, I sent on his letter with a foot-note to the Executive Engineer, and did so as the tank is a large one and in charge of the Public Works Department.

4. The result has been a letter from the Superintending Engineer to the Executive Engineer, in which it is stated that the "Chief Engineer for Irrigation considers that until the Irrigation Bill, now under consideration, has been matured, the renting of the right of fishing in the Chembrambakum tank, &c., had better be postponed," and that as the Public Works officers are responsible for the good order of the tanks "the letting out of the fishing rights should be in their hands and not in the hands of officers of other Departments whose opinions may differ materially as to the importance of enforcing the conditions attached to the lease."

5. The proceeds of the rents of fisheries is an item of Incorporated Local Funds and not of Imperial Revenue. The funds of this circle are in anything but a flourishing condition, and we want every rupee that we can get. I am unable to see why it should be desirable to put off the letting of the fishery of a tank because an Irrigation Bill which may not, and probably will not, become law for many months, or perhaps even years to come, is under consideration.

6. I do not in the least object to the officers of the Public Works Department leasing the right to the fishing of any large tanks in their charge, though I venture to think that we could get better prices than they can, provided that they do not take the money as Imperial Revenue, but pay it in to Local Funds.

7. I only wish to work what will prove a source of profit to Local Funds, which are sadly in want of every addition that they can obtain. I do not care in the least what is the agency by which this is effected. Indeed the undertaking of the sale and supervision of fishing by the Public Works Department would be a relief to us.

8. I do not, however, see why the rental could not be made now under such conditions as may appear to the officers of the Public Works Department necessary for the protection of the Chembrambakum tank. All that I want is the money.

Resolution—dated 9th February 1882, No. 431.

Submitted for the orders of Government.

2. The Board observe that it is the custom throughout the Presidency for Collectors to lease the fisheries in tanks and that the receipts from such fisheries are a Local Fund asset (G.O., 12th March 1878, No. 199-I).

3. In drawing up these leases Collectors can consult the officers of the Public Works Department in order that conditions may be imposed in regard to points affecting the preservation of irrigation works if there be any, though no such questions have arisen hitherto.

(True Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Secretary to Government, Revenue
Department.

Endorsement on the above, dated 14th February 1882.

Referred to the Chief Engineer for Irrigation for remarks.

(Signed) C. G. MASTER,
Secretary to Government.

READ—the following letter from Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, to the Secretary to Government, Revenue Department, dated Buckingham Canal, 25th February 1882, No. 10-W :—

With reference to your endorsement, dated 14th instant, on the Proceedings, No. 431, of the 9th idem, of the Board of Revenue, I have the honor to say that, if Government consider it to be desirable that the right of fishing in the Chembrambakum tank should be leased at once without waiting for the Bill by which it is intended to regulate the management and provide for the due protection of irrigation works generally, I would recommend that the lease should be granted in the Public Works Department, and the proceeds paid in to the credit of Incorporated Local Funds.

2. The Board of Revenue remark that no questions affecting the preservation of irrigation works have arisen in connection with fishery leases granted by Revenue officers. This is a mistake—for the acts of fishermen, whether contractors or others, are a constant source of trouble and expense. In rivers, dams for fishing purposes are put up and occasion damage: in drains and distributaries, bunds are constructed and obstruct the flow of water: at anicuts and other regulating works the aprons are sometimes disturbed in searching for fish and especially for eels, and either from the state of the law, or from the unwillingness of the magistrates to restrain the fishermen, it has been found difficult to exercise any control over these proceedings. In P. M. G., No. 13-I, of the 8th January 1880, will be found the particulars of some cases which occurred in Tanjore.

3. It is desirable therefore that there should be no conflict of authority, but that the Public Works officers, who are responsible for the efficiency of the works, should grant the leases and provide in these for full control including the cancelment of the lease and the forfeiture of instalments of the rent paid, if the prescribed conditions be not attended to by the contractors.

4. In the case of the Chembrambakum tank, fishing should be permitted only from the margin of the waterspread or from boats or rafts, and not from the bund or masonry works; for if a fisherman be allowed to fish from the bund, the temptation to secure fish which may have been seen to go into the spaces between the revetment stones, or to use the sluice heads for fishing purposes, is liable to be

irresistible, and the removal of a stone or two of the revetment may lead to great damage, while any interference with the sluices would be highly objectionable. There is a conservancy establishment in charge of the tank and the Superintendent will therefore be able to look after the fishery contractor, and see that the conditions of the lease are duly attended to.

5. It may be readily admitted that a lease granted by the Revenue officers would fetch more than one issued in the Public Works Department, because the conditions prescribed, even if the same in both cases, would not be enforced in the former; this would be true to a considerable extent even were the Collector to be desirous of enforcing them, for the number of authorities through whom the report of infringements would pass would practically result in the contractor doing as he pleased. The Collector has no means of exercising direct control over a contractor.

ORDER—dated 14th March 1882, No. 297, Revenue.

Miscellaneous.

The Government concur with the Chief Engineer for Irrigation, and the Board are requested to issue the necessary orders accordingly.

(True Extract.)

C G Master
Secretary to Government.

To the Board of Revenue.
„ Chief Engineer for Irrigation.
„ Financial Department.
„ Accountant-General.

~~Copy to the Superintending Engineer, 5th Circle, for information -~~
~~(By order)~~
~~A. S. Russell.~~
~~Asstt Chief Engineer for Irrig.~~

Exd: W. H. French.

80 Copies.
4 Spare copies

Endorsement written on original: It should be on a copy of the [illegible]
13/4/82

[illegible]
I 10 W d/ 25-2-82

R ~~75 M~~
242 W

CHIEF ENGINEER
3 APR
1882
FOR IRRIGATION

Govt. of (1882) Madras.

REVENUE.

Origl

Order, dated 14th March 1882, No. 297.

I V/11. CN/82
R 63. SA/96
I 67- SA d 9-4-96.
R Au 191 d/ 4.9.96

Leasing the Fishery of the Chembrambakum Tank—Chingleput.—Opinion of Chief Engineer for Irrigation on the subject of—concurred with, and the Board requested to issue the necessary orders accordingly.