

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 234

Press

~~Mis.~~

US-116

Dated

6-2-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th February 1865.*

No. 115. Read the following Proceedings of the Board of Revenue, dated 20th October 1864, No. 6,920.

Read the following letter from A. HATHAWAY, Esq., Collector of Bellary, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 7th October 1864, No. 183 : —

1. I have the honor to submit for the consideration of the Board of Revenue, and with a view to their communicating the same to Government in the Department Public Works, the enclosed original letter of the 26th August, No. 749, from the Superintending Engineer of the 3rd Division, together with its enclosure, a letter from Mr. Supervisor Hasler.

2. I think that the Superintending Engineer ought, in justice to myself, to be called upon to substantiate the charge conveyed in paragraph 3 of his letter, viz., in the following words, "Instead of always trying to find fault with the Department."

3. I am conscious of having done nothing of the kind; and I regret to be obliged to state that it is only since my having written to the Board my letter of the 20th June 1864, No. 97, that Colonel Hemery's correspondence with my office has assumed its present somewhat bitter tone.

4. The Superintending Engineer does not think it wrong so implicitly to trust a subordinate of his own Department, who is virtually on his own defence, as to stigmatize an official report made to me by the Tahsildar of Kudlighi (who it is to be observed has had considerable practical experience in "Maramut"), as "a deliberate false statement;" and yet, when I pass on to him a report made to me by the head native official of the Talook, he must needs characterize such a step on my part as "trying to find fault with his Department."

5. The accompanying translation of a reply from the Tahsildar to Mr. Hasler's letter, and translates of certain documents connected therewith, and of depositions taken by me on oath at Kudlighi, on the 23rd instant, from the village officers and certain influential Ryots of Kudlighi, will, I think, independently of the inconsistencies in Mr. Hasler's own report, shew that the latter is not a strictly correct version of the matter at issue.

6. It appears to me somewhat curious logic, and not likely to satisfy the Ryots of Kudlighi to say, that there is no waste of water, because it escapes out of a defective sluice of their tank into that of Cooppenakerra, which (Mr. Hasler's statement to the contrary notwithstanding) receives a supply of water from the forest of Iyanahalli and Siddyanagudda; the cultivators under the latter tank profiting at the expense of the labor of the Kudlighi villagers, who find themselves unable to cultivate paddy under their own tank, and have the prospect of losing their crops of raghi, &c.

7. Had there been, as formerly, a resident District Engineer, the matter at issue might easily have been settled; but under the existing state of things, and my Head Assistant Collector having been gazetted elsewhere, I have been obliged myself, at considerable personal inconvenience, to run out to Kudlighi, and examine the tank myself.

8. The result of a careful inspection of the tank, is my conviction that the money lately expended upon the repair of the sluice in question has been wasted, and that the work done to the revetment there, and in another spot, has been done most carelessly. In the former spot the mortar crumbles away in the hand, and would dissolve on the first action of water; and in the latter, instead of putting in large stones compactly to the bund, large gaps appear, into which small stones have been loosely thrown. The first wash of water would remove them.

9. The opening of the bund half way across, to find out the defective part in the sluice, was in my opinion, a simple waste of money. It should have been determined to cut through the whole width or not at all; as it was, the leak was not discovered, and matters are as bad as before. The water now is continuously flowing out, not only through the sluice head, but also through a passage outside of it, although the shutter of the sluice is closed; and if rain does not shortly fall, the tank will probably be dry in the course of a few days; independently of which, this continuous flow of water is injurious to the raghi crop.

10. The sluice in its present position is much below the level of the bed of the tank, and it appears to me, that the wisest plan will be to build a new sluice, on improved principles, on a contiguous spot where the ground is higher. To spend any more money on small estimates, would be mere waste; and I think the Ryots are justified in demurring to contribute any more for such futile operations.

11. They have given a written agreement to bear the expense of opening and closing the bund if my suggestion be carried into execution.

12. The village officers and Ryots declare that the Taluk Overseer was duly informed of the leaky state of the sluice, which is borne out by the said Overseer's original reply (A) of the 23th May 1864; and, *prima facie*, it is highly improbable that they would so neglect their own interests as to fail to do so.

13. Independently of which, I think it was Mr. Hasler's duty to inquire of the village officers what the state of their tank was; and instead of, as allowed by himself, when he observed the revetment round the head of the sluice "in a very dilapidated state, &c.," pointing out to the Talook Overseer that the villagers were neglecting their duty, to have himself told the village officers so, and warned them of the danger of their neglect.

14. I also enclose copy of an original letter from my Head Assistant Collector of the 8th September 1864, No. 36, relative to the unsatisfactory nature of the operations of the Department Public Works in this Talook, and would wish that Captain Fischer, or some Covenanted Officer may be instructed to report upon them.

15. It is the duty of the Talook officials to report such matters to the Collector; and I consider that the writing of letters such as the one under review, by the Superintending Engineer, who personally, I believe, knows but little of this District, is likely, if passed unnoticed, to do much harm.

16. In the present instance an examination by some superior officer would determine whether the Tahsildar has, in this instance, "written a deliberately false statement:" or whether, on the contrary, the Talook Overseer and the Supervisor are to blame.

17. The cultivation under this tank is 167 acres, assessed at Rupees 1,266.

ENCLOSURE No. 1, A.

ABSTRACT.—Translation of Memorandum from Talook Overseer to Pottail of Kudlighi, dated May 28th, denying that the leakage of Kudlighi tank is to be attributed to the crumbling of the chunam, and directing that paddy straw be placed in the gaps.

ENCLOSURE No. 2, B.

ABSTRACT.—Translation of Arzi, dated 26th May, from the Pottail of Kudlighi to the Tahsildar, informing him that the supply water received by the rain which fell on the 22nd is escaping, owing to the unsubstantial nature of repairs executed by the Department Public Works.

ENCLOSURE No. 3, C.

ABSTRACT.—Translation of Arzi, dated 10th July, from the Pottail and Ryots of Kudlighi to the Tahsildar of Kudlighi, sketching the history of their tank since Fusly 1270 (the date at which it began to get out of order) and expressing their unwillingness to pay for further useless repairs.

ENCLOSURE No. 4, D.

ABSTRACT.—Translation of Arzi, dated 12th July, from Tahsildar of Kudlighi to Collector, reporting on the state of Kudlighi tank, and complaining of the unsubstantial way in which the Department Public Works execute repairs in his Talook generally.

ENCLOSURE No. 5, E.

From Lieutenant-Colonel E. HEMERY, R. E., Superintending Engineer, 3rd Division, to A. HATHAWAY, Esq., Collector of Bellary, dated Cuddapah, 26th August 1864, No. 749.

1. With reference to your letter as per margin, I have the honor herewith to forward copy of a report by Mr. Supervisor Hasler on the sluice of the Kudlighi large tank, from which it is evident that you have been misled by deliberate false statements made by Kudlighi Tahsildar.

2. I now have the honor to request you will call upon the Tahsildar and the Reddy of Kudlighi to state, why the leak in the sluice was never brought to Mr. Hasler's notice when the tank was dry.

3. The fears expressed in the last paragraph of your letter under reply are not likely to be realized, and if instead of always trying to find fault with the Department, you made the Revenue authorities attend to the orders of Government regarding petty repairs to works of irrigation, I am confident that you would not hear of tanks and channels breaching even after such a fall of rain as occurred on the 2nd June last.

ENCLOSURE No. 6, F.

From Mr. R. HASLER, Supervisor, P. W. D., to Lieutenant-Colonel E. HEMERY, R. E., Superintending Engineer, 3rd Division, dated Camp Cottoor, 3rd August 1864, No. 82.

1. I am in receipt of your letter, No. 519 of the 26th August 1864, in which complaint is made of the condition of the Kudlighi tank sluice.

2. Agreeably to instructions conveyed in paragraph 2 of your letter, I beg herewith to submit a full report on the subject, and trust it will be found satisfactory.

3. The Tahsildar in his letter to the Collector makes three statements; first, that the Kudlighi large tank sluice was repaired by this Department last year; second, that the repairs were badly executed; and thirdly, that a good supply of water which had been received in the tank was lost on account of the leakage of the sluice. To these I would answer that no repair to the sluice was executed by this Department last year, and therefore Statement No. 2 cannot be true; and third, that the supply has not been lost at all. An explanation of these contradictions is necessary: I proceed to give it.

4. In January last I inspected the Kudlighi tank, and found that a part of the bund and revetment required repair. As the amount required was within Rupees 50, I ordered the execution of the work, as a trifling repair. I thought at the same time that I observed signs of leakage about the revetment over the sluice, and ordered the sluice to be examined; the sluice was accordingly opened and examined; but both myself and the Talook Overseer failed to discover any signs of leakage; the sluice was therefore closed again as before. The sluice is very much below the present bed of the tank, and to prevent choking, a space round the head about four yards square had been revetted off with rough stone at some former time; but when I saw it, it was in a very dilapidated state, and partly choked with silt; as the repair of this was proper village labor, I gave no orders concerning it, merely pointing out to the Talook Overseer that the villagers were neglecting their duty. I have since heard casually that Talook Overseer Valoyden Mudaliar was persuaded by the villagers to perform this work for them, they undertaking to refund to him whatever the work cost. This must be the work which the Tahsildar complains of being badly executed, and is evidently a complaint got up by the villagers, to enable them to shirk payment of the money, as the stability of the sluice can in no way be affected by the revetment mentioned, and constructing such a revetment of stone in chunam would only be a waste of money.

5. If Talook Overseer Valoyden Mudaliar made the reply ascribed to him in the Tahsildar's letter, it must have been with reference to the expenditure of former years.

6. The sluice does leak rather heavily, and I have been lately informed, that it has always done so during the memory of man. Many attempts have been made to discover and stop the leak, which have always failed. Of this I knew nothing until very lately, or I should certainly have taken measures to have stopped it. The villagers never made any complaint concerning their tank or sluice (although their tank was in danger from part of the bund being half yard lower than the remainder in the site of the former breach). I was thus left unassisted in making my estimate, and not knowing for certain that a leak existed, and the sluice itself giving no sign (the tank being dry), no repairs were undertaken beyond grouting part of front revetment above the sluice.

7. In the third statement of the Tahsildar, I think he has proceeded too far in his endeavour to make a good case; he there states that a good supply of water to the tank ran off, and cultivation thereby prevented.

8. The Tahsildar's season reports (of which I have copies) shew that no rain fell at Kudlighi in any month; but June, as I was at Kudlighi on the 27th of that month, I saw the tank just after it had received its supply, which averaged two feet in depth. The Tahsildar's letter is dated the 12th July, and describes the tank as being drained; but I also saw the tank on the 16th July, and the waterspread showed little or no diminution, although there had been no rain in this interval; but though the tank had been drained, still there could be no greater loss sustained in this than in former years, the leakage being the same: again, the water is not wasted as it falls immediately into the Coopenkerra tank, and cultivation is going on under that tank, in consequence of there being no other supply.

9. In conclusion, I would beg to submit that if charges so entirely without foundation are allowed to be made against this Department unchecked, the effect will prove very disheartening to its officers. I am conscious myself of doing the best I can for the works in my charge; but if I am compelled so often to grope my way in the dark, from want of assistance from the local authorities, it can hardly be wondered at, if an estimate does not always include every thing required.

(True Copy.)

(Signed) E. HEMERY, R. E., Lieutenant-Colonel,
Superintending Engineer, 3rd Division.

ENCLOSURE No. 7, G.

ABSTRACT.—Translation of Arzi, dated 1st September, from the Tahsildar of Kudlighi to the Collector, replying in detail to the letter of the Supervisor, Mr. Hasler, dated 3rd of August (marked F.)

ENCLOSURE No. 8, H.

ABSTRACT.—Copy of letter No. 36, dated September 8th, from Head Assistant Collector to Collector, reporting on the unsatisfactory nature of the operations of the Public Works Department in the Talooks under his charge.

ENCLOSURE No. 9, I.

ABSTRACT.—Plan of Kudlighi large tank.

ENCLOSURE Nos. 10 to 14.—K to N.

ABSTRACT.—Translations of a deposition given by Potail of Oojeein before Tahsildar on 12th of September, and of three depositions given before the Collector on 23rd of September by Potail and certain Ryots of Kudlighi.

1. Ordered to be submitted for the consideration of Government as requested. The Board are of opinion that the Collector has good ground to complain of the tone adopted towards him by Colonel Hemery, and of the manner in which the case of the Kudlighi tank was disposed of.

2. In the face of the evidence adduced by the Collector including the results of his own personal inspection, it is impossible to doubt that the Ryots in this instance have good ground to complain against the Department Public Works, and that the revenue is likely to suffer from neglect or imperfect execution of necessary repairs, notwithstanding that the Ryots have contributed to a considerable amount towards the work. Remission cannot be refused in face of facts such as those adduced.

3. If the evidently well-founded complaints of competent and respectable Officers in the position of Tahsildars are, as in this case, stigmatized as "deliberate false statements" by the Superintending Engineer of the Division, on the report of the subordinate whose shortcomings are brought to notice, the Board cannot but fear that much evil will result.

No. 116.

ORDER THEREON, 6th February 1865, No. 234.

Miscellaneous.

1. The Governor in Council disapproves of the spirit in which Colonel Hemery received the complaint forwarded by the Collector, and of his charging the Tahsildar with falsehood with no further evidence than the assertions of the person complained against. It is the duty of the Superintending Engineer to enquire into such complaints, and to ascertain that his subordinates do their duty. False complaints will be exemplarily punished; but it is not to be assumed that a complaint is false, because it is denied by the person whom it affects.

2. Mr. Hathaway will be informed that such a remark as that contained in paragraph 7 of his letter, dated 7th ultimo, is quite out of place. The Government have no intention of making an alteration in the present system, and he must accept this as a settled matter.

(True Extract.)

(Signed) C. G. MASTER,

Under Secretary to Government.

To the Board of Revenue.

„ the Public Works Department.

Exd. S. T. Augustin.

4 35

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(True Copies and Extract.)

[Signature]
Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D., with twelve enclosures.

Copy to A. Hathaway, Esq., Collector of Bellary,
with three original enclosures A, E, and F returned.

Exd. J. Wright,

[Faint handwritten notes and signatures follow]

Copy to Mr. Ashmore & Co.

1864

No. 2806

No. 6,920

Dated 20th Oct 1864
J. P. W.
C. M. C. & Co.

PROCEEDINGS OF THE BOARD OF REFERENCE

No. 2806

Rev. 1864
Department
of Govt. for the

Submitting with remarks letter from the Collector of Bellary forwarding letter from the Superintending Engineer 3rd Division accusing him of "always trying to find fault with the D. P. W."

Rev. Dept.

W. 234

Proceedings of the Madras Government
Under date the 6th February 1865.
Read the following
Proceedings of the B. of Rev.

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letter from Collector of Bel.
Can forwarding letter from
the Superintending Engineer
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(Here enter 20th Oct 1864
No. 6920)

W. P. W.

J. P. W.

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'14 To the Boarding (Room with 12 encls 2007 Feb
21 & the Secy of S

Revenue 1865-84
No of Govt for delay

DP: 234

No of the charges
Government. 37
to February/65.

Referring orders on
the consequences of the
withholding of Bellamy
against the department
standing suspension. -

DP: 115-116