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*Proceedings of the Madras Government, Revenue Department,
18th April 1872.*

No. 175. Read again G. O. dated 13th September 1870, No. 1,452, Revenue Department:—

Read also the following endorsement of the Secretary to Government, Public Works Department, Fort St. George, dated 5th December 1870.

Read the following letter from the Superintending Engineer, 2nd Division, to the Secretary to Government, Public Works Department, dated Pengollu, 24th November 1870, No. 116.

In reply to G. O., No. 2,447, 11th October, I have the honour to report that the lower part of the Nizampatam canal was excavated in 1863, and that, so far as I can find, no passage across it was made till last year. In the Revenue Survey a track is shown as in the neighbourhood, but it does not extend to the village; and, when I visited the place, some Mussulman cultivators asserted that the land near the village was theirs.

2. At any rate, there was not a single wheel-track, on what the Curnams said was the line in question, called by Mr. Boswell the regular line of road, between Guntur and Nizampatam. It is notoriously impossible for bandies to cross the channel and the Nullavada drainage with their loads during the cultivation season; on occasions of pressing necessity the empty carts have been taken through, and their loads, carried over by men, replaced afterwards. During the dry weather, it is not difficult to cross the channel in these sandy reaches at any point where the cart-drivers choose.

3. Up to the end of November 1869, the drainage of the Nullavada was so defective that we were at last obliged to let it pass in and out of the Nizampatam canal by cutting its banks. I believe that most of the salt is carried by water to Jutur, and there put on carts to go by Ponnore to Guntur.

4. In this case, the ryots, who were cultivating in the neighbourhood, asked leave to pass the channel not as any right that they claimed, but as a favour. The Overseer permitted it on condition of their repairing the damage they did. Not an anna was collected that I know of. I cannot discover who admitted the collection of this money. The ryots deny having levied or paid any toll; the range officer informs me that, even before the Tahsildar, the evidence was very conflicting.

5. I was informed that certain villagers near Sandole had taken money for injury done to their land by cart-drivers passing over it; as there were no wheel-marks, I saw no reason to believe the tale; but whether they did so or not, I do not understand how this department is concerned. Mr. Boswell appears to lay the blame of all their procedure (see paragraph 23) on us.

6. I must protest against the manner of Mr. Boswell's inspections (see paragraph 21). What he saw I cannot pretend to judge, but he passed over the disputed ground at night. I am informed that the ryots, who were said to have taken the toll, and were fined for doing so by the Tahsildar, were kept away, and that the other party had it all their own way. It is not the first time that Mr. Boswell has criticised our works from similar inspections.

7. In paragraph 23 of their Proceedings, the Revenue Board remark on hardships which the people of the Kistna delta suffer from the want of means of crossing the channels.

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8. I have received no complaints from the people themselves. Boats have been provided gratis, and repaired whenever the villagers promised to keep up a ferry. Their neglect of the boats themselves is most discouraging. In my experience they prefer to have a *sangadi* (two palmyra tree-butts coupled), and to drive their cattle wherever they please, instead of keeping to the ferry. The injury to the banks is very considerable.

9. In the sandy or less muddy tracts, I have seen over and over again men walk through to save the short distance round to a ferry with their cattle, trampling down 50 or 100 feet in length of bank, and choking up the channel. I believe that we have every right to pound these cattle, but it is not easy to catch them. I trust that this matter may induce the Government to pass some orders on the subject. We have now no power of control; and if we may not make special agreements like the above, we must go to the expense of providing many more passages, or must have authority to check those made without authority.

10. A survey is in progress for the road from Sandole to Nizampatam to run along the right bank of the canal, and to cross it by a bridge over the tail of the tidal lock, where the road from Bapatla to Nizampatam would, in my opinion, also come in most conveniently. No road has ever been made, or so much as laid out between Sandole and Nizampatam. Mr. Boswell (see paragraph 18) has more than once reproached me for surrendering Rs. 1,000 which had been allotted for its repairs, and which act of mine has, I believe, produced all this correspondence.

11. He is incorrect in his statement (paragraph 17) that the Department Public Works collected materials for the new wharf at Nizampatam. No allotment has ever been made, and no money has been spent.

TRANSFERRED to the Revenue Department, with reference to the Proceedings in that department dated 13th September 1870, No. 1,452.

(Signed) CHARLES A. ORR, Colonel, R.E.,
Secretary to Government.

No. 176.

ORDER THEREON, 18th April 1872, No. 625.

Separate Revenue, No. 11.

Salt.

THE Government proceed to dispose of this letter which has been overlooked. They cannot doubt that the villagers of Sandole have an im-

morial right of way to their land lying (as it appears that some does) on the farther side of the Nizampatam canal from their village; and this crossing must, therefore, be admitted as a right and not conceded as a favour. The principle must be of very wide application throughout the range of the delta irrigation-works, and the cost of maintaining the channel-banks at the established crossings must be borne by the State as a duty clearly devolving upon it.

2. But at the same time, in the interests of the community, the expense must be kept within the narrowest limits compatible with due recognition of existing rights, and the Government can readily believe that the villagers and herdsmen are more likely to consult their own immediate convenience as to the points of

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crossing than the actual necessities of the case. No doubt, before the canal was excavated, the tract of country through which it runs was traversed, at some seasons of the year, in every direction by carts and cattle; but it does not follow that the same unregulated right of way should now be permitted when it entails unnecessary expense on the community, and may be restricted within reasonable limits.

3. The Government believe that all such questions as this may readily be arranged by the local Revenue and Public Works Officers with the concurrence of the ryots, if a conciliatory mode of action be adopted, and a disposition to recognize their rights and their convenience evinced.

4. They assume that, in the present instance, no obstruction now deprives the Sandole ryots of reasonable facilities for crossing the lines of waterway; and they look to the Superintending Engineer to prevent his subordinates from acting in contravention of established rights.

5. It is very necessary to establish a regulated system of crossings, keeping in view, on the one hand, the reasonable requirements of the villagers, and, on the other, the vast amount of labour and of expense to the State and, therefore, to the community, which is entailed by reckless disregard of the injury done to the channel-banks by unrestricted traffic across them.

6. The Government are confident that, by fair representation, the not unwilling assistance of the villagers themselves may be enlisted, and all that is necessary, in the way of regulation, effected and maintained. The Collector should give special attention to this subject.

7. Referring to the concluding paragraph of the Superintending Engineer's letter, the Government deem it of importance that every facility should be secured for using water-carriage in the delta; and they trust that the Board will be able, from the provision in the Salt Budget, to allot funds for a boat-wharf on the Nizampatam canal near the salt-works in the current year. The estimate of Rs. 25,000 appears to have been for a masonry wharf. If funds to this extent cannot be provided, it seems deserving of consideration whether a timber structure on wooden piles would not supply what is immediately necessary; the Forest Department providing the material and taking a book-credit for the value of it.

(True Extract.)

(Signed) W. HUDLESTON,
Officiating Chief Secretary.

To the Board of Revenue.

„ the Accountant-General.

„ the Public Works Department.

„ the Conservator of Forests.

Exd. F. R. Bantleman.

Supr. Inq. Offici. 2d^o
Camp. Bengalla.
24th. November 1870

From
Colonel J. J. Moherly R.E.
Superintending Engineer
2nd Division
To
Colonel C. A. Orr R.E.
Secretary to Government
Public Works Department

Sir,
I in reply to G.O. No. 2447. II
October. I have the honor to report that
the lower part of the Nigampatam Canal
was excavated in 1863 and that, as far
as I can find, no passage across it was
made till last year. In the Revenue
Survey a track is shown as in the
neighbourhood, but it does not extend
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serted that the land near the village
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3 Up to the end of November 1869 the
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11 He is incorrect in his statement para 17 that the G.P.W. collected materials for the new wharf at Nigampatam. No allotment has ever been made and no money has been spent.

I have the honor to be

Yours most obed^t servant

J. Macleay Colonel R.E.

Superintending Engineer
S. D. & Co.

Read again G. O.

dated 13 Sept: 1870, No 452. R.S.

Read also the following
letter from the Supg. Eng^r 2^d.

A. E. 24 Nov. 1890, No. 116

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They cannot doubt that
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farther

Affording explanation as
 to prohibition of passage of
 Carts across Vizampatnam
 Canal; see.

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14 Feb 1700 1716-2

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The Century to
Ezra Ripley.

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Revenue Dept. with re-
ference to the proceedings
in that Department
dated 13th September 70,
No 1457.

9th ~~Oct~~ ~~24~~ November 1870

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Prohibition of passage of cars

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Recd April 28th 1880 R. 11th R. C. 12th R. 16th April

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L.B.

14. Board of Rev Des 20 Apr 72
6. Accts Recd
21 Copy to D.P. W.
13. — Trust funds

Apd 72

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Right of way by
villages of Sandak
in Khetna Dist

Circ

See page