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MADRAS RECORD OFFICE

Government of Madras

Rw. DEPARTMENT

G.O. No. / ~~B.P. No.~~	118	~~Press~~ / Mis.
Dated	16.4.1872	195 .

Not to be folded or roughly handled

Proceedings of the Madras Government
Read the following

Proceedings of the Madras Government, Revenue Department,
9th April 1872.

No. 76. Read the following letter from the Collector of South Arcot, in charge of the Special Agent's Department, to the Officiating Chief Secretary to Government, Fort St. George, dated Villapurum, 14th March 1872, No. 45:—

I HAVE the honour to forward, herewith, a Survey Plan of the Bahoor tank and its vicinity (marked No. 1), and a plan and estimate for constructing a bund across part of its present water-spread, at a cost of Rs. 3,050,* and to request the sanction of Government to this work being constructed. I forward, at the same, time a sketch of the tank and its immediate vicinity made in 1855 by order of Mr. Hall, the Collector, (No. 2), a French sketch (No. 3) and a survey on a large scale of a portion of the present water-spread of the tank (No. 4).

* Marked A.

2. The circumstances which have led to my submitting this application to Government are as follows:—

The Bahoor tank is a large reservoir belonging to the French village of Bahoor. To the north-west of the tank are two English villages called Caranapett and Pullipatt. The former of these has a tank, the bund of which runs at right angles to the northern bank of the Bahoor tank, joins it, and projects beyond the point of junction for some distance to the south, and then turns eastwards. In the east face is a sluice built up last year in accordance with the terms of a Convention alluded to further

3. To the south-west of the Bahoor tank are three English villages called Kuttiankupam, Ulleripett and Caramodu.

4. For the last fifteen years and more, as the records of the Special Agent's Office show, there have been complaints and counter-complaints passing between the French Government and the Collector of this district relative to this tank, the former complaining of the conduct of the English ryots in taking off water from it, and the latter throwing the blame on the French ryots, who, by erecting turf dams on the calingulah of the tank, and so raising the water level, swamped the lands of the English ryots.

5. For instance, in January 1855, M. Verninac de St Maur, the French Governor, wrote to the Collector a letter, complaining of the practice of the villagers of Ulleripett in growing paddy on their Punjah lands, in the bed of the Bahoor tank and to this end, letting off the water of it when at its highest. He admits the right of the Ulleripett villagers to the water of the tank, but takes exception to the manner in which it is taken off, and proposes certain arrangements by which the taking off should be regulated.

6. To this Mr. Hall, the Collector, replied that inquiry showed that it was the English, and not the French ryots who had been damaged, and that the damage was caused by the French ryots having raised a turf dam, 18 inches high, on the calingulah. He forwarded a plan (No. 2, now enclosed) and requested that the French ryots should be prohibited from raising dams on the calingulah.

7. In reply, the French Government stated that orders had been given to prevent the ryots from constructing turf dams thereon.

8. At length, in May 1859, Mr. Graham, the Sub-Engineer, reported to Captain Foord, the District Engineer, that the Bahoor ryots wished to extend their tank bund about 400 yards into English limits, and had commenced work without permission. He remarked that this extension should not be permitted, as the backwater would cover a quantity of the lands of the Ulleripett ryots, and as the new bund would run quite close to Ulleripett, the inhabitants were right in apprehending injury to their houses, should a breach occur. These remarks of Mr. Graham's are evidently based upon the idea that there existed an intention on the part of the French ryots to raise the level of the water of the tank simultaneously with the extension of the bund, for otherwise, its extension would be useless to them, and not in any way hurtful to the Ulleripett villagers.

9. I would here request the attention of Government to Survey Plan No. 1, which bears the signatures of M. Weiss, the French Ordonnateur, and Mr. Stafford Vardon, the Civil Engineer of this district, and was executed in 1839, and beg them to note the fact that at that date, the southern bank of the Bahoor tank stopped altogether at a point a little to the west of the village of Caramodu, between it and Ulleripett. I would also beg them to note particularly the limit of the Bahoor tank water-spread at that date, as denoted on the plan, and as proved by the fact of the water-spread being necessarily limited by the termination of the southern bund, and also by the fact of the existence of the village of Ulleripett without anything to protect it against the water of the Bahoor tank in the very spot where it now stands. This state of affairs lasted unchanged up to the date of the correspondence between Mr. Hall and the French Government in 1855, as may be seen by comparing Sketch No. 2 with No. 1.

10. The extension complained of by Mr. Graham was from the point where the southern bund terminated, in the direction of the pencil line marked on Plan No. 1, which skirts the village of Ulleripett on the north.

11. Within a month of Mr. Graham's protest, a formal agreement was entered into between Captain Foord and M. Sonillard, the French Engineer, (called the Convention of 1859)* by which this bank was to be extended up to a certain Ayanar Covil, to the west of Ulleripett (marked W), but by the convention it was also distinctly prohibited to raise the real level of the sill (exhausser le nivean actuel du seuil) of the calingulah of the Bahoor tank.

* Copy enclosed No. 5.

12. This prohibition, so long as it was conformed to, virtually rendered the concession as to the extension of the bund valueless. The agreement, however, never was formally ratified by the French Government, and though they say the reason was that the Ulleripett ryots destroyed the work before it was finished, I cannot help thinking that the prohibition against raising the water level must have had much to do with it, particularly as the bund exists to this day up to the north-west corner of Ulleripett.

13. There must, however, have been even then, an intention to raise the water level. Mr. Graham's letter contains internal evidence of his knowledge or suspicion of the existence of such an intention, and nothing proves it more strongly, than the very fact of the construction of the extended bund itself which would be of no use to any one until after the water level was raised.

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14. Nothing overt, however, would seem to have been attempted to the attainment of this long cherished end, until 1865-66, when the Bahoor tank calingulah was repaired, and then its level was raised without any permission from the authorities of this district. This fact was virtually admitted to me by the French authorities themselves, at a conference I had with them, in December last. They justified the elevation on certain old plans of the calingulah (which however were not shown to me), dated as far back as 1825, which represented it with dam stones, 3 feet high, on it, and they claimed to have the right to restore the calingulah to that condition, and to raise the level for 2 feet more, in addition to the existing level. At any rate they have acted up to their impressions, for besides raising the level permanently, when they repaired the calingulah, they built on it 26 masonry pillars, each 26 inches high, and 19 inches broad, with grooves for shutters 2 feet high, and thus reduced the waterway of the calingulah itself from 135 to 93⅝ feet.

15. The admission of the French authorities is, however, unnecessary; the fact is patent, and capable of proof that, from and after the reparation of the calingulah, the villagers of Pullipatt, whose lands were not before that date liable to submersion, have since had them regularly submerged, and annual loss caused to them thereby.

16. I here again request the attention of Government to Plan No. 1, and solicit a comparison between the water-spread marked on it as existing in 1839, and the two lines in pencil marked G.G.G. and K.K.K., which have been sketched on it by me from the two Plans 3 and 4, No. 3 being the French plan, giving "the new limits of the tank of Bahoor on the west" corresponding with K.K.K., and No. 4, the plan of the survey made on the 3rd January last, by Mr. Norfor, showing the water-spread as it actually existed, on that date. Now when it is borne in mind that on January 3rd, 1872, the water was standing 8 inches below the level of the crest of the calingulah, and that it had, between the 3rd October and that date (during the height of the monsoon) been as high as 1½ feet above the crest of it (although no shutters were used) or more than 2 feet above its level on the 3rd January, the Government will be able to form an idea of the extent to which the Ulleripett and Pullipatt lands have been affected by the action of the French authorities with respect to their tank.

17. Various efforts have been made from time to time to come to an arrangement by which the rights of the English ryots should be respected and secured, but it was only in April last, that Mr. Reade, after much trouble, concluded the Convention of 1871, of which I now enclose a copy.

Enclosure No. 6.

18. By this Convention the right to fix shutters to a height of 60 centimetres (about 2 feet) on the present calingulah has been conceded to the French Government, subject to the liability to pay compensation at the rate of 30 kalams, per cawny, for all crops (provided they are first and not second crops, and provided that the loss exceeds 10 per cent. of the value of the whole crop) destroyed in consequence of the level of the water being raised when those shutters are put up, and by virtue of Article I., the sluice built in the eastern face of the Caranapett tank* to let the surface drainage from the Pullipatt lands flow into that tank, has been built up to the level of the calingulah of the Bahoor tank, while in pursuance of

* Alluded to in paragraph 2 of this letter.

Article II. a bund was directed to be built along the course of the supply channel of the Ulleripett tank to the point where it is taken off the Bangar Vaikkal, which is the large channel which leads the water of the Ponnair river into the Bahoor tank.

19. After my arrival in the district, the Ulleripett ryots complained of the construction of this bund, while the French Government complained of the bund not being finished, and of the conduct of the Caranapett villagers in attempting to keep the sluice open, which had been closed in accordance with the terms of Article I. of the Convention.

20. As this Convention was signed by the French Governor, but not by the Governor of Madras, I was doubtful whether it was binding on me until so signed, and referred the point to Government for an expression of their opinion on the general question whether such Conventions need be submitted to Government, in my letter of the 28th November last, No. 156, and I communicated my doubts to the French Government. However, as the French authorities showed a willingness, to re-open the question, if I thought it advisable, I had two conferences with them, at the first of which, I proposed that all damage to the lands lying to the north of the Bangar Vaikkal should be prevented by a bund from a point on it, to be chosen by our Engineers to the corner of the Caranapett tank, half the cost of its construction and repair being borne by the French Government, and that they should also pay half the cost of raising and keeping in repair the northern embankment of the channel from the point where the bund joined it up to a point (T) opposite to the mouth of the branch channel which supplies the villages of Caramodu and Ulleripett, and should bear the whole cost of strengthening and keeping in repair the whole of the southern embankment up to the bridge over the channel close to Kuttiankupam (V), the northern embankment between V. and T. being kept in order by our Engineers; and to these proposals they agreed.

21. Subsequently, on again visiting the locality and questioning the Ulleripett and Kuttiankupam villagers, I found that they were still dissatisfied, and that as far they were concerned, the question of compensation would probably still have to be settled every year, and being satisfied that this would entail annually a great deal of trouble and difficulty, I, at the second conference, proposed the extension of the bund right across the tank, in the direction of the line marked on Plan 4, as the best means of settling the difficulty and all further disputes, and that half the cost of this work should also be borne by the French Government. It was agreed that the line of proposed bund should be examined by the French Engineers and ours jointly, and this was done in December last, and it was then agreed that the line of embankment proposed by me was unobjectionable; that a sluice might be constructed in it at the same level as the crest of the Calingulah of the Bahoor tank, and that the French should construct a new sluice on the east side of the bund at A (Plan No. 4) in the Bahoor tank bund to secure the villagers of Caramodu, their customary supply of water from that tank. The French Authorities, however, did not agree to my proposal that they should pay half the cost of the construction and maintenance of this part of the new bund, basing their refusal to do so, on Mr. Reade's Convention, by Article II. of which the bund therein mentioned was to be constructed at the sole cost of the English Government. The agreement

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come to at the first conference detailed in the preceding paragraph was, however, to hold good.

22. I therefore now submit the scheme for the sanction of Government, and recommend its adoption on the grounds—

1st.—That it will in all probability put an end to all further disputes regarding the Bahoor tank water.

2nd.—That it will enable the English ryots to enjoy their lands without fear of their being swamped.

3rd.—That it will put an end to all necessity for annual settlements of compensation for crops destroyed.

4th.—That it will be remunerative to Government.

23. The preceding remarks and the plans will enable Government to judge for themselves of the validity of the three first grounds of recommendation, and with respect to the fourth, I may state, that having had that portion of land (*Vide* Plan 4) bounded by the line of proposed bund on the east, by the Bahoor tank bund on the north, and south by the Caranapett tank bund, and a line dotted on the plan in a line with it up to the Bangar Vaikkal, by that channel itself and by the Ulleripett tank supply channel on the west, measured I find 200 cawnies of land classed as Punjah, which are submerged so long as the water in the tank reaches to within 8 inches of the crest of the Bahoor calingulah, and which were so submerged for three months this season, of which C. 162-14-1 are held on putta by English ryots, and the rest is waste. How much more was submerged for shorter period I cannot say, but it may be imagined from a comparison between the lines G.G.G. and K.K.K, on Plan No. 1.

24. The whole of these 200 cawnies will be rendered securely cultivable, and most, if not all of it will, I anticipate, be capable of being irrigated, and rice crops grown thereon, in which case, an annual increase of revenue equal to from 750 to 900 Rs. may be realized in addition to the present dry assessment, some of which will have to be remitted this year.

25. The limits of the English Territory are marked on the French Sketch, and are considerably to the east of the proposed line of bund. Of course its construction will not prevent those ryots who hold lands on the east of it, on putta from cultivating them when they can, but when the waters of the tank stand at a height of 2 feet above the calingulah, these lands will probably be 4 feet under water, and whether they will ever be bare sufficiently long to enable a crop to be raised on them I cannot say. There are only 34 cawnies so held.

26. When the bund has been constructed I see no objection to the continuance of the concession made by Mr. Reade's Convention to the French, to put up 2 feet of shutters on the calingulah; on the contrary, it will benefit our ryots by causing the water to stand higher in the Bangar Vaikkal, and thus enable a larger supply to pass down the branch channel to Ulleripett and Caramodu, and from this enhanced supply, the lands reclaimed by the new embankment will probably be watered, the drainage from them being carried by a syphon sluice under the Bangar Vaikkail to the Caranapett tank, of which the built up sluice will be then re-opened.

27. I request the plans now forwarded, may be returned to me, and if the Government see no objection, on the score of expense, I should be very glad to have the Survey Plan No. 1 lithographed or copied in Colonel Priestley's Office, as it is a valuable record, and in a much damaged condition.

No. 77. ORDER THEREON, 9th April 1872, No. 577.

Miscellaneous.

MR. GARSTIN proposes the construction at an estimated cost of Rs. 3,050, of a bund which has been approved as unobjectionable by the French and English Engineers and which has for its object to exclude from the lands of certain South Arcot ryots the backwaters of the French "Bahoor" tank, the water-spread of which was considerably extended by the repair or elevation of its calingula in 1865-66.

2. The French Authorities justify their action in the matter as being in accordance with the plans of 1825, which however were not produced to Mr. Garstin; but their claim was practically conceded by Mr. Reade in April 1871, subject to the payment of certain compensation for damaged crops, the settlement of which will be a constantly recurring cause for disputes.

3. Two modifications of the agreement then come to by Mr. Reade have been accepted by the French Authorities at Mr. Gartin's suggestion, and it is to the [illegible] necessary for carrying these to completion that he now requests sanction, on the ground that it will remove present cause of complaint and the prospects of future disputes, and that it will in all probability prove remunerative to Government.

4. Under the circumstances stated, the Government sanction the proposed work. Provision for its cost will be made by order in the Department Public Works.

(True Extract.)

(Signed) W. HUDLESTON,
Officiating Chief Secretary.

To the Collector of South Arcot, in charge of the Special Agent's Department
,, the Public Works Department.
,, the Board of Revenue.
,, the Accountant-General.

Exd. G. A. Turton.

4/118

Order thereon 13th April 1872 No. 166

Communicated to the Superintending Engineer 6th Division who will include the work in his statement of demands from the Revenue Agricultural.

/True Extract/ 4/118

G. Pedder Colonel R.E.
Secretary to Government
P.W. Dept.

4/118

To The Revenue Department.

Exd. Leo J.

Madra

REVENUE.

THE COLLECTOR OF SOUTH ARCOT

&c., &c., &c.

April 9th.

9th April 1872. No.

APRIL.
Nos. 7677.

...d across Bahoor tank between the ...and English villages.—Proposal of the ... of South Arcot for its construction under ... stated sanctioned, provision for ... in the Public Works Depart...

Revenue 1872 Dept
No. 1289.
Proceedings of the
Govt. Pr. Dept

Dated 13th April
Received 15th "
No Note.

Communicating to the
Supt Engineer 5th Division,
order in the Rev. Dept. sanc=
=tioning construction of bund
across Bahoor tank between
the French and English Vil=
=lages, in view to the work
being included in his state=
=ment of demands from the
Reserve.

With Rs

No 118 - 16 April 1872

1 Fol. Rs. - 2 Ogl. Rs. & Do. Rs. and Spare