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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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Dated 28-8-1875-196.		

Not to be folded or roughly handled

1295
77

*Proceedings of the Madras Government, Revenue Department,
28th August 1875.*

No. 279. Read the following Proceedings of the Board of Revenue, dated 12th July 1875, No. 1,926:—

Read the following letter from J. D. B. GRIBBLE, Esq., Acting Collector of Cuddapah, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 25th June 1875, No. 137:—

I BEG to request the Board's instructions on the following point.

2. The Kondayapalli tank bund, situated in the Cuddapah Taluq, was extensively over-grown by prickly-pear.

3. The Range Officer in a letter to the Additional Deputy Collector states that he found the bund to be over-grown, and requested the ryots to remove it. They professed themselves unable to do so, but, he says, promised to pay for the removal. Accordingly, and as far as I can ascertain, without any orders from the Revenue authorities, the Range Officer (Mr. O'Donaghue) employed two gangs of convicts from the District Jail to remove the prickly-pear. This they did, but instead of burning or destroying the prickly-pear, they threw it on the ryots' fields, thus causing not only considerable annoyance, but much pecuniary loss.

4. In the letter above alluded to, the Range Officer stated that after the work had been completed, the ryots refused to pay for it. This refusal would seem to be intelligible. Mr. O'Donaghue accordingly asked that the amount, Rupees 101-4-0, might be recovered from the ryots. The Additional Deputy Collector, Mr. Sharkey, thereupon issued an order, directing the collection of this sum from the villagers under Act II. of 1864, with reference to Section 6 of Act I. of 1858, (Compulsory Labors Act).

5. The villagers have now appealed to me, on the ground that by depositing the prickly-pear on their fields they have sustained considerable loss.

6. The collection of so large an amount of money cannot possibly be made under Section 6 of Act I. of 1858, which provides only for the execution of customary labor. The removal of prickly-pear is a task of great difficulty, and the fact of it being under discussion whether some means should not be adopted (by money grants, favorable cowles, &c.) to remove this nuisance, would show that the labor is not a customary one. It certainly does not come under the usually understood money limit of kudimaramut, Rupees 25. It would therefore, in my opinion, be unfair to collect this money from the ryots, and I request the Board's instructions how the gangs are to be paid.

7. As regards the depositing of the prickly-pear on the fields, I have addressed the District Engineer, and have requested that officer to instruct his subordinate to adopt such measures as may be necessary for the immediate removal of the prickly-pear. For the cost of this removal the ryots cannot, of course, be held responsible.

SUBMITTED for the orders of Government.

2. The Board are of opinion that the cost of the clearance cannot be recovered from the ryots, but must be met from funds at the disposal of the Public Works Department.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

Dated 12th Feb 1875.

certainly in such a case
 to claim can be
 enforced against the hypoth.
 But have been seriously
 inconvenienced by
 that books like a
 malicious act of
 the courts. I
 presume the charge
 is for this labor.

duty to keep down truck
Rear from time to time

The work has been
done by convict labor

The work has been
done by convict labor

Dec. 18-9-21-22

Up to I st. simply
direct that the
Demand be ~~to be~~ drawn
but I st. to let
know how the F.W.
affairs ~~about~~ the
Lorries of Convoys
for this work.

SK

and apparently in
ill-naturedly done.
On this point I would
make the inquiry suggested
by Mr. Huddleston
and I do not object
to remit the 8 Rupees
or at least part of it
and to order the Convicts
to remove the rubbish.
But the question
is an important one -
keeping clear the
Lauk-bunds from
time to time is a
Kudimaramat work
and if done as occasion
is quite within the power
of the Ryots.

In this case the
work has been neglected
and the accumulation
has become excessive.
The Ryots admit this

claim on them
the change & promised to pay
if ~~it~~ ^{the nuisance} was removed by the
Engineer Department. They
now refuse, and the Collector
supports the refusal.

It may be difficult
to enforce the demand
as a whole and as above
said I shall not urge
collection and would
make use of the plea that
the Convicts had been
careless as an excuse.
But I submit that the
Collector is wrong and
that we should maintain
the principle firmly that
the Govt. cannot allow
Ryots to throw on the State
charges of this character
in future. It is their
duty to keep down prickly
Reas from time to time
and

No. 1,926.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th July 1875.
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4. In the letter above alluded to, the Range Officer stated that after the work had been completed, the ryots refused to pay for it. This refusal would seem to be intelligible. Mr. O'Donaghue accordingly asked that the amount, Rupees 101-4-0, might be recovered from the ryots. The Additional Deputy Collector, Mr. Sharkey, thereupon issued an order, directing the collection of this sum from the villagers under Act II. of 1864, with reference to Section 6 of Act 1 of 1858, (Compulsory Labors Act).

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SUBMITTED for the orders of Government.

2. The Board are of opinion that the cost of the clearance cannot be recovered from the ryots, but must be met from funds at the disposal of the Public Works Department.

(A true Copy and Extract.)

Acting Secretary.

To the Acting Secretary to Government, Revenue Department.
Copy the Acting Collector of Cuddapah.

Erd. W. H. French.

and apparently

FOR ORDERS.

and if they neglect to do
do they must pay for
its removal at whatever
cost. and they of the
district told so

GD NA

I have no objection
I think being told so
must I mean this
the Board clearance
is reasonable

It seems to me with to tell
Ryots unless we are in a
position to put the law
in force. Is this the case?
I thought the question in
its general aspect was to
be referred to them?

for report - If so, I will
not if we are under
an individual case

RM

Rev: 1875: 2846
N. 2801

(2) 28731
1875.

BOARD of REVENUE,
MADRAS.

PROCEEDINGS, 12TH JULY 1875, No. 1,926.

24 July 1875

Encl.

Respected
Members of the
Council

Received 19: July
Ch. 1896-28 July 1874-

JULY.

No. 1,926.

Removal of Prickly-pear—from Kondayapalli
tank bund in Cuddapah District. — Letter from
Collector, requesting instructions as to how the
cost incurred by District Engineer on account of
— should be paid, submitted to Government
with remarks.

W. H. M. M.
★

24. 11. 24/75. 24/18 Aug 75
228 24/75. 100/12 Aug 75

Ch. 1894-

In consideration of the preceding
circumstances of the case
the fact is & opinion that
the cost of clearance should be
second from the Govt.
The fact is, however, that
opinion on the question of
whether such work could be
the maintenance of customary
labour, the question of
costing labour being such
upon the 18th of Dec.

14th Dec 1894
21 Dec 1894

W. H. M. M.
28 July 1874-