MRO 1—20,092—12-8

(1) Number of Pages 74

(2) Date of repair 4-11-67

(3) Initials of the Referencer [illegible] 19.2.68

# MADRAS RECORD OFFICE

## GOVERNMENT OF MADRAS

Revenue DEPARTMENT

| | |
|---|---|
| G.O. No. 888 | Press |
| ~~B.P. No.~~ | ~~Mis.~~ |
| Dated 7-6-1875 | 196 . |

*Not to be folded or roughly handled*

No. 62. Read the following Proceedings of the Board of Revenue, dated 10th April 1875, No. 885.—

Read the following replies to G. O., dated 25th August 1874, No. 182, Revenue Department:—

| | | | | | | |
|---|---|---|---|---|---|---|
| From the | Collector | of Ganjam, | dated | 22nd October | 1874 | No 2,225 |
| ,, | ,, | of Vizagapatam, | ,, | 16th ,, | ,, | ,, 1,521 |
| ,, | ,, | of Godavery, | ,, | 19th November | ,, | ,, 425. |
| ,, | ,, | of Kistna, | ,, | 30th ,, | ,, | ,, 1,929. |
| ,, | ,, | of Nellore, | ,, | 8th December | ,, | ,, 2,912 |
| ,, | ,, | of Cuddapah, | ,, | 6th February | 1875 | ,, 34. |
| ,, | ,, | of Bellary, | ,, | 18th November | 1874 | ,, 411. |
| ,, | ,, | of Kurnool, | ,, | 1st February | ,, | ,, 36 |
| ,, | ,, | of Madras, | ,, | 7th November | ,, | |
| ,, | ,, | of Chingleput, | ,, | 30th October | ,, | ,, 610. |
| ,, | ,, | of North Arcot, | ,, | 29th ,, | ,, | ,, 560. |
| ,, | ,, | of South Arcot, | ,, | 31st ,, | ,, | ,, 575 |
| ,, | ,, | of Tanjore, | ,, | 28th January | 1875 | ,, 58. |
| ,, | ,, | of Trichinopoly, | ,, | 30th September | 1874 | ,, 249. |
| ,, | ,, | of Madura, | ,, | 28th January | 1875 | ,, 35 |
| ,, | ,, | of Tinnevelly, | ,, | 2nd November | 1874 | ,, 554. |
| ,, | ,, | of Coimbatore, | ,, | 22nd September | ,, | ,, 125. |
| ,, | Commissioner | of Nilgiris, | ,, | 17th October | ,, | ,, 114. |
| ,, | Collector | of Salem, | ,, | 5th November | ,, | ,, 418. |
| ,, | ,, | of South Canara, | ,, | 5th October | ,, | ,, 2,065 |
| ,, | ,, | of Malabar, | ,, | 23rd September | ,, | ,, 226. |

In G. O, Public Works Department, dated 21st August 1874, No. 2,353, Government laid down that clearances of prickly-pear on tank bunds now required should be provided for in repair estimates; and referred for general report the question as to how tanks and minor irrigation works should be kept free from prickly-pear after it has once been cleared away. The letters now submitted are the replies of Collectors

2. It is reported that there is very little prickly-pear on irrigation works in Ganjam, Vizagapatam, Godavery, Kistna, and Kurnool; none in Tinnevelly; and none at all in Malabar or South Canara. In Tanjore, the little that there was is reported to have been cleared away by village labor under the Tahsildars' orders without any expense to the State. The growth also appears to be very small in Madura, since the Collector estimates that only on thirty-six works will aid to the villagers to the extent of Rupees 1,544 be required.

3. The following is a summary of the replies from other districts:—

*Nellore.*—After it has once been cleared, the duty of preventing re growth should be assigned to the Revenue Department, who would get the work done by unpaid village labor.

*Cuddapah.*—The clearance should first be made by the Public Works Department, and the growth kept down by Kudimaramut The ryots cannot be charged for the first clearance, as Government officers are equally with them responsible for the past neglect. The responsibility of ryots as regards supply-channels should not extend beyond a distance of two miles.

*Bellary.*—The Collector is of the same opinion as regards first clearance and prevention of re-growth. The villagers can be compelled to do this work under Act I. of 1858.

*Chingleput.*—The District Engineer and Acting Collector state that the villagers admit their liability to the work as Kudimaramut, and were the banks clear, all that is required is watchfulness and systematic enforcement of Act I. of 1858. They do not consider that Government should pay the cost of all clearances now required, but that it should be left to the Revenue authorities to decide in what cases the growth consequent on past neglect had gone beyond the power of the villagers to remove, and the cost should be borne by Government.

*Madras.*—The Collector has arranged that the bunds shall be kept clear by the establishment recently sanctioned for the conservancy of the tanks.

*North Arcot.*—When the growth is not very extensive, it has from time immemorial been the custom for the villagers to clear it by Kudimaramut. The Collector and District Engineer instance the ease with which the re-growth was so cleared away in the case of the large Caveripauk Tank. Though twenty villages were concerned, no difficulty was made. The Collector thinks the ryots should not be called upon when the cost is more than Rupees 25 per annum. The District Engineer suggests that as the work can be done cheaper by the Revenue Department, all clearances should be effected by that department. The Collector again instances the Caveripauk Tank. The Department Public Works estimate was Rupees 4,750, but the Tahsildar got the work done for Rupees 1,778.

*South Arcot.*—Mr. Garstin, concurring with the District Engineer, thinks that once clearance has been effected the villagers should be required to keep down re-growth. He considers that this is within the scope of Act I. of 1858; but submits correspondence to show how difficult it is to work the Act, owing to the want of a specific declaration of the class of works to which its provisions apply. The case in question, however, does not come under Section 6 of the Act.

*Trichinopoly.*—It is reported that the villagers recognize their liability to clear, and have been compelled to do so when repairs are required. The duty being generally acknowledged, it can be legally enforced under Act I. of 1858, Section 6. Grants-in-aid to villagers are unnecessary and inexpedient.

*Salem.*—If Kudimaramut be regularly enforced, the growth will be checked. If the cost of clearance be more than Rupees 20, it should be included in the repair estimate.

*Coimbatore.*—The Collector does not think the ryots can any longer be required to clear the minor works under Kudimaramut. As Government will not legislate, they must pay. The work must be done through the villagers, and they must be paid beforehand; but there is the danger of the clearance being imperfectly made with a view to recurrent payments.

4. The Collectors seem to be almost unanimous in thinking that, where prickly-pear has accumulated to a great extent, the cost of removing it should not be charged to the villagers; but, when once clearance is effected, the villagers can and may be required to keep down the growth as customary labor under Act I. of 1858. In this opinion the Board concur, and would leave it to district



officers to decide in what cases the work of first clearance is too extensive to be laid upon the villagers. In all cases the clearances should, in the Board's opinion, be made through the officers of the Revenue Department as suggested by the Collector and District Engineer of North Arcot, and found so successful in the case of the Caveripauk Tank.

5. The only effectual way of destroying the plant is to bury it, and to exclude the air from the roots. It is essentially an air plant, and when air is excluded it will not grow. When the soil is too hard or shallow to bury it, it should be dried, beaten, and burnt. Mention is made of the cochineal insect, but the Board are aware, from personal experience, that the insect will prey only on the red-flowering species and is ineffectual against the yellow-flowering kind, which is the common one in the Madras Districts.

(True Extract.)

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

---

No. 63 MINUTE BY THE HONORABLE THE GOVERNOR.

I AM not satisfied with the Board's conclusions in a matter which I hold is a popular obligation that ought to be maintained They are calculated to shelve not to produce a practical solution of this important difficulty. For it is obvious that we cannot put the public to expense because certain villagers have long and persistently neglected a communal duty, nor is the Government to blame for neglect in a manner, which justifies the transfer of the obligation to the State in any degree or share

2. As regards the powers conferred by Act I. of 1858, Section 6, these have been found ineffective, and a mere assertion of the efficiency of the Act will not communicate to the law any practical utility.

3 In this as in the matter of channel clearances and other tenant-repair (or kudimaramat) obligations, a revision of the law, as recommended by the Public Works Commission of 1869, is, I submit, urgently necessary, in order to prevent an important popular obligation from dying out to the great detriment of public and communal interest, and to enable its reasonable commutation when desired.

4 I would remit the matter to the Board again with a view to the preparation of an Act to save these obligations.

*7th June* 1875. (Signed) W. ROBINSON.

---

No 64. ORDER THEREON, 7th June 1875, No. 888.

Miscellaneous

THE Government approve the Board's conclusions generally, but they desire that specific orders be issued to Collectors to deal with particular cases if brought to notice by the Public Works Department, under Section 6, Act I., 1858.

(Signed) A. MACGREGOR,
*Acting Secretary to Government.*

Exd W. H French

Govt. of 1875 Settlement.

REVENUE.

To

THE BOARD OF REVENUE,

&c, &c, &c,

*Dated June, 7th*

*Encl.*

*Encl.*

G. O, 7th June 1875, No 698.

JUNE.

Nos 2061

*Remarks on Prickly-pear from Irrigation works.*—Approving the Board's conclusions generally on the subject of the—, and requesting that specific details be reported to Collectors to deal with particular cases if brought to notice by the Public Works Department, under Section 6, Act V. of 1858.

No. 695

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th April 1875.

Read the following replies to G. O., dated 25th August 1874, No. 1782, Revenue Department:—

| | | | | | | |
|---|---|---|---|---|---|---|
| From | the Collector | of Ganjam, | dated | 22nd October | 1874 | No 2 225. |
| ,, | ,, | of Vizagapatam, | ,, | 16th ,, | ,, | ,, 1,5[illegible] |
| ,, | ,, | of [illegible] | ,, | 19th November | ,, | ,, 425. |
| ,, | ,, | of Kistna, | ,, | 30th ,, | ,, | ,, 1,929. |
| ,, | ,, | of Nellore, | ,, | 8th December | ,, | ,, 2,912 |
| ,, | ,, | of Cuddapah, | ,, | 6th February | 1875 | ,, 3[illegible] |
| ,, | ,, | of Bellary, | ,, | 18th November | 1874 | ,, 411. |
| ,, | ,, | of Kurnool, | ,, | 1st February | ,, | ,, 36 |
| ,, | ,, | of Madras, | ,, | 7th November | ,, | |
| ,, | ,, | of Chingleput, | ,, | 30th October | ,, | ,, 610. |
| ,, | ,, | of North Arcot, | ,, | 29th ,, | ,, | ,, 560. |
| ,, | ,, | of South Arcot, | ,, | 31st ,, | ,, | ,, 575 |
| ,, | ,, | of Tanjore, | ,, | 28th January | 1875 | ,, 58 |
| ,, | ,, | of Trichinopoly, | ,, | 30th September | 1874 | ,, 249 |
| ,, | ,, | of Madura, | ,, | 28th January | 1875 | ,, 35. |
| ,, | ,, | of Tinnevelly, | ,, | 2nd November | 1874 | ,, 554. |
| ,, | ,, | of Coimbatore, | ,, | 22nd September | ,, | ,, 125. |
| ,, | Commissioner | of Nilgiris, | ,, | 17th October | ,, | ,, 114 |
| ,, | Collector | of Salem, | ,, | 5th November | ,, | ,, 418 |
| ,, | ,, | of South Canara, | ,, | 5th October | ,, | ,, 2,065. |
| ,, | ,, | of Malabar, | ,, | 23rd September | ,, | ,, 226 |

IN G. O, Public Works Department, dated 21st August 1874, No. 2,353, Government laid down that clearances of prickly-pear on tank bunds now required should be provided for in repair estimates; and referred for general report the question as to how tanks and minor irrigation works should be kept free from prickly-pear after it has once been cleared away. The letters now submitted are the replies of Collectors.

2. It is reported that there is very little prickly-pear on irrigation works in Ganjam, Vizagapatam, Godavery, Kistna, and Kurnool, none in Tinnevelly, and none at all in Malabar or South Canara. In Tanjore, the little that there was is reported to have been cleared away by village labor under the Tahsildars' orders without any expense to the State. The growth also appears to be very small in Madura, since the Collector estimates that only on thirty-six works will aid to the villagers to the extent of Rupees 1,511 be required.

3. The following is a summary of the replies from other districts:—

*Nellore*.—After it has once been cleared, the duty of preventing re-growth should be assigned to the Revenue Department, who would get the work done by unpaid village labor.

*Cuddapah*.—The clearance should first be made by the Public Works Department, and the growth kept down by Kudimaramut. The ryots cannot be charged for the first clearance, as Government officers are equally with them responsible for the past neglect. The responsibility of ryots as regards supply-channels should not extend beyond a distance of two miles.

*Bellary*—The Collector is of the same opinion as regards first clearance and prevention of re-growth. The villagers can be compelled to do the work under Act I. of 1858.

*Chingleput*—The District Engineer and Acting Collector state that the villagers admit their liability to the work as Kudimaramut, and were the banks clear, all that is required is watchfulness and systematic enforcement of Act I. of 1858. They do not consider that Government should pay the cost of all clearances now required, but that it should be left to the Revenue authorities to decide in what cases the growth consequent on past neglect has gone beyond the power of the villagers to remove, and the cost should be borne by Government.

*Madras*.—The Collector has arranged that the bunds shall be kept clear by the establishment recently sanctioned for the conservancy of the tanks.

*North Arcot*—When the growth is not very extensive, it has from time immemorial been the custom for the villagers to clear it by Kudimaramut. The Collector and District Engineer instance the ease with which the re-growth was so cleared away in the case of the large Caveripauk Tank. Though twenty villages were concerned, no difficulty was made. The Collector thinks the ryots should not be called upon when the cost is more than Rupees 25 per annum. The District Engineer suggests that as the work can be done cheaper by the Revenue Department, all clearances should be effected by that department. The Collector again instances the Caveripauk Tank. The Department Public Works estimate was Rupees 4,750, but the Tahsildar got the work done for Rupees 1,778.

*South Arcot*—Mr. Garstin, concurring with the District Engineer, thinks that once clearance has been effected, the villagers should be required to keep down re-growth. He considers that this is within the scope of Act I. of 1858; but submits correspondence to show how difficult it is to work the Act, owing to the want of a specific declaration of the class of works to which its provisions apply. The case in question, however, does not come under Section 6 of the Act.

*Trichinopoly*.—It is reported that the villagers recognize their liability to clear, and have been compelled to do so when repairs are required. The duty being generally acknowledged, it can be legally enforced under Act I. of 1858, Section 6. Grants-in-aid to villagers are unnecessary and inexpedient.

*Salem*—If Kudimaramut be regularly enforced, the growth will be checked. If the cost of clearance be more than Rupees 20, it should be included in the repair estimate.

*Coimbatore*—The Collector does not think the ryots can any longer be required to clear the minor works under Kudimaramut. As Government will not legislate they must. The work must be done through the villagers, and they must be paid beforehand; but there is the danger of the clearance being imperfectly made with a view to recurrent payments.

4. The Collectors seem to be almost unanimous in thinking that, where prickly-pear has accumulated to a great extent, the cost of removing it should not be charged to the villagers; but, when once clearance is effected, the villagers can and may be required to keep down the growth as customary labor under Act I. of 1858. In this opinion the Board concur, and would leave it to district officers to decide in what cases the work of first clearance is too extensive to be laid upon the villagers. In all cases, the clearances should, in the Board's opinion, be made through the officers of the Revenue Department, as suggested by the Collector and District Engineer of North Arcot, and found so successful in the case of the Cauveripauk Tank.

5. The only effectual way of destroying the plant is to bury it, and to exclude the air from the roots. It is essentially an air plant, and when air is excluded it will not grow. When the soil is too hard or shallow to bury it, it should be cored, beaten, and burnt. Mention is made of the cochineal insect, but the Board are aware, from personal experience, that the insect will prey only on the red-flowering species and is ineffectual against the yellow-flowering kind, which is the common one in the Madras Districts.

(True Extract.)

H. Elliott

Acting Secretary.

To the Secretary to Government, Revenue Department,
with a printed file of Collectors' replies

Copy to all Collectors.

Exd W. H. French.

Proof

No. 63 MINUTE BY THE HONORABLE THE GOVERNOR

I AM not satisfied with the Board's conclusions in a matter which I hold to be a popular obligation that ought to be maintained. They are calculated to shelve not to produce a practical solution of this important difficulty For it is obvious that we cannot put the public to expense because certain villagers have long and persistently neglected a communal duty, nor is the Government to blame for neglect in a manner which justifies the transfer of the obligation to the State in any degree or share

2 As regards the powers conferred by Act I of 1858, Section 6, these have been found ineffective, and a mere assertion of the efficiency of the Act will not communicate to the law any practical utility.

3 In this as in the matter of channel clearances and other kudimaramat obligations, a revision of the law, as recommended by the Public Works Commission of 1858, is, I submit, urgently necessary, in order to prevent an important popular obligation from dying out to the great detriment of public and communal interest and to enable its reasonable commutation when desired

4 I would remit the matter to the Board again with a view to the preparation of an Act to save these obligations.

*7th June* 1875. (Signed) W. ROBINSON.

(Correction slip)

tenant = repair (or kudimaramat)

Received 29 April

No 1538

Board of Revenue,

MADRAS.

PROCEEDINGS, 10TH APRIL 1875, No 885.

Despatch Despatch

Encl

APRIL.

No. 885.

*Thirty-four* —Replies of Collectors on the subject of removal of — from irrigation works, reviewed and submitted to Government with remarks.

Read Despatch from Government, dated 26th January 1875, No 126

Read Despatch from Government, dated 24th March 1875, No 182, this

From R. DAVIDSON, Esq, Acting Collector of Ganjam, to the Secretary to the Board of Revenue, dated Berhampore, 22nd October 1874, No. 2,225

With reference to Board's Proceedings, dated 14th September last, No 6,324, communicating G O, dated 25th August last, No 182, Revenue Department, I have the honor to report that the growth of prickly-pear in this district is so scanty that no inconvenience or difficulty has ever been, or is likely to be, felt in executing repairs to irrigation works in consequence of it, provided the Department Public Works adopt prompt measures to extirpate it on its first making its appearance on their irrigation works

2 I enclose the District Engineer's letter, dated 13th instant, S, No. 1, on the subject, for the Board's information, and I have called the attention of the Vice-President, Chicacole municipality, to the necessity there is for his prohibiting the growth of the noxious plant within Municipal limits, and of his having it exterminated where it at present exists.

---

Enclosure No. 1.

From Major H. SMALLEY, R. E, District Engineer, to the Acting Collector of Ganjam, dated Injelly, 13th October 1874, S No. 1

With reference to your footnote, dated the 3rd instant, on G O., No 2,353, dated the 21st August 1874, I have the honor to observe that we are not troubled with prickly-pear in the northern part of this district, and that in the southern part there is no great quantity of it as yet, but the Range Officer whom I addressed on the subject brings to notice that instead of endeavors being made to annihilate this noxious plant, its growth is actually being encouraged in the heart of the town of Chicacole as well as on the outskirts, no steps being taken to prevent the ryots planting hedges of prickly-pear to their fields I know of no way of permanently extirpating the plant. Mr. Leggatt thinks it might be destroyed *for a few years* by laying the roots open, and pouring in a strong solution of lime. He offers to make experiments as to the best means of effectually keeping it down

(True Copy.)

(Signed) R. DAVIDSON,
Acting Collector.

---

From H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to the Secretary to the Board of Revenue, dated Vizianagrum, 16th October 1874, No. 1,521.

In answer to the reference contained in the Proceedings of the Madras Government, No 2,352,* dated 21st August 1874, I have the honor to report, after consultation with the District Engineer, that on this district the course of prickly-pear has not been laid heavily.

* Vide Board's Miscellaneous Proceedings, dated 14th September 1874, No 6,324.

2. In Ganjam the noxious weed is little known, and I presume it is strictly a tropical nuisance

3. On cultivated lands, the successful prosecution of every man using it as a fence will check its use, nor do I doubt that convictions would be obtained if its powers of spreading over land and rendering it useless were well known to the Magistrate trying the case Aloes are as efficient a fence, and free from the objections to prickly-pear.

4 On waste land, where it exists in luxuriance, the villagers could not, without great labor, extirpate it

5. Where an efficient and properly paid village service exists, there can be no difficulty in requiring the headmen of villages to see that the field-paths are kept clear of the pest. This was done even when the plant had spread most widely in the Razipur division of Salem, and in parts of Trichengode and Namcul

6. Where the channels and embankments and waterspreads of irrigation works have been overrun, I think its removal will prove too costly for the villagers, but when once fairly swept away, a recurrence of its invasion may be prevented by the ryots being required as part of the kudimaramut to extirpate all the new growth of the year. This they would not find difficult in the case of the two former, though the latter might be found too troublesome.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 16th November 1874, No. 425

With reference to the Board's Proceedings of the 14th September 1874, No. 6,324, on the question of keeping minor irrigation works free from prickly-pear, I have the honor to inform you that I have consulted the District Engineer, whose letter (copy) in reply to mine is enclosed. Major Beatty is of opinion that no exceptional measures are required in this district, as there is very little prickly-pear in the Delta and it is not troublesome in the dry taluqs As the Public Works Department are in charge of the irrigation works I think the Engineer's opinion may be accepted.

2 I beg, however, to send a copy of the Sub-Collector's letter of the 7th instant, No. 474. He describes the manner in which the noxious vegetation may be removed, and recommends that the Nirganties employed on irrigation works should be engaged in preventing the re-growth of the prickly-pear; where there are no Nirganties, or where they are not sufficient, he would make the ryots do the work as a Kudimaramut, and if the custom is not recognized in any place he would leave the Tahsildar to do the work by means of village servants, or by coolies paid for by the Range Officer The Head Assistant Collector thinks that the amount of prickly-pear in his division is not large, and that, therefore, the re-growth may be prevented by Kudimaramut, and that any great excess of the prickly-pear may be removed at the public cost, as an expenditure on the irrigation work. The Deputy Collector on General Duty suggests that the work is to be undertaken by Government themselves Myself, I agree with the District Engineer that no special measures are required here. Even supposing that any are required I would not impose the duty of preventing the re-growth of noxious vegetation on the villagers It is simply next to impossible to induce them to contribute their labor, and it is not advisable to assess them with the charges on that account I cannot support the Sub-Collector's proposal to employ the Nirganties, as there are very few altogether in the district, and are already not sufficient in some cases for their own work I would, therefore, leave the officers in charge of the irrigation works to carry out the duty, and charge the cost to the works themselves. It is not safe to dig up the roots in a tank bund, for the hollows might sometimes cause a breach of the bund itself.

---

Enclosure No 1

From Major J. BEATTY, R. E., District Engineer, Godavery, to the Collector of the Godavery District, dated Dowlaishweram, 27th October 1874, No. 2,372

With reference to your letter, No. 135, of the 8th instant, I have the honor to inform you that the only way to prevent the growth of prickly-pear on tank bunds and channel banks, after once clearing it away by up-rooting and burying it, is to go over the same operation as often as it shoots out again.

2 In connection with this subject I may add that the officers of this district state that they do not find any difficulty with prickly-pear, of which there is very little in the Delta, and it is not troublesome in the dry taluqs I am of opinion that no exceptional measures are here required.

(True Copy.)

(Signed) W. S FOSTER,
Acting Collector.

---

Enclosure No. 2

From W. AUSTIN, Esq., Acting Sub-Collector, to the Acting Collector of the Godavery District, dated Rajahmundry, 7th November 1874, No. 474.

In reply to your letter, No 443, dated 8th ultimo, and with reference to paragraph 5 of the G. O., of the 21st August last, No. 2,353, Public Works Department, I have the honor to state that from the reports of the Tahsildars in my division it appears that there are three methods for effectually clearing away prickly-pear—

(1) That prickly-pear should be cut down, and its roots dug up Dried cuttings of bushes, etc., should be thrown on the spot from whence the roots of the prickly-pear were extirpated, and then burnt. After this chunam (lime) water should be sprinkled all over the place.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 16th November 1874, No. 425

With reference to the Board's Proceedings of the 14th September 1874, No. 6,324, on the question of keeping minor irrigation works free from prickly-pear, I have the honor to inform you that I have consulted the District Engineer, whose letter (copy) in reply to mine is enclosed. Major Beatty is of opinion that no exceptional measures are required in this district, as there is very little prickly-pear in the Delta and it is not troublesome in the dry taluqs As the Public Works Department are in charge of the irrigation works I think the Engineer's opinion may be accepted.

2 I beg, however, to send a copy of the Sub-Collector's letter of the 7th instant, No. 474. He describes the manner in which the noxious vegetation may be removed, and recommends that the Nirganties employed on irrigation works should be engaged in preventing the re-growth of the prickly-pear; where there are no Nirganties, or where they are not sufficient, he would make the ryots do the work as a Kudimaramut, and if the custom is not recognized in any place he would leave the Tahsildar to do the work by means of village servants, or by coolies paid for by the Range Officer The Head Assistant Collector thinks that the amount of prickly-pear in his division is not large, and that, therefore, the re-growth may be prevented by Kudimaramut, and that any great excess of the prickly-pear may be removed at the public cost, as an expenditure on the irrigation work. The Deputy Collector on General Duty suggests that the work is to be undertaken by Government themselves Myself, I agree with the District Engineer that no special measures are required here. Even supposing that any are required I would not impose the duty of preventing the re-growth of noxious vegetation on the villagers It is simply next to impossible to induce them to contribute their labor, and it is not advisable to assess them with the charges on that account I cannot support the Sub-Collector's proposal to employ the Nirganties, as there are very few altogether in the district, and are already not sufficient in some cases for their own work I would, therefore, leave the officers in charge of the irrigation works to carry out the duty, and charge the cost to the works themselves. It is not safe to dig up the roots in a tank bund, for the hollows might sometimes cause a breach of the bund itself.

---

Enclosure No 1

From Major J. BEATTY, R. E., District Engineer, Godavery, to the Collector of the Godavery District, dated Dowlaishweram, 27th October 1874, No. 2,372

With reference to your letter, No. 135, of the 8th instant, I have the honor to inform you that the only way to prevent the growth of prickly-pear on tank bunds and channel banks, after once clearing it away by up-rooting and burying it, is to go over the same operation as often as it shoots out again.

2 In connection with this subject I may add that the officers of this district state that they do not find any difficulty with prickly-pear, of which there is very little in the Delta, and it is not troublesome in the dry taluqs I am of opinion that no exceptional measures are here required.

(True Copy.)

(Signed) W. S FOSTER,
Acting Collector.

---

Enclosure No. 2

From W. AUSTIN, Esq., Acting Sub-Collector, to the Acting Collector of the Godavery District, dated Rajahmundry, 7th November 1874, No. 474.

In reply to your letter, No 443, dated 8th ultimo, and with reference to paragraph 5 of the G. O., of the 21st August last, No. 2,353, Public Works Department, I have the honor to state that from the reports of the Tahsildars in my division it appears that there are three methods for effectually clearing away prickly-pear—

(1) That prickly-pear should be cut down, and its roots dug up Dried cuttings of bushes, etc., should be thrown on the spot from whence the roots of the prickly-pear were extirpated, and then burnt. After this chunam (lime) water should be sprinkled all over the place.

(2.) That after cutting down the bushes of prickly-pear, digging out their roots, and burning both, the ground should be covered with earth

(3.) That prickly-pear should be rooted up and thrown in the It must either be lime or chunam water mixed with cowdung water should be sprinkled on

2. After either of the above three methods is followed plants must be watched for one year to see whether the plant shoots out from any root which escaped destruction. If any plant is found to make its appearance it should be removed at once.

3 The Tahsildars of Ramachendrapuram and Rajahmundry say that sometimes the plant is seized by a kind of worm and becomes thereby completely rotten If some pieces of the plant infested with that worm are obtained and thrown on other bushes these latter will pletely that even the roots do not survive. Paragraphs of the Proceedings quoted above refers to the question as to the way in which tanks and minor irrigation works should be kept free from prickly-pear *after it shall have been once effectually cleared away.*

4 Constant watching and very little labor are required to keep the above works free from the plant after it has been once cleared away.

5 I believe that in all districts where the village establishments have been re-organized Nirganties have been employed to watch the safety of the irrigation tanks and minor irrigation works other than anicut channels The Nirganties have very little work for at least four months in the year, and during that time their services can be utilized in removing the plants that may shoot from the surviving roots

6 In some places, for instance in Ramachendrapur and Rajahmundry Taluqs, where there are irrigation tanks, the ryots are bound by custom to remove from tank bunds, etc., noxious vegetation. Attention on the part of Tahsildars, Revenue Inspectors, and chiefly of the village authorities, tends to check the re-growth of the plant without any expense to Government.

In the case of those places which have no Nirganties, or whose ryots are not bound by custom to remove vegetation on tanks, etc, it must be ruled that the Tahsildars should see that the plant as soon as it makes its appearance is destroyed by the village servants As the adoption of this course is impossible in the case of those villages which have several tanks, but comparatively few servants, the Tahsildars should be supplied by the Range Officer with a permanent advance fund of a few rupees, and the former should, through the village authorities, spend as much as is necessary, and account to the Range Officer for the expenditure incurred by him.

(True Copy)

(Signed) W. S. FOSTER,
Acting Collector.

---

From G. D. LEMAN, Esq., Collector of the Kistna District, to the Secretary to the Board of Revenue, dated Masulipatam, 30th November 1874, No 1,929.

REFERRING to G. O, No. 2,353, dated 21st August 1874, Public Works Department, I have the honor to report that there is not much prickly-pear on the Minor Irrigation Works of this district.

2. The re-growth of it, after it has been once destroyed by Government, must be prevented by the villagers.

3. That such work may be enforced, it is in my opinion necessary that the Collector should have authority to collect the expense (if the villagers will not undertake the work) rateably according to the value of a man's puttu from each villager.

4. If the matter be left as an ordinary Kudi Maramut work, I fear it will be neglected In this district there is very little of it done, and in the delta none.

---

No. 2,079.

FORWARDED to the Board of Revenue, with reference to their Official Memorandum, No. 2,079, dated 10th December 1874.

MASULIPATAM,
28th December 1874.

(Signed) G. D. LEMAN,
Collector.

Exd. A. Gruber.

From G. VANSAGNEW, Esq, Collector of Nellore, to the Secretary to the Board of Revenue, dated 8th December 1874, No. 2,912.

ADVERTING to the Proceedings of Board, dated 14th September last, Miscellaneous No 6,324, I have the honor to state that I have consulted the District Engineer and that we agree in the opinion that, after prickly pear has once been effectually cleared from all tanks and minor irrigation works by the Agency of the Public Works Department, the duty of preventing its re-growth should be entrusted to the Revenue Department.

2. Heads of villages, Revenue Inspectors, and Tahsildars and their Deputies should be held personally responsible that all re-growth is annually cleared by unpaid village labour, and should be required to report annually as to the existence, or otherwise, of prickly pear on each irrigation work Collectors should also report to the Board.

3. But I fear it will be a long time before the first effectual clearance is made by the Public Works Departments

From C. T LONGLEY, Esq., Collector of Salem, to the Secretary to the Board of Revenue, dated 5th November 1874, No. 418

WITH reference to the Board's Proceedings, dated 14th September 1874, Miscellaneous No. 6,324, I have the honor to report that the only irrigation works falling under the first of the two classes referred to in paragraph 1 of G. O, No. 2,353, dated 21st August 1874, are the Cauvery Channels, the Conservancy establishment on which is quite sufficient to keep the banks clear of prickly pear

2 As regards works of the other class, which are scattered all over the district, I am of opinion that if kudimaramut is regularly enforced, the growth of prickly pear will, for the most part, be checked But if the work to be done in any particular instance exceeds the value of 20 Rupees, I would propose to have it included in the repair estimate of the irrigation work in question The money thus provided can be advanced through the Revenue Department to the ryots and the clearance of prickly pear performed by them, upon muchilkas which they will be required to enter into with the Revenue Officers.

From W. D HORSLEY, Esq., Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated Bukkayapally, 6th February 1875, No. 34.

As directed in Proceedings of the Board, Miscellaneous No. 6,324, dated 14th September 1874, I have consulted the District Engineer on the subject of paragraph 5 of G. O., No 2,353, dated 21st August 1874. There are none other than tanks and minor irrigation works in this district, and therefore it is the subject of paragraph 5 alone which concerns this district

2. I propose that the existing growth of prickly-pear, and in fact all objectionable brushwood, should be cleared by the Department Public Works, and that all after-growth should be kept down annually by the customary labor of the villagers holding land under each irrigation work This work of clearing has been lost sight of by Government officials and the ryots for years, and the consequence is that in some places the over-growth has become so extended that it would not be right to expect the work to be performed at first by customary labor, as Government officials are as much to blame for the neglect as the ryots

3 The work of clearing should be applied to channel banks including tank supply channels. But in many cases it will be impossible to expect the ryots to look after the banks of a supply channel six or seven miles in length. I propose that after the first clearance had been carried out by the Department Public Works that the ryots' duties should extend two miles up the channel from the tank, and that beyond that distance the Department Public Works should have charge of the channel.

4 The District Engineer agrees with me that the work may be done by customary labor, but he considers that the first removal should also be made by the villagers on payment, so that they may be held responsible that there is no fresh growth afterwards I have no objections to offer to this arrangement, as the more effectual the first removal the less will be the necessity for unpaid labor afterwards He states that his department is not able to see that the work is properly done. He expresses no opinion on the subject of tank supply channels.

From T. [illegible], Esq., Collector of Bellary, to the Secretary to the Board of Revenue, dated 13th November 1874, No. 411.

With reference to paragraph 5 of G. O., No. 2,353, dated 21st August 1874, referred by the Board for report in their Proceedings, Miscellaneous No. 6,324, dated 14th September last I have the honor to state that prickly-pear found growing in tanks and channels should be removed at the expense of Government, as stated in paragraph 3 of the Government Order.

2. But the checking of its re-growth should, in my opinion, be made by villagers in the way of Kudimaramut or village labor. To effect this the localities should be periodically inspected by the village authorities, and where it makes its appearance it should be immediately extirpated by the village ryots generally. This, if done when the plant is in its infant state, would not entail much labor.

3. The Revenue Inspectors of the respective ranges should be made to examine the localities where prickly-pear is in the habit of making its appearance at least once in six months, and if any re-growth be observed they should instruct the village authorities to get it removed and see that the order is carried out, entering the fact in their diaries and reporting at the same time specially to the Tahsildar of the taluq.

4. If in any case the villagers refuse to obey the orders of the village authorities or of the Revenue Inspector they should be dealt with under Section 6 of Act I. of 1858.

5. I asked for the opinion of the District Engineer, and a copy of his reply as well as copies of the Divisional Officers' letters, are enclosed for the information of the Board.

---

Enclosure No. 1.

From Colonel E. A. FOORD, R.E., District Engineer, Bellary, to the Collector of Bellary, dated 28th September 1874 No. 900.

In reply to your letter of the 25th September, No. 1,682, I have the honor to state that the Government in their Order of the 21st August 1874, No. 2,353, have pointed out the course to be adopted for the removal of prickly-pear when it is growing thickly on tank and channel banks.

2. To prevent this noxious weed attaining a thick growth in such situations, on the margins of roads and the outskirts of villages, I would suggest that the planting of it as a permanent or temporary fence be strictly prohibited, and that the officers of the Revenue, Police, and Public Works Departments be invited to bring to notice all places where they see it growing. It does not grow spontaneously, but from pieces put down intentionally or deposited by floods. There are parts of this and other districts quite free from it, and it is easily got rid of on its first appearance in any place. It is only when its growth is left unchecked for years that its extirpation becomes difficult and costly.

3. I have instructed the Range Officers to note in the Remarks column of their estimates for irrigation whether there is any prickly-pear, and the measures that should be adopted for its removal.

---

From C. KOUGH, Esq., Acting Sub-Collector, to the Collector of Bellary, dated 25th September 1874, No. [illegible]2.

With reference to your foot-note upon Proceedings of Government, No. 511, of 21st ultimo, asking me to report as to the point mooted by Government in paragraph 5 of their order, viz., "the way in which tanks and minor irrigation works should be kept free from prickly-pear after this shall have been once effectually cleared away," I have the honor to state that, having already considered the matter attentively upon the reference made in South Arcot, which is embodied in the above Proceedings, I can now only reiterate my opinion then expressed, that I see no means of compassing the desired end, save by special legislation to meet the occasion.

From J A. DAVIES,

[illegible] Collector, to t[illegible] Collector o[illegible] dated 7th
[illegible]ver ber 1874, No 32[illegible]

With reference to your [illegible] last, I have the honor to repo[illegible] Board's Proceedings, [illegible] 6,324, dated 14th September extent on any of the irrigatio[illegible] ickly-pear does not ap[illegible]r to exist to any considerable has been one removed by Go[illegible] in my division. Under thes[illegible] circumstances, after the plant imposed as a duty on the vil[illegible]ernment, I think that prevention of [illegible] ght fairly be considered a village labor[illegible]gers concerned. Under the Boar[illegible] orders in force this is already

2. The Tahsildar of [illegible]ee paragraph 2 of Standing Order [illegible] No 54, Tahsildl's ebition. village servant[illegible], but the sc[illegible]ndupur suggests that the work in question should be done by the duties, would [illegible], I am a[illegible]ty staff of these servants in some place[illegible] their multifarious other [illegible]d, be able to perform the work effectually.

From V VENKATACH[illegible]LUM PUNTULU, Deputy Collector, to the Collector of Bell[illegible]

With reference to yo[illegible]ced Kudlighi, 9th October 1874, No 288.

5th paragraph of the G. C[illegible] Memorandum of the 23rd ultimo, I have the honor to report [illegible] the dated 21st August 1874, No. 412

How shou'd the tanks and [illegible] the country be kept free [illegible] been once effect[illegible] minor irrigation works of prickly-pear after [illegible] is cleared away.

2. It should be the duty of the officer whose duty it is to repair the irrigation work whether it is Department Public Works or Revenue Department

3 The Collector of South Arcot proposes to compel, by legislative enactme[illegible], the villagers to pay the cost of clearing them.

4 I think that a ryot should be required to remove the prickly-pear which [illegible] planted in his own land, or which arose in a fiel[illegible] for which he holds patta, which may prove a nuisance, and that there is no just ground to compe[illegible] him t[illegible] remove the prickly-pear in other pl[illegible]es

5. As the ryots who obtain wate[illegible] from Government irrigation works, pa[illegible] higher tax than what the dry lands pay there is no ground t[illegible] ask them for more; still according to old custom they are doing what [illegible] called Kudimaram[illegible]t Moreover, they pay fees to village servants, (toll[illegible] and public servants, Munsif a[illegible]l Curnam,) and are now paying road-cess

6. It is asserted that generally tanks [illegible]annot be repaired oftener than once in ten years, and in [illegible] has that time the prickly [illegible]ear would be extensive than ever This is quite true, but we must see what privileges we [illegible]llowed the ryots to enjoy in equivalent of which we require them to do this work.

(1) The ryots are not allowed to take the produce of scattered trees in villages, such trees and topes are being rented.

(2) Pullary tax is being le[illegible]ed on grass and on Tumra trees.

(3) They are required to [illegible]tain license to take stones from Government lands.

(4) They are require[illegible] pay tax when they use the water of rivers.

(5.) They are not allowed to take the forest produce

(6) Seigniorage is levied on firewood and charcoal required for making cultivation implements.

(7.) If there be sufficient number of fish in the village tanks they are rented

(8.) They are prohibited from drawing to[illegible]y for their own use from their own palmyra and date trees without license

7. As the ryots have been gradually divested of their privileges I think it will be hard to require them to remove the prickly-pear in Governm[illegible]t land, on the sole ground that it fetc[illegible] no money to Government; while we prohibit the r[illegible] from touching other trees if they had grown there instead of prickly-pear.

8 If a legislative enactment be passed to compel them to [illegible] the prickly-pear we will have to collect from the ryots the expense incurred. By this several poor ryots will be ruined.

(True Copies.)

(Signed) J. H. MASTER,
Collector.

Sent [illegible]
411
dated 21[illegible]
6,324

From J. HOPE, Esq., Acting Collector of Kurnool, to the Secretary to the Board of Revenue, dated 1st February 1874, No. 36.

I have the honor to submit the report called for in paragraph 3 of G O, No 2,353, dated 21st August 1874, communicated with Board's Proceedings, Miscellaneous No 6,324, dated 14th September 1874.

2. There is very little prickly-pear in this district on tank lands, and when once it is effectually cleared away by Government the villagers may be called upon to attend to the work of preventing its re-growth. This will cost very little if the Revenue and Department Public Works officers see that the prickly-pear is not allowed to grow to any size before it is rooted out by the villagers. To ensure the necessary supervision I shall issue instructions to the Tahsildars and the District Engineer has promised to send me quarterly reports on the state of tanks and other irrigation works in the district. Copy of letter, No. 6, dated 23rd January 1875, from that officer on the subject is enclosed.

Enclosure No. 1.

From W. A. GOODCHAP, Esq., District Engineer, to the Collector of Kurnool, dated Gazalpalli, 23rd January 1875 No. 6.

With reference to your letter, No 1,429, dated 8th December 1874, I have the honor to report that the only way that I know of in which a tank bund can be kept free from prickly-pear after it is once effectually cleared away is to root up any stray ones that may spring up again, burn them, and bury the ashes.

2 I will instruct Range officers to submit a quarterly report of all tanks and channels in their respective ranges that they may think out of order and requiring the attention of the Revenue authorities, with reference to kudimaramut or customary labor.

3. If you approve the reports shall be forwarded to you for the necessary instructions being issued to your division officers.

(True Copy.)

(Signed) J. HOPE,
Acting Collector.

From J. HUNTER-BLAIR, Esq, Collector of Madras, to the Secretary to the Board of Revenue, dated 7th November 1874.

I HAVE, the honor to acknowledge receipt of the Board's Miscellaneous Proceedings, No. 6,324 of September 14th, 1874, and beg to inform the Board that I have lately arranged that the Nirgantis employed to conserve the eight tanks in the Madras District shall keep the bunds in good order, and prevent the growth of prickly pear and other noxious vegetation.

2. On the general question referred for report, in paragraph 5 of G O , dated August 21st, 1874, No 2,353, I have the honor to forward a report from the Deputy-Collector of Madras on the subject The system recommended by him does not commend itself to me, as I entirely concur in the opinions expressed by Colonel Mullins, in his Memorandum published in Proceedings of Madras Government, Financial Department, of January 5th, 1874, that trees should not be planted on the bunds of tanks, and banks of channels.

3. Government has decided that no part of the original cost of cleaning bunds and channels from prickly pear can be imposed upon the villagers This is a great boon, as it is owing to the neglect of the villagers to keep these bunds and channels clear of late years—which formerly they were in the habit of doing — that they have been choked, and over-grown with noxious vegetation

4. As regards keeping them clear in future, I consider that a special enactment is required to compel the clearing by the ryots of bunds, and tanks, after reasonable notice has been given; in the event of their neglecting to carry out the work, it should be done at the cost of the ryots whose fields are watered by the tank or channel, the cost to be recovered by a rateable charge on each ryots holding.

---

ENCLOSURE No. 1.

From R. RAGOONATHA, ROW, Deputy-Collector, to the Collector of Madras, dated 3rd October 1874, No 1,499.

I HAVE the honor to acknowledge the receipt of your Memorandum, No 864, calling for an expression of my views on the question as to the way in which tanks and minor irrigation works of the country generally should be kept free from prickly pear. I have the honor to state that it is possible for villagers alone to prevent its growth on these minor works

2 They cannot of course be asked to do this for no consideration The villagers in common or some of them individually should be asked to plant on the bunds of tanks and banks of channels such trees and plants, and in such a manner as may be approved of by the Revenue officer of the district on condition that they would prevent the growth of noxious vegetation on them, and enjoy the produce of what they plant on them, with the privilege of appropriating such of these trees as are decayed and fallen down. This system appears to have prevailed in olden days, and may be introduced with advantage both to the ryot and Government by the District Officers. Any other mode will, I am afraid, prove very costly.

(True Copy.)

(Signed) J. HUNTER-BLAIR,
Collector.

From H. E. STOKES, Esq., Acting Collector of the Chingleput District, to the Secretary to the Board of Revenue, dated Saidapet, 30th October 1874, No. 610

I HAVE the honor to reply to Board's Proceedings, 14th September 1874, Miscellaneous No. 6,324, forwarding copy of G. O., Public Works Department, 21st August 1874, No. 4[illegible], calling for report as to the measures to be taken to keep tanks and minor irrigation works free of prickly-pear, I forward copy of a letter from the District Engineer on the subject, dated 28th September 1874.

2. I believe that Colonel Moberly is right in his statement that their liability to keep banks clear is admitted by the ryots as part of "customary labour dues," or Kudi maramut, and their liability is recognized in the Board's Standing Orders. If it exists, all that would be required, were the banks once clear, would be watchfulness and a systematic enforcement of the provisions of Act I. of 1858. The only difficulty in this matter arises from past neglect, in consequence of which the growth of noxious vegetation has become so great as to require outlay for its removal, so considerable as to be obviously more than the villagers could or ought to bear.

3. The Government, in the order under reply, have laid down, that no part of the cost of clearances *now required* is to be imposed on the villagers; but in the same breath they speak of grants-in-aid for the purpose, and of mere partial clearances necessary to enable estimates for repair to be framed.

4. Colonel Moberly urges that if possible, even now the Government should only contribute in such cases as are really beyond the power of the villagers. I quite agree with him, and in fact I apprehend that the Government contemplated only cases which would in any case be beyond the scope of arrangements to be made for ordinarily keeping the banks clear. I trust they do not mean to abandon, as Colonel Moberly puts it, "their claim to this gratuitous assistance from villagers as regards their tanks."

5. I beg to refer the Board to Mr. Barlow's letter, printed in Proceedings, 22nd July 1874, No. 1,920, and I think that as there suggested, the Revenue authorities should decide whether the cost in any particular case should be laid on the ryots, that only when they decide it ought not, the Public Works Department should estimate, and the Government pay; and that in all other cases, as well as regards the future extirpation of vegetation on bunds once cleared, the provisions of Act I. of 1858 should be enforced.

6. As regards clearance of tanks, which are the joint property of Government and Zemindars, I imagine that the legal liability for the cost of present large clearances would depend in great measure on the circumstances of each case. If the bunds were clear, they could be kept so under Act I. of 1858. As regards Tinnanore, I observe that the executors of the late Jaghiredar have consented to pay their share of the estimate, which includes the cost of clearance of prickly-pear. I now, for the first time, hear of difficulty at Perunjeri, and have initiated inquiries.

---

ENCLOSURE No. 1.

From Colonel F. J. MOBERLY, R E, District Engineer, Chingleput, to the Acting Collector of the Chingleput District, dated Guindy, 28th September 1874, No. 2,236

IN reply to your No. 362 of the 22nd instant, I have the honor to observe that in my opinion the largest portion of the noxious vegetation on our tank banks has grown within the last fifteen or twenty years, in consequence of neglect by the villagers in contributing a species of labour, which the Government have been always entitled to. The Jaghiredar of Tinnanore refused to pay for this item in my estimate, on the ground that it was the duty of the villagers.

2. I regret much that, in consequence of his death, we lost an opportunity of getting the point settled in a Court of Law, as was proposed by the Board of Revenue.

3. In paragraph 3, G. O., No. 2,353 of 21st August, the Government have, as I understand, abandoned their claim to this gratuitous assistance from villagers as regards their tanks; we have

yet to learn how they will deal with tanks like Tinnanore and Perunjeri, of which they are only part proprietors—Zemindars owning considerably the larger shares, and disowning their right to this aid from their ryots

4. I would urge, if possible, that even now the Government only contribute in such cases as are really beyond the power of the villagers I have spoken to many people lately. They do not deny that it is their duty, nor do they refuse to do it; but they cannot arrange for the joint execution either by the inhabitants of the village itself, or by the ryots of several villages who are all more or less interested in the well-doing of the tank.

5. They have nearly always agreed to the execution of the work if somebody in authority would decide on the share each individual was to do.

6 It appears to me that Government have only to decide that the work is really to be classed as "customary," and that Act No I of 1858 provides all further necessary machinery.

7. If the Government adhere to their present ruling, I would suggest that it be announced as exceptional, and that they will resume their claim to the maintenance of the cleared banks hereafter under customary labour.

(True Copy.)

(Signed) H. E STOKES,
Acting Collector.

From W. S WHITESIDE, Esq., Collector of North Arcot, to the Secretary to the Board of Revenue, dated Palmanair, 29th October 1874, No. 560.

With reference to the Proceedings of Government, No 2,353, dated 21st August 1874, communicated with Board's Proceedings, No 6,224, dated 14th ultimo, I have the honor, after communication with the District Engineer, copy of whose letter, No. 1,962, dated 20th instant, is herein enclosed, to make the following report on the question of the clearance of prickly-pear from tank bunds and other works of irrigation.

2 In this district it has from time immemorial been the custom for villagers to clear away prickly-pear from their tank bunds, etc, if the growth is not very extensive, by "Kudimaramut or gratuitous village labor This work the ryots generally have regarded as a natural and unobjectionable duty, and they have always complied with requisition of the kind without demur, except in those cases in which the accumulation of prickly-pear is very great and cost of its removal will be serious In such instances only have I met with objections but when once the prickly-pear has been cleared off either by Kudimaramut or at Government expense in no instance have the villagers raised the slightest demur or objection to taking upon themselves the future conservancy of the bund or channel bank

3. This duty is, after all, a very trifling one When prickly-pear has been once extirpated or thorny jungle plants uprooted, they do not grow quickly again to any serious extent A couple of coolies employed for, perhaps, five or six days in the course of the year if the bund is looked after with ordinary care, and unless the irrigation work is of very large size, usually suffice to keep down noxious vegetations But, even if the work of periodic clearance is very much heavier, the ryots always readily contribute their quota of labor at odd times when they have no pressing demand on them in the way of crops to be reaped, etc, and jointly clear off the new growth

4 As a case in point I may mention that of the Caveripauk tank The Board are aware that this is one of the largest tanks in this district, irrigating an ayacut extending over the lands of upwards of twenty large villages The bund of this tank is more than two miles in length, and in 1872, when extensive repairs were needed, the bund was reported to be so overgrown with prickly-pear and thorny bushes as to be really an impenetrable jungle The officers of the Department Public Works declared their inability to report on the nature and extent of the required repairs until it was cleared of jungle. The ryots on the other hand pointed out that the clearance of the jungle would be a work of magnitude far beyond that which was possible by Kudimaramut. I admitted this, and the Department Public Works then framed an estimate, amounting to Rupees 4,750, as the cost of removing the jungle, and this was sanctioned by Government in due course At the request of the District Engineer the work of clearance, however, was carried out by the Revenue Department and was specially supervised by Krishnasamier, then Tahsildar of the Wallajah Taluq, and now my Head Sheristadar. The jungle was eventually removed very thoroughly by him at a cost of only Rupees 1,778, whereby a saving of Rupees 2,972 was effected out of the sanctioned amount of the estimate. In March last I noticed, when I visited and inspected the Caveripauk tank, that the prickly-pear and thorny shrubs were beginning again to re-appear here and there. I at once sent notice to the ryots holding lands irrigated by the tank that the bund should be put into order by Kudimaramut, and though, as I have mentioned, the labor had to be furnished by the inhabitants of more than twenty villages no difficulty whatever was experienced. The villagers jointly cleared the bund cheerfully, and without the slightest demur

5 If then there is no difficulty in securing the co-operation of ryots for the maintenance of tank bunds in proper order when they have once been cleared of noxious vegetation, even when the tank is of enormous size and irrigating a number of villages, there can be no reason why we should anticipate any greater difficulty in dealing with ryots when the bund to be kept clear is of much smaller size, and as, in this district at any rate, ryots recognize the necessity and obligation

on themselves to keep down jungle on the bunds after they have been once fairly put in order, I would respectfully urge that it is both unnecessary and inexpedient that the State should now voluntarily charge itself with the entire cost of clearing irrigation works in every case, irrespective of the size or importance of the work

6 It seems to me to be only fair that, when the Government has expended vast sums in providing a valuable tank or other work of irrigation for the benefit of the people, it should be regarded as the duty of the villagers who live by it to see that it is kept in such a state that the Government officials may from time to time get at it, inspect its condition, and decide on the repairs that may be required, especially two when such looking after really cost the State nothing, for, as I have shown, the work of removing the prickly-pear, etc, is usually very trifling and is done in the dry season when there are no crops on the fields, and the ryots have their time more at their own disposal

7 Natives are generally singularly ready and skilful in divesting themselves of responsibility of every kind especially when the duty entails on themselves the slightest trouble or exertion; but when, as in the matter now under consideration, they do admit the duty and accept the responsibility I respectfully submit that it is well to leave matters in *statu quo*. Let the State continue to provide funds for the removal of jungle and prickly-pear from irrigation works if the cost of clearance is beyond what may fairly be required of the ryots who benefit by them, but if it is of trifling amount, say within Rupees 25 per annum (which is the sum that by ancient custom in this district has always been regarded as the limit for a Kudimaramut work) then I think the Department Public Works should frame an estimate of the probable cost of clearance, and the work should, after sanction, be carried out under the direction and supervision of the local Revenue Officers

In any case, after the work of clearance has once been completed, I recommend that the future up-keep should be left to the villagers, the Monigars and Curnam being looked to to see that jungle does not again accumulate

8 If the Government decide on undertaking in future the clearance of all bunds, etc, and their subsequent maintenance, the cost thereby to be thrown on the Provincial Funds will be something tremendous, and either the annual grant for revenue repairs will have to be enormously increased to meet the new outlay, or the extent of repairs actually carried out, after the cost of clearing bunds has been met, will be very seriously reduced Supposing that the Government, however, eventually determine that the charges for clearing away prickly-pear should properly be borne by the State then some such system as is recommended by Captain Pennycuick in paragraph 6 to 10 of his letter, herewith forwarded, may with advantage be adopted

---

ENCLOSURE No. 1.

From Captain J. PENNYCUICK, R E, District Engineer, North Arcot, to the Collector of North Arcot, dated Vellore, 10th October 1874, No. 1,962.

WITH reference to your letter, No 406, of 1st instant, I have the honor to observe that paragraph 5 of G O, No. 2,353, of 21st August last, appears to leave it somewhat uncertain whether the future clearing of tank bunds, etc, from prickly-pear, after they have been once cleared, is to be done by the villagers themselves or at the cost of Government

2 My own opinion is most emphatically that the former is the proper course Government have now undertaken the duty of removing the accumulations which have been suffered to grow up during a long period of years, and in their removal will have to incur considerable expense. This expense has been rendered necessary by the neglect of the villagers to perform a duty which has never, so far as I am aware, been repudiated or even questioned, and the fact that they have been allowed to neglect this duty in the past forms no reason whatever why they should be allowed to neglect it in the future

3 The ease with which the duty can be enforced has been sufficiently shown in the case of the Caveripauk tank bund on which the jungle and under-growth removed last year was beginning to spring up again. On my representing this to the orders were given for the immediate clearance of the bund, which orders have been honorably carried out, and I have not heard that they were resented or complained of as unjust by the villagers who are certainly not likely to err on the direction of a too easy surrender of any rights they may possess.

4. If the duty of keeping the bund clear could be so easily enforced in the case of Caveripauk tank, the interest in which is shared between several villages, there would be no difficulty in enforcing it in the case of smaller tanks belonging to single villages

5 My own opinion, therefore, is that nothing more will be necessary when once a tank bund has been fairly cleared than the steady and unswerving enforcement of an admitted duty, and this enforcement will of course be carried out by the Revenue Department through its own officers. It will only be the duty of Public Works officials to bring to notice any instance in which the duty appears in danger of being neglected.

6 This is my personal opinion, but in the event of Government taking a different view and determining to undertake the future keeping clear of the tank bunds as well as their present clearance, it becomes necessary to consider what arrangements should be made for the proper carrying out of this decision.

7 The work is one which can certainly be better done by the Revenue than by the Public Works Department, owing to the fact of the former having the village servants under their control. That this view is correct has been sufficiently shown by the remarkably cheap and effective manner in which the extensive clearances required on the Caveripauk tank bund has been effected. I should, therefore, in all ordinary cases certainly ask the Revenue Department to undertake the actual execution of such clearances

8 As the funds for this purpose will have to come from the Agricultural Repair grant at the disposal of the District Engineer estimates for individual works will have to be sanctioned by him from time to time, after countersignature by the Collector, precisely as in the case of ordinary irrigation repairs, the only difference being that these estimates will have been prepared in the first instance by the local subordinates of the Revenue Department, instead of by those of the Public Works Department

9. The funds for carrying out such works will then be placed at the disposal of the Revenue Department from time to time as required, as is now done for works carried out by other agency than that of the Public Works Department

10 As a guide to the amount of such work to be carried out in each year it will be necessary for the District Engineer to decide, in communication with the Collector, what proportion of the year's grant can, with due regard to other requirements, be set apart for them

11. Of course in these operations, as in all others connected with public works, cordial co-operation and mutual assistance between the two departments will be essentially necessary.

(True Copy.)

(Signed) W. S. WHITESIDE,
Collector.

From J. H GARSTIN, Esq, Collector of South Arcot, to the Secretary to the Board of Revenue, dated Cuddalore, 31st October 1874, No. 37.

I HAVE the honor to reply to the Board's Proceedings under date the 14th ultimo, Miscellaneous No 6,3[illegible], calling on me to report, after consultation with the District Engineer, on the subject alluded to in paragraph 5 of G. O, of the 21st August 1874, No 2,353 Department Public Works, to state that I have consulted Mr. Sage and enclose a copy* of his opinion, from which the Board and Government will see that he considers the only way in which tank bunds, cleared of prickly-pear at the expense of Government, can hereafter be kept clear by village labor is by compulsion, by which I presume he means by a legal enactment, making it compulsory on all heads of villages to see that the work is done.

* Letter No 202 of the 26th September 187[illegible]

2. This opinion is in accord with that which I myself expressed in my letter to Colonel Mullins, printed in the Government Proceedings under reply, and which I have not only seen no occasion to modify but which subsequent events have tended very much to strengthen.

3 The storm which swept over this district in the month of May last, and the heavy floods in the Ponniar, did such extensive damage to public works that the aid of the Revenue authorities was asked to procure labor, in one instance to repair the damage done to the Karvady anicut, and in another to the channels taken off from the Ponniar anicut and the dam across the Mallafar.

4 Now all these works and the damage done to them are to my mind of the very kind to provide for the repairs of which by compulsory labor Act I. of 1858 was passed, which I consider that the clearing away of prickly-pear from irrigation channels and tank banks is, if it can be called "a work for the purpose of irrigation and drainage," distinctly enforceable under the Act, which sets forth in the preamble, "and whereas it is expedient to make legal provision for the enforcement of the duty, *which by local custom is incumbent on village communities*, to furnish the labor required for the execution of certain works for the purpose of irrigation and drainage," and yet from the copies of the enclosed correspondence† it will be seen how difficult it is to work the present Act effectually owing to various causes, among which the chief are the want of a specific declaration in the Act, of what are the works to which its provisions apply, the long continued neglect to enforce its provisions from time to time, the difficulties existing under the present system of financial control in getting money to pay for the forced labor, and the singular views entertained and arguments advanced by native officials for not working the Act at all, or, if collecting labor under its provisions, for turning the Act into a farce by arguing that the coolies must be paid even if they refuse to work.

† As per list enclosed.

5. The more I see of the district the more I feel inclined to agree with Mr Sage that extreme apathy and obstruction in some cases is shown by villagers with regard to the execution of public works in their villages everywhere.

6 The change that has come over the people in the last fifteen years in independence, and in the knowledge of the land and of their legal rights, is very great, and nothing can now be got out of them by means of an enactment, unless its terms admit of a compulsion that cannot be evaded except by payment of a penalty

7. What is required in the case of public works from which prickly-pear has been once removed at the cost of Government is required in respect of all works, with respect to which "Kudimaramut" is or is supposed to be enforcible. Every such work should be distinctly declared by law to be a work to be performed periodically, or when necessity may arise (such necessity to be determined by the Public Works Department or Revenue Officers of the district) by the male residents of the village in which it is situated, or of every village which is in any way interested in or benefits by the work No male should be exempted from such liability between the ages of sixteen and sixty, but each should be able to purchase annual immunity from the liability by paying a sum sufficient to employ a laborer in his stead for a week, or some longer

or shorter time the levy of this money shall be made summary, that is, if not paid within forty-eight hours after demand it should be leviable by the distress of any moveable property the defaulter possesses, which should be saleable within a week In fact a species of village labor ordinance for keeping all irrigation works in order is required, and unless it be soon passed the large sums of money now being expended on clearing the tank bunds and irrigation channels in parts of the district of prickly-pear will have been altogether wasted, as within a few years the cactus will be as luxuriant as before.

Enclosure No 1.

From G. S. SALE, Esq., District Engineer, South Arcot, to the Collector of South Arcot, dated Punrooty, 26th September 1874, No 202.

In reply to your No. 247, dated 22nd instant, I can see no plan of keeping tanks and channels free from prickly-pear after it has once been thoroughly cleared by Department Public Works, except making it compulsory on the ryots to remove it at a certain time every year, and also making it compulsory on the taluq official to inspect every tank, etc, at a certain period and report that the work has been done, no matter how slight the quantity may be removed As far as my people are concerned I would issue the same instructions to them to report on every tank or channel whenever visited by them.

(True Copy)

(Signed) J. H. GARSTIN,
Collector

Enclosure No 2.

Correspondence relative to the requisition of Laborers.

*For the repair of the Trivady Anicut.*

| | | | | | |
|---|---|---|---|---|---|
| From District Engineer, | dated | 3rd | July | 1874, | No G.-1. |
| To Additional Deputy Collector, | ,, | 6th | ,, | ,, | 690 |
| From do do | ,, | 10th | ,, | ,, | 199 |
| To Taluq Overseer, | ,, | 28th | ,, | ,, | 190. |
| To Additional Deputy Collector, | ,, | 28th | ,, | ,, | 799 |
| From do. do. | ,, | 3rd | Aug | ,, | 228 |
| To do. do | ,, | 7th | ,, | ,, | 834 |
| To District Engineer, | ,, | 7th | ,, | ,, | 197 |
| From do | ,, | 11th | ,, | ,, | 149. |
| To do | ,, | 14th | ,, | ,, | 203. |
| To Additional Deputy Collector, | ,, | 13th | ,, | ,, | 855. |
| From do do | ,, | 24th | ,, | ,, | 248. |
| From do do | ,, | 25th | ,, | ,, | 252 |
| From District Engineer, | ,, | 5th | Sept. | ,, | 170 |
| To do. | ,, | 9th | ,, | ,, | 229. |
| From do | ,, | 22nd | ,, | ,, | 198. |

*For the repair of the Coryaur Embankment.*

| | | | | | |
|---|---|---|---|---|---|
| From District Engineer, | dated | 23rd | Aug | 1874, | No 157. |
| To Dy. Collector, General Duties, | ,, | 28th | ,, | ,, | 900. |
| From do do | ,, | 7th | Sept. | ,, | 352. |
| To District Engineer, | ,, | 12th | ,, | ,, | 235. |
| From do | ,, | 30th | ,, | ,, | 211. |
| To Dy Collector, General Duties, | ,, | 5th | Oct. | ,, | 1,120 |

Cuddalore,
4th November 1874.

(Signed) S. VENCATASOOBIAH,
Additional Deputy Collector,
for Collector.

ENCLOSURE NO. 3.

From J. H. GARSTIN, Esq., Collector of South Arcot, to the Deputy Collector of Cuddalore Taluq, dated Cuddalore, 6th July 1874, No. 690.

IN forwarding copy of a letter from the District Engineer, dated 3rd instant, No. G.-1, I have the honor to request that you will proceed at once to the Trivady Anicut and give every assistance in your power in collecting labor for repairing breaches in the same

(True Copy)

(Signed) J. H GARSTIN,
Collector.

---

From G S SAGE, Esq., District Engineer, South Arcot, to the Collector of South Arcot, dated Punrooty, 3rd July 1874, No G.-1.

I THIS morning inspected the work going on at Trivady anicut, and am sorry to say that scarcely anything has been done owing to want of labor I have done all I can towards it by placing the Taluq Overseer, etc, at the anicut with nothing else to do, but the twenty villages concerned in the safety of the anicut and entirely dependent on it for water will not give a man to do the work, the Overseer says he has repeatedly asked them, and also written to the Deputy Tahsildar at Trivady for help, but without avail; and as we cannot get labor without your assistance I have the honor to request you will be so good as take such steps as you may deem necessary, for without the help asked for the repairs cannot be carried out before floods come down and the safety of the entire anicut will be endangered. I think the case would come under the Act for closing breaches

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From S. VENCATASOOBIAH, Additional Deputy Collector in charge of Cuddalore Taluq, to the Collector of South Arcot, dated 10th July 1874, No. 199.

WITH reference to your letter, No 690, dated 6th instant, which reached my hands on the next morning, I beg to submit as follows.

2 As I was unwell that day I started that night, and on my way to the anicut made strict arrangements for the attendance of a large number of laborers from Pauloor and Pallavaroya-nuttum villages, reached the anicut on the morning of the 8th instant.

3. The breaches alluded to in your letter are not newly made by freshes, but I was informed that they happened some two years ago I regret I cannot help observing that the Department Public Works should have taken action in the matter long ago, or at least some months before when numerous laborers could be had very easily.

4. You are not unaware that the late rains are very precious to the peasants of the soil, who require the aid of laborers and their own servants at their elbow at this time of seedlings However, I am informed that a large body of laborers are procurable from the adjacent villages where there is no wet cultivation. I do not see any necessity for the enforcement of Act I of 1858, and at the same time I doubt whether the provisions of the Act apply to the case in question. The preamble of the Act runs thus—"Whereas the safety of persons and property is *endangered* by inundations caused by *sudden* breaches of the embankments of tanks, rivers and canals, and of anicuts, * * * to unite their labor to prevent such breaches or to repair them instantly." The present case seems, to me quite different because there has been much delay in conducting the repairs, and there has been no danger to be apprehended However, issued a Circular Order (copy enclosed) to the Monigars

of the twenty villages depending upon the irrigation of the anicut, in consultation with the Taluq Overseer, that they should supply daily 30 laborers at the rate of 30, 25, 20, 15 and 10 from each village according to the population and cultivation of the respective villages, that the Overseer will distribute their (laborers') wages daily, that any delay in the distribution should be reported at once direct by the Moosaids of each village, and that they will meet with severe punishment if they fail to supply laborers, provided that Department Public Works pay their wages daily.

5. I ordered the Taluq Duffadar to stay a few days at the anicut and see whether the laborers attend the work regularly I have determined to visit the anicut frequently and take necessary steps towards procuring the laborers and render all the necessary assistance in my power to the Department Public Works.

6 I also applied the Taluq Overseer with twenty-one bandies for carrying the bricks deposited at Pucrooty, which he also requested me to do I have directed the Deputy Tahsildar of Trivady personally to assist the Overseer by procuring the attendance of all the available laborers in the neighbourhood, which he is quite willing to do and already had done what he could.

(True Copy)

(Signed) J H. GARSTIN,
Collector.

---

No 190

OFFICIAL MEMORANDUM.

With reference to his Arzi, No 94, dated 18th instant, the Taluq Overseer of Cuddalore is informed that the Additional Deputy Collector has been requested to see to the matter therein alluded to at once, and the Overseer will report a week hence if he has as much labor as he wants

CUDDALORE,
28th July 1874

(Signed) A L. LISTER,
Acting Sub-Collector,
for Collector.

(True Copy)

(Signed) J. H GARSTIN,
Collector,

---

From J H GARSTIN, Esq, Collector of South Arcot, to the Additional Deputy Collector in charge of Cuddalore, dated 28th July 1874, No 799

In enclosing copy of an Arzi* from the Taluq Overseer of Cuddalore, I have the honor to request you will be good enough to give your immediate attention to the matter referred to in it, and to take measures to cause an ample supply of labor to the important work of repairing the Trivady anicut

* No 94, dated 18th instant, with one enclosure

(True Copy.)

(Signed) J H GARSTIN,
Collector.

---

From S. VENCATASOOBIAH, Additional Deputy Collector, to the Collector of South Arcot, dated Cuddalore, 3rd August 1874, No. 228.

In reference to your letter, No 799, of the 28th ultimo, I have the honor to report as follows

2 I had been yesterday to the Trivady anicut with a view to make necessary arrangements in consultation with the Overseer and with reference to the bulk of the work undone. The Overseer was absent however, with his wrist. I estimated the about 3,000 Rupees earth-work is to be performed to complete an embankment in support of the masonry wall newly erected

3. The Department Public Works want the laborers from the twenty villages depending on the anicut The Village Officers bitterly complain to get laborers because notwithstanding they come from a distance of between seven and two-and-a-half miles to the anicut, they earn but seven Annas a day, while they can earn somewhat more than that not in their own villages The Department Public Works want the laborers to be ready at work before 7 A M This could not reasonably be expected and demanded, because no cooly could leave his house, without taking his conjee, and the distance they have to walk being considerable There has been a rumour in the anicut villages that the Department Public Works do not pay them regularly, but on some occasions pay half the hire, accusing them with lateness in attendance; while on some days they are entirely rejected, notwithstanding their travel to a long distance from their houses. Again, this being the cultivating season for wet crops the laborers can hardly be spared from their own pursuits and from the services of their villagers and masters I tried all I could to get these men, but to little success I enclose certain statements given by Patchamah Reddy, etc., for your perusal

4. Unless compulsory measures are adopted by enforcing Act I. of 1858 we could not get sufficient number of laborers from anicut villages, as in my humble opinion the above law seems not applicable to the present case, as expressed in my letter, No 199, dated 10th ultimo However, if you consider that the Act may be made applicable to the present case I am quite ready to supply any number of laborers required by the Department Public Works from the anicut villages by putting the Act into force.

| Dates | Anicut Villages Number of Coolies | Other Villages Number of Coolies |
|---|---|---|
| 25 | 34 | 469 |
| 26 | 24 | 431 |
| 27 | 57 | 333 |
| 28 | 53 | 432 |
| 29 | 43 | 545 |
| 30 | 41 | 440 |
| Total | 256 | 2,640 |
| Average for six days | 42¾ | 440 |

5. I think it would not be out of place for me to state here that a very large number of coolies may be procured in the neighbourhood of the anicut in excess of those now working (about 440 on the average), provided that the daily hire is distributed to them by the Revenue authorities every evening

6 The embankment work seems important and necessarily requires to be finished before the freshes are down the river The dry harvest of cumbu and gingelly-oil seed, etc, has approached, and if some ten or fifteen days pass we can hardly get laborers to the anicut work. Even if a thousand coolies work daily the present earth-work may last for about thirty or thirty-five days

7. I therefore beg to suggest that if you will be good enough to make arrangements that necessary funds be placed at my disposal, I will have daily a large number of laborers be brought and delivered over to the Department Public Works, whose duty it is to get work from them, and I shall see that the cooly being paid every evening by one of the Gumastahs of the Trivady Deputy Tahsildar's office on his supervision and with my frequent inspections

(True Copy)

(Signed) J. H. GARSTIN,
Collector.

---

From J. H. GARSTIN, Esq, Collector of South Arcot, to the Additional Deputy Collector in charge of Cuddalore Taluq, dated 7th August 1874, No. 834.

I HAVE the honor to acknowledge receipt of your letters of the 10th ultimo, No. 199, and of the 3rd instant, No. 228, relative to the Trivady anicut repairs.

2. In the former letter you express a doubt whether the provisions of Act I of 1858 apply to the present state of affairs, because you do not consider that either person or property is endangered by inundation and because there has been no sudden breach or as you put it because there has been accordingly in conducting the repairs and no danger has been apprehended; and in the latter will direct me to make arrangements that "necessary funds" be placed at your disposal. I may see that the laborers are regularly paid, and that you will then bring a large body of laborers together.

3. I do not consider your objections in your first letter in the least valid The Act is, among other things, an Act for the enforcement of customary labor on works of irrigation, and Clause 1 leaves it to the officer in charge of the work to say whether a breach can be repaired, (the preamble also setting forth that "whereas it is necessary for the common good to make it obligatory on persons of the laboring classes, when duly called upon to unite their labor to prevent such breaches or to repair them instantly, etc,) and in that case the Act is applicable I am of opinion that in this case the Act is clearly applicable, and that it is the merest quibbling with language to say that because a breach cannot be repaired the *instant* it has occurred that therefore the Act does not apply.

4 As to your request for funds it should have been put in a definite form You should have asked for a definite sum. In order to save time I have ordered the Treasury Deputy Collector to place 1,000 Rupees at your disposal, and if you want more I request you will write and distinctly state the sum of money you think necessary. I cannot tell what is necessary situated as I am.

5. In conclusion I request you will consider that the Act (I. of 1858) is applicable to the present case, and if you cannot get laborers without enforcing its provisions that you will enforce them with the utmost stringency.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From J. H. GARSTIN, Esq., Collector of South Arcot, to the District Engineer, dated Cuddalore, 7th August 1874, No 197.

In forwarding copies of two letters from my Deputy Collector (marginally noted) to my address and of my reply thereto, I have the honor to inform you that I think there is much force in what the Deputy Collector says relative to the non-payment punctually of the laborers. If men are to be compelled to come and work they must be paid *at once*. I have therefore taken on myself the responsibility of advancing Rupees 1,000 to the Deputy Collector to pay the laborers whom he will provide to work under the orders of the Department Public Works Overseer.

Nos 199 and 228, dated 10th July and 3rd August 1874, respectively

2. As much of this sum as is expended in this manner will have to be repaid by your Department I have therefore the honor to request you will make arrangements accordingly.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From G. S. SAGE, Esq., District Engineer, South Arcot, to the Collector of South Arcot, dated Villapuram, 11th August 1874, No 149.

I have the honor to acknowledge the receipt of your No 197, of 7th instant, and regarding which I will write you more fully on receipt of certain reports I have called for; in the meantime I have the honor to request you will be so good as direct the arrangements made by you to cease at once, otherwise we shall get into difficulties, and if labor cannot be otherwise obtained we must do without it; for if, as seems the intention of the Deputy Collector, he intends to pay each cooly a full day's pay for half or three-quarter of a day's work we shall have the people coming at all hours instead of at 6 A.M. as they ought to do. I have allowed it to be done in the distant villages and rates would have to be very largely increased, a proceeding the notwithstanding will not allow; and, further, as the people will know they can get a full day's pay, whether doing much or little, the latter is sure to be the result.

2. You state there is much force in Deputy Collector's statement relative to non-payment of coolies. I am compelled to differ with you as I have made the following arrangements for the purpose of paying them daily, and which arrangements I have up to this every reason to believe have been carried out, viz, the Overseer of the taluq has been made to live *on the work* and ordered to pay daily, and from my examination of his accounts they show he has paid them daily, and I believe all coolies have been paid, no doubt some have had half or three-quarter of a day's pay only because either they have been present on the work only that time or have only done such portion of a day's work, and that is by my orders as I cannot consent to pay more than fair pay for fair work.

3 I will, however, with pleasure make over to the Deputy Collector the earth-work to be done, and will keep people there to mark it out for him as estimated for, and on completion will hand over to him the amount allowed in estimate for it, but I cannot consent to the arrangement he proposes, viz, that Department Public Works get what work they can from the people and he will pay what he likes, as we then have no control over the work-people and that will not do

(True Copy)

(Signed) J. H. GARSTIN,
Collector.

---

From J H GARSTIN, Esq, Collector of South Arcot, to the District Engineer, South Arcot, dated Pondicherry, 14th August 1874, No 203

In reply to your letter of the 11th instant, No 149, I have the honor to send you a copy of mine to the address of the Deputy Collector in charge of Cuddalore Taluq, and to observe with reference to the last paragraph of your letter, that it is contrary to the orders of Government as contained in G O, of the 31st October 1870, No. 1,671, that a Revenue Officer should carry out any public work if there is a Department Public Works Officer available on the spot.

(True Copy.)

(Signed) J. H GARSTIN,
Collector.

---

From J H. GARSTIN, Esq., Collector of South Arcot, to the Deputy Collector in charge of Cuddalore Taluq, dated Pondicherry, 15th August 1874, No 855.

I have the honor to forward copy of a letter from the District Engineer in reply to mine of the 7th instant, relative to the Trivady anicut, and to request that you will not pay any of the coolies employed on the works there, nor undertake any of the work yourself, but continue to assist the Department Public Works Overseer as much as you can in getting labor, leaving him to pay for it.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector

From S. VENCATASOOBIAH, Additional Deputy Collector, to the Collector of South Arcot, dated Cuddalore, 24th August 1874, No. 248.

With reference to the District Engineer's letter, No 149, dated 17th instant, (copy of which was sent with your letter of the 14th idem, No 855), I have the honor to enclose Trivady Deputy Tahsildar's Arzis, No 77, dated 20th instant, with its enclosure, and No 78 dated 14th instant, for your information I have done, and am doing, my best to collect large number of coolies to the anicut work

(True Copy)

(Signed) J. H GARSTIN,
Collector

---

From S. VENCATASOOBIAH, Additional Deputy Collector, to the Collector of South Arcot, dated 28th August 1874, No. 252.

In continuation of my letter, No 248, of the 24th instant, I have the honor to forward Trivady Deputy Tahsildar's Arzi No 82, together with its enclosures It will be seen from them that the cause for the falling off in the number of laborers supplied to Trivady anicut work is owing to nothing but the non-payment of the cooly regularly It appears that the poor laborers did not get their wages from the 20th to 24th instant.

(True Copy)

(Signed) J. H. GARSTIN,
Collector.

---

From G. S. SAGE, Esq, District Engineer, to the Collector of South Arcot, dated Porto-Novo, 5th September 1874, No 170

With reference to your endorsement of the 1st instant on the Additional Deputy Collector's, No 252 of 28th ultimo, I have the honor to inform you that the portion of the repairs to the Trivady anicut that was most urgent having been finished the Overseer was ordered to go out and look after the other numerous works in progress in the taluq, visiting anicut twice a week. He cannot be any longer solely employed on this work without affecting the progress of others under his charge, and as all labor is voluntary there is no occasion for it.

2 I have satisfied myself that, until he was ordered to go out, there was not any unnecessary delay in the payment of coolies, of whom it would appear that the number supplied by Revenue authorities was comparatively very small, and that latterly there has been *none* supplied by them

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From J. H. GARSTIN, Esq, Collector of South Arcot, to the District Engineer, South Arcot, dated Cuddalore 9th September 1874, No 229.

In reply to your letter of the 5th instant, No 170, I have the honor to state that from a recent report from the Deputy Collector in charge of the Cuddalore Taluq it seems that the reason of the unwillingness of the coolies to work on the Trivady anicut repairs was that they had to dig and carry a cubic yard of sand 120 yards for one Anna, and that they were unable to carry more than [illegible] during the day, also that baskets were not supplied to them, while those coolies who did not bring their own were rejected.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From G. S. SAGE Esq., District Engineer, South Arcot, to J. H. GARSTIN, Esq., Collector of South Arcot, dated Ooloondoor, 22nd September 1874, No 248.

In reply to your No 229, of 9th instant, I have the honor to forward herewith, received from the Range Amin and Overseer on the subject, and, as mentioned by him, to state no further assistance is required on this work from the Revenue authorities

2 Copies of letters

(True Copy)

(Signed) J. H GARSTIN,
Collector.

---

From G E WIFFEN, Esq., Officer in charge of No. 1 or Cuddalore Range, South Arcot, to the District Engineer, South Arcot, dated Cuddalore, 19th September 1874, No 371.

I have the honor to forward an explanatory letter from Overseer Narayanasamy Naidoo with reference to your docket No 903, of 12th September 1874, and at the same time beg to state that I do not see how the Overseer can be blamed for not paying the coolies every day as wished for, as he has numerous works in the taluq to inspect and measure up, and cannot, unless he neglects other works, be at a work more than once in four days to pay up coolies, the people we have got, who come voluntarily to the work, are paid once in four days and make no complaint, and why the few coolies whom the Deputy Magistrate sends should do so is singular, unless, as the Overseer states, they are the fellows whom even the ryots will not employ on account of their great aversion to any kind of manual labor

Enclosure 1

2. I beg for the future that the Sub-Magistrate be informed not to send any more coolies, as I find I can get on with this particular work better without the aid given in the way of coolies.

(True Copy)

(Signed) G S. SAGE,
District Engineer

(True Copy)

(Signed) J. H. GARSTIN,
Collector.

---

From NARAYANASAMY NAIDOO Overseer, to the Officer in charge of No. 1 Range, South Arcot, dated 17th September 1874, No 158.

With reference to the District Engineer's endorsement, No 903, of the 12th instant, and Collector's letter, No 229, dated 9th idem, I beg to give my explanation regarding the false statement of the Deputy Collector, stating that the coolies were not paid more than one Anna per cubic yard for earth-work to the bunds at the Trivady anicut

2. I have paid the coolies on an average 1¼ Anna per cubic yard for earth measured 80 yards I can prove this by the muster and pay rolls kept by me, as per instructions of the District Engineer since 11th July last, which will show the number of coolies employed the quantity of work done daily, the measurements of work done and payment of coolies were made in the presence of Monigars and Peon sent by the Sub Magistrate

3 The low rate alluded to (Heinean) was paid for works in the western embankment marked H I The estimate for this part allows only one Anna per cubic yard which has been exceeded by one or two Pies in the average. The unwillingness of the coolies for working is

heard by Maistries that when the Sub-Magistrate made his office at the anicut during my absence encouraged the work-people that they will get their full wages for whatever amount of work done and forced my Maistries to accept same which I am ready to prove. The most part of work done up to date is only by the energy of my own arrangements with reference to the collection of coolies; those supplied by the villagers usually arrive at the work spot from 9 to 12 A. M, to whom the Sub-Magistrate expects full pay, and thus delay my works which would have been almost completed if my own arrangements were in force, the coolies sent by Deputy Tahsildar (four and five daily) are the Pittchacarries of the place, and when they come will not do any work but expect their daily hire as charity.

(True Copy)

(Signed) G S. SAGE,
District Engineer.

(True Copy.)

(Signed) H GARSTIN,
Collector.

---

ENCLOSURE No 4.

From G S. SAGE, Esq, District Engineer South Arcot, to the Collector of South Arcot, dated Mamathore, 23rd August 1874, No. 157.

I HAVE the honor to forward a copy of a letter received from the Officer in charge of No. 1 Range, and to request you will issue such orders on the subject as you may think necessary

Copy of letter

2. Should the Poonjar come down before embankment is completed across, the whole will be swept away, causing a loss of over 3,000 Rupees to the Government.

3 I take this opportunity of bringing to your notice the extreme apathy and obstruction in some cases shown by the villagers regarding the execution of public works in their villages, which I have observed and has been reported to me wherever I go.

(True Copy)

(Signed) J H GARSTIN,
Collector.

---

From G. E WIFFEN, Esq, Officer in charge of No. 1 or Cuddalore Range, South Arcot, to the District Engineer, South Arcot, dated Nedimolianoor, 19th August 1874, No 292

I HAVE the honor to report that the coolies on the Coryaur embankment have decreased down to 35 daily; the Sub Division Officer reports that no assistance whatever is now being given by the Revenue authorities and expects that in a few days there will be no coolies at all, the harvest is now on is one reason given for no coolies coming, but from my experience I do not think that would make such a difference as to lessen the coolies from 405 down to 35, the rates are another cause stated, they are higher than given by me elsewhere even to contractors I am sorry to say I can come to no other conclusion but that there must be some underhand influence at work to keep the coolies away for some especial reason, for instance to raise rates. I am afraid I shall not be able to go there for some days to make inquiries into the matter, as I am now going over the works in the Villapuram Taluq, which I have neglected for some months back on account of pressure of work elsewhere, and from the state of those I have inspected I am

sorry to say I must inspect each individual hovel in the taluq, a report on which I will send you on completion.

(True Copy)

(Signed) G S. SAGE,
District Engineer.

(True Copy)

(Signed) J. H. GARSTIN,
Collector

---

From J. H. GARSTIN, Esq, Collector of South Arcot, to the Deputy Collector on General Duties, dated Cuddalore, 28th August 1874, No 900

In forwarding copy of a letter and of its enclosure, dated 23rd instant, No 157, from the District Engineer, complaining of the paucity of coolies on the Coryaur embankment, I have the honor to request that you will be good enough to use your best endeavours to procure labor for the Department Public Works work in question.

(True Copy.)

(Signed) J H GARSTIN,
Collector

---

From the Deputy Collector, General Duties, South Arcot, to the Collector of South Arcot, dated Trikalore, 7th September 1874, No 352.

In reply to your letter, No 900, dated 28th ultimo, I have the honor to inform you that I have again urged on the Tahsildar the necessity of a more active co-operation with the officers of the Department Public Works in procuring labor for the Coryaur embankment

2. Since your first requisition was received on the subject of supplying labor and materials to the Department Public Works Officers no pains were spared in attending to the requirements of the Range Officer, when the District Engineer was here on the 18th July 1874 I had an interview with him, and in view of the revenue at stake I immediately deputed a Revenue Inspector to be present at the anicut and supply whatever labor and materials might be required. I also made the Tahsildar hold his office at the anicut for a few days in the hope that his presence might induce the village officers more readily to supply coolies and materials. The Revenue Inspector was engaged on this special work for twenty-four days, and to this day there is Revenue Peon collecting men for the embankment; but I regret to submit that facts which will readily show that the conduct of the Department Public Works subordinates was calculated to keep off coolies and thereby neutralize the exertions of the Revenue Department in procuring them

3 The papers before me, which if required will be submitted, disclose the following circumstances —

1*st* —Two chunam bandies sent for from a distance by the Tahsildar at 6 Annas a parai (the rate offered in a written requisition of the Range Officer) were arbitrarily refused by the Supervisor, and had in consequence to be taken back all the distance. The Supervisor offered to pay 5 Annas a parai He now explains that the chunam was old and adulterated with sand. It might be so, but why did not some officer of the Department Public Works inspect the chunam in the first instance and then order its removal to the anicut? Who is to bear the cartage if the owner claims it?

2*nd* —A portion of the bricks prepared for the Civil Dispensary at Trikaloré were utilized for the anicut repairs, and twelve carts were engaged by the Tahsildar for four days at 5 Annas a *trip* to remove the bricks from Trikaloré to the anicut, a distance of about four miles. The

Supervisor paid the hire at 4 Annas a trip, and the bandymen are still demanding the Revenue Inspector for the other 4 annas.

*3rd*.—A bandy-load of planks settled at 8 Annas a plank was brought to the anicut: but the Supervisor refused to take them unless the rate was reduced to 12 Annas, and the planks have been removed back all the distance and across the river.

*4th*.—On the 5th August 1874, 350 coolies were produced by two Revenue Peons, but the Overseer refused to employ more than eighty.

*5th*.—Since the Coryaur embankment was commenced between 400 and 500 coolies were daily procured, but the Department Public Works subordinates reduced the wages and otherwise ill-treated the coolies, and the fall in the number is due to their own fault.

A few remarks may not be out of place on the point of wages. The Revenue Inspector and Peons deputed to assist the Department Public Works Officers repeatedly complained to me that the coolies were not properly distributed, and in my letter, No. 330, dated 19th August 1874, I requested information from the Range Officer as to the rate of cooly, whether it was reduced in proportion to the work turned out, and if so in what proportion and how he was able to distinguish the lazy from active coolies. The Supervisor in reply states that there was but one instance of reduction in the cooly of a party of thirty men; but I am certain he would not have made out who out of the thirty men were lazy, and the reduction of 3 Pies in the case of *all men* must have been felt as a hardship by some of the more active coolies. They care very little as to what quantity of work is done; their cooly, at so much a day, must be paid to them, and it is the look-out of the Department Public Works Officers to see that they do not lazy away their time. The Supervisor says, "I certainly claim the right to stop the pay of the whole of one party if I found they had not done proper quantity of work." He probably means that the one party consists of men of common interest or those who have joined together of their own will; but it is not so, and unless the Department Public Works are able to distinguish the lazy men from those more active by employing a sufficient number of subordinates, I am of opinion that the cooly must be paid irrespective of the quantity of work turned out by the entire party. The Supervisor thinks that his work is over if he employed a number of coolies and left them to themselves and in the evening pays the coolies, or more properly speaking divides among them rateably the money value of the work actually done. This is a kind of semi-contract system which cannot justly be enforced against daily coolies, and this is one of the important grounds urged for the paucity of coolies.

*6th*.—There is now cumboo harvest going on and the Peons obtained twenty or twenty-five coolies from Kottai Gudalur, but the Overseer refused to employ them because the number was below fifty. But if the Overseer got men from other villages, which I dare say he did, why should he not have got a decent number of coolies?

*to mi*[illegible].—On the 27th August there were 227 coolies produced, but the Overseer refused to employ them unless they would execute two cubic feet of earth-work for 2 Annas. As I have said already I am at a loss to see why the Overseer should insist on such conditions with coolies employed for daily wages.

The usual rate was 1½ cubic feet.

4. I have already informed the Range Officer that the Revenue authorities could do nothing in the face of such opposition (if I may use the term) on the part of the Department Public Works subordinates, and I beg the particular attention of the District Engineer may be called to the difficulties thrown by his subordinates, and he may be informed that no difficulty has ever been felt in obtaining labor or materials by any public officer as well as by private individuals, provided the rates are not less than those obtaining in the different localities; and the coolies are not subjected to annoyances, as they certainly are when their coolies are arbitrarily reduced after they had done the day's work, not for any occasion particularly noticed but because a

number of coolies whom the Department Public Works choose to call a party did duly turn out a given quantity of work

(True Copy.)

(Signed) J. H GARSTIN,
Collector.

---

From J H. GARSTIN, Esq, Collector of South Arcot, to the District Engineer, South [illegible] dated Cuddalore, 12th September 1874, No 2[illegible]5.

With reference to your letter of the 23rd ultimo, No 157, I have the honor to forward copy of one received from the Deputy Collector on General Duties, dated 7th instant, No 352, and with reference to the points noticed by that officer to request that you will be so good as to issue orders that whenever articles are required to be supplied by the Revenue Department to the Department Public Works a subordinate of the latter department should go with the Revenue Officer and approve the articles purchased, that rates of hire agreed on by the Revenue Department should not be repudiated by the Department Public Works; and that they must understand that when the Revenue Department is called on to collect coolies they do so on the understanding that the men are to be paid daily hire unless they agree to do piece-work.

(True Copy)

(Signed) J H. GARSTIN,
Collector

---

From G S SAGE, Esq, District Engineer, to the Collector of South Arcot, dated Cuddalore, 30th September 1874, No 211

I have the honor to acknowledge receipt of your letter, No 235, of 12th instant, on the 15th instant, and would have replied to it before, but I wished to obtain accurate information on the points mentioned by the Deputy Collector in his letter forming the enclosure to yours I will first reply to your letter I have no objection to a Department Public Works subordinate going with the Revenue Officer to approve of articles purchased; regarding rates of hire I am bound by certain rules, and cannot agree to that, but as was done in this case a list of rates I [illegible] be given to the Revenue authorities, lastly, regarding daily coolies, of course they will be paid and are always paid daily hire, but it must be borne in mind that a man receiving daily pay has to do a fair day's work for his pay, otherwise he gets a smaller rate of daily [illegible] to work done, no person can be paid a day's pay for simply coming to the work and doing nothing.

2. Next regarding the Deputy Collector's circumstances—

*His first*—The lime was bad, old and greatly adulterated, and of no use for work [illegible]; it came from the village of Pothoor, distant about half a mile, and it is evident the owner did not think himself hardly treated, as he agreed to build [illegible] buildings on north side near the river to supply lime

*His secondly*—The Deputy Collector spoke to me on the subject, and I directed 5 Annas to be paid No work has been done since and the men have never apparently applied for extra Anna

*His thirdly*—The planks were utterly unfit for the work and were absolutely refused; no reduced rate was offered, they were not worth anything for the work; they were taken back half a mile but not across the river

*His fourthly*—The Overseer refused to employ none the coolies were directed to work in a certain place and refused and went away; in fact they would only work if allowed to work where and as they liked, this of course cannot be allowed.

D

*His fifthly*—There have never been more than 41½ coolies on the work in one day and that number only on one day; the reduction of wages was for short work done, and the statement of other ill-treatment is denied. I will, like the Deputy Collector here, make a few remarks The Deputy Collector states the reduction of 3 Pies each in a party of thirty men was felt as a hardship by some; it was intended it should, as unless by means of measuring the work to see each party has done their work and reducing pay for short work. May I ask how the first part of his statement, the coolies earn very little whatever quantity of work is done, their pay at so much a day must be paid them, and it is the look out of the Department Public Works Officers to see that they do not lazy away their time," agrees with latter, we do look out and stop pay for short work, unless he expects us to drive them, in which case there would certainly be grounds for mentioning *other ill-treatment*, and it is to avoid this that the measurement system is adopted.

*His sixthly*—All coolies that come are allowed to work except when they make unreasonable conditions, such as where and how much they shall do for their day's pay, when there is of course no alternative but to let them go

*His seventhly*.—The average rate for the work is 1½ Annas per cubic yard; in some instances it is less and in some more; it depends entirely on the distance to be carried and height to be raised, this particular instance cannot now be traced.

3. I saw the Deputy Collector lately, and I then spoke to him on this subject and asked him if he had personally inquired into any of these matters on the work, and I now say, as I told him, I thought it was a pity he had not done so, when he would have discovered that it is a plot of the village headmen, etc, to prevent the loss of their labor which they want in the fields, and which they further object to lose on the grounds that the embankment does not benefit them. The Deputy Collector himself told me that the coolies came from villages not benefited, and I think I may safely say not a dozen men a day have been brought from villages benefited by the bund.

(True Copy)

(Signed) J H. GARSTIN,
Collector.

---

From J. H. GARSTIN, Esq, Collector of South Arcot, to the Deputy-Collector, General Duties, South Arcot, dated Cuddalore, 5th October 1874, No. 1,120.

In forwarding a copy of the District Engineer's letter of the 30th ultimo, No. 211, in reply to mine of the 12th idem, forwarding a copy of your letter of the 7th September 1874, No 352, I have the honor to state that I am going to address Government on the question of revising Regulation I. of 1858, but that I certainly think the Department Public Works Officers have a perfect right to refuse to pay coolies who do no work, or to stop a portion of their pay if they work lazily or badly, and that the idea which you say the coolies entertain, that they must be paid so much a day whether they do little or much, is quite erroneous, and unless they are to be whipped to their work (which is out of the question) there is no other way of preventing them from idling away their time than paying them a day's wages for a day's work, and quarter of a day's wages for quarter of a day's work. It is absurd to suppose that a cooly is to sit on his heels all day long and do nothing and yet get a full day's hire.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

---

From H. S. THOMAS, Esq., Collector of Tanjore, to the Secretary to the Board of Revenue, dated Trivalore, 28th January 1875, No. 58.

With reference to the Proceedings of the Board of Revenue, dated 14th September 1874, Miscellaneous No 6,324, I have the honor to report that tanks and other irrigation works suffer overrun by prickly-pear in this district to the extent that they are in other places, and that its removal by the villagers will not generally work any hardship.

2 As this is one of the customary duties enumerated in Board's Standing Order, No [illegible], and is enforceable by Section 5 of Act I of 1858, on the receipt of the Board's Proceedings I issued orders to the Tahsildars to have the prickly-pear on tanks and minor irrigation works removed by them, and the reports from eight out of the nine taluqs which have reached me show that this has been done

3. I do not anticipate much difficulty in arranging for the removal of prickly-pear in the remaining one taluq of Tanjore from which a report has not yet been received, and if it is found that in any places the plant has grown to such an extent that it would bear hard on the villagers if they were called upon to bear the whole cost of removing it, I propose that a grant-in-aid should be given to the Merassidars of half the cost of clearance, the amount being charged to "Irrigation"

4. As to the prevention of the future growth of the plant on minor irrigation works, as this is one of the duties of the Merassidars I think we ought to get it done by them After the prickly-pear has been once removed the prevention of re-growth is a matter of no difficulty and if the village officers are made strictly responsible for seeing that the duty is not neglected, and a yearly report be called for from the Tahsildars to show that this has been done, the growth of prickly-pear can be completely prevented. I propose, with the Board's approval, to issue orders to the above effect

5. The Superintending Engineer, whom I consulted on this subject, concurs in the views above expressed.

6. The removal of prickly-pear from the banks of large rivers and channels is of course a duty devolving solely on the Public Works Department, and the work must therefore be undertaken by that department

7. I may mention that while the cactus was being removed many snakes and [illegible] their quarters in it were destroyed.

---

From W. McQUHAE, Esq Collector of Madura, to the Secretary to the Board of Revenue, dated 28th January 1875, No 35

With reference to G O, dated 21st August 1874, No. 2,353, Public Works [illegible], and 14th September 1874, I have referred for report in the Board's Miscellaneous No 6,324 [illegible] works free from prickly-pear is one [illegible] the honor to state that the duty of keeping [illegible] Nattam properly devolves on the ryots If the Tahsildars bring sufficient pressure to bear [illegible] gars this work will be done, except in localities where long neglect has allowed a growth of prickly-pear which can only be cleared away at considerable expense The work is part of Kudimaramat already reported on, but regarding which no final orders have been received

2. In most taluqs in this district no grants-in-aid are necessary to enable ryots to clear away existing prickly-pear, but in the following cases grants seem necessary. The money should be placed at the disposal of the Tahsildar:—

| | | | |
|---|---|---|---|
| 1 | Madura Taluq, | Rupees | 247 for nine works. |
| 2 | Dindigul do | ,, | 1,122 for twenty-three tanks. |
| 3 | Palany do. | ,, | 175 for four works. |

From J. B. PENNINGTON, Esq., Acting Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated 30th September 1874, No 249.

In reply to G. O, No. 2,35[illegible], dated 21st August 1874, paragraph 5, I have the honor to report that I have consulted with the Officiating District Engineer, Mr Wybrow, who has had considerable experience in all parts of this district with the following result.

2 Mr Wybrow is of opinion that the prickly pear might be thoroughly cleared off all tank banks by the Department of Public Works *in the first instance*, provision being made in the estimate for such clearing whenever a tank has to be repaired; but that when once a tank or irrigation work not provided with establishment has been completely cleared, it should then be kept clear by the villagers without further expense to Government. He urges that ryots in this district have been in the habit of clearing away the prickly pear as ordinary *Kudimaramut*, and have always been *compelled* to do so before any repairs were executed to their tanks (under Public Works Code, Chapter IX., paragraph 22).

3. Even this as he points out, will often monopolize all the money available for expenditure on a tank, and he gives an instance of a tank he has just completed with a bund over a mile in length covered with prickly pear on both sides to a width of about ten yards, the cost of clearing which would amount to about 184 Rupees. The revenue of the tank being only 300 Rupees, that amount only could be spent on the tank under present rules; so that only about 116 Rupees would be available for actual repair work.

4 After careful consideration, I am inclined to agree with Mr. Wybrow. The clearing of prickly pear is clearly laid down in the Public Works Code as properly appertaining to customary labor, and I believe it is generally acknowledged by the people of this district that the duty of clearing tank bunds devolves upon them. It is obvious that the tanks must be in charge of the villagers as co-proprietors with Government, and I see no hardship in their being held liable to carry out these continual petty repairs and to exercise that constant vigilance which can only be expected of resident ryots who are also at least equally interested with the Government.* Then if it is once admitted that such ordinary repair work forms a legitimate part of what is called customary labor, it can be legally enforced under Act I. of 1858 (Section VI).

* *Vide* Chapter XI, paragraph 234 of the Public Works Code, Column 8

5 I therefore think it unnecessary and inexpedient to give grants-in-aid to the villagers for clearing prickly pear; and I very much doubt if the work would be done much more cheaply in that way than by regular estimate.

6. As to prickly pear on the sides of roads it should be cleared by the Local Fund Board; and in the village sites I think the work should certainly be done by the villagers aided by small grants-in-aid. This is the established practice in this district, regular provision for the work being made in the Local Fund Budget under the head "III., Sanitation, etc."

From A. WEDDERBURN, Esq., Collector of Coimbatore, to Colonel C. WILKIESON, R.E., Superintending Engineer, Coimbatore, dated 2nd September 1874, No. 353.

I shall be obliged by your views on Public Works G.O. dated 31st August 1874, No. 1,353. It seems that channel bunds and the like are to be cleared by the Irrigation Department, but that the work of what was formerly called "Kudi Maramut" [illegible] of minor tank and channel bunds and the like can no longer be required of the villagers.

The only method of keeping down the pest is, as I have experienced, to cultivate the land, but this obviously cannot be adopted on tank bunds and minor channels. To clear by Government and then to expect the ryots to keep the obnoxious vegetation down, seems no more likely to be successful or lawful, if it be not incumbent on the ryots to do so in the first instance, than any measures have been. Government will not legislate and the consequences result that some one must clear away the vegetation and pay for it.

3. I presume, then, that, as it may not be charged to the ryots, Government must be paymaster, and the only question which remains for us to consider is the *modus operandi*.

4. The only way which appears to me to be practicable is to have estimates made of the cost of clearance and to have the work done by the villagers; but there is this objection, that, as their own interest did not induce them to clear the nuisance, being paid for its removal will be rather an encouragement to imperfect clearance and recurrent payments.

5. There is no doubt that grants in aid will be gladly availed of by the villagers; but the question is, how to limit such? I don't think that a promise to pay will be honored by the villagers, and that they will require the money down before they address themselves to the task, which then must be paid for out of advances to be adjusted after execution is obtained.

6. So soon as it is known that the Collector's hands are tied and that Kudi Maramut is a thing of the past, no more gratis clearances can be looked for, and we must address ourselves to the inevitable charge.

7. Although I am not an advocate for planting on bunds I think the planting of trees so as to replace the eradicated pear might conduce to its checked reappearance.

---

From Colonel C. WILKIESON, R.E., Superintending Engineer, Coimbatore, to A. WEDDERBURN, Esq., Collector of Coimbatore, dated Pollachy, 8th November 1874, No. 142.

I have to apologize for not replying to your letter regarding the extermination of prickly-pear, but the Government Order appears to tie my hands from making any suggestion except carrying out the work on estimate.

2. Even in case of having cleared the prickly-pear in any locality by estimate it would grow again very quickly, and in most cases the G.O., dated 7th February 1874, No. 299, ordering no repair estimates to be made except after special sanction, when the repairs in the last five years exceed twenty per cent., would shut out the possibility of making an estimate for clearance of pear.

3. I quite agree with all you say in your letter, and would only add that the way I see to prevent the increase and destroy the present prolific growth of the noxious plant is legislative enactment to enable the Collector to levy the cost of clearing them if the inhabitants did not choose to give Kudi Maramut.

4. The Tahsildar here tells me that in many places people will clear the land on a five-years' free cowle and in some places even will clear the land if they are allowed to cultivate it paying assessment.

5. With regard to the growth of trees on the bund of tanks, I do not see the slightest objection provided the trees are judiciously selected, and there are many bushes, such as the screw-pine, in the cotton soil tank bunds which are actually beneficial.

---

No. 297.

Forwarded to the Secretary to the Board of Revenue with reference to Proceedings, Miscellaneous No. 6,324, of 14th September 1874.

(Signed) A. WEDDERBURN,
Collector.

Kanavaikal,
9th December 1874.

Exd. A. S. Rodgers.

From A. MACGREGOR, Esq., Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 23rd September 1874, No 226.

WITH reference to Board's Proceedings, dated 14th September 1874, Miscellaneous No 6,324, I have the honor to report that there is no prickly-pear in this district.

---

From E GIBSON, Esq., Acting Head Assistant Collector in charge of South Canara, to the Secretary to the Board of Revenue, dated Mangalore, 5th October 1874, No 2,065

WITH reference to Board's Proceedings, No. 6,324, of 14th September (received here on the 1st October) I have the honor to report that as there are no irrigation works and no prickly-pear in this district, it is not necessary that I should take any action in the matter referred to in the order of Government.

Nov 15 1853

3d

Remarks

I am not satisfied with the Boards Conclusions in a matter which I hold is a popular obligation that ought to be maintained. They are calculated to shelve rather to produce a practical solution of this important difficulty. For it is obvious that we cannot put the public to expense because certain villages have long and persistently neglected a communal duty. For it is the Government to blame for the neglect in a matter which gratifies the transfer of the obligation to the State in any degree or share

As regards the power conferred

Conferred by Act I of 1858 & Section 6; there have been frequent & ineffectual and a mere cursory Perusal of the Efficiency of the Act will not communicate to the Law any practical utility

In this as in the matter of Channel Clearances and other Preliminaries which obligations a Revision of the Law as recommended by the Public Works Commission of 1869 is, I submit, pursuit necessary in order to prevent an important popular obligation from depriving the great Instrument of public & Communal interests and to enable it to reasonable Commencement when decided

I would respectfully the matter to the Board again with a view to the preparation of a Cash

to save time & obligations

[illegible]

P.S. with the printers

I do not think this Clause necessary I know that the Law has been the subject of various Discussions & Decisions & the Board & Engineer-in-Chief of Legislation which I think it is but a Law & has done all that can be done by Act of Parliament or Statute

[illegible]

G.O. 7 Jany 75 No 888

Seen. R.W.

N-63

No. 132

Memo for orders.

At the instance of the Chief Engineer for Irrigation, the Collector of Salem raised the two following questions for consideration

1. To what extent the cost of exterminating prickly pear at present existing on tank bunds & channel banks, can be thrown on the ryots.

2. How best to exterminate the pear from road sides, pathways, & tracts of land.

Govt. in the P. Works Dept. ~~unaccountably~~ confined their attention to the first point in regard to which they ruled that irrigation works on which conservancy establish.

I would approve the Bd's conclusions generally. I would point out that general orders in matters of this kind are not efficacious & that particular instances should be brought to the notice of the ~~D.P.W.~~ P.W.D. & the Rev. authorities in view to special attention being directed to them.

Yes. R.W.

I would concur in the above

G.O. 21st August 1874 No. 2351

(Law B.) With the planting of Prickly pear as creating a nuisance & notify that on complt. recd. it would be treated accordingly by the Magte.

Govt. not issue any notification of wh. the legality may be doubtful R.W.

Then without notif. let the trial of the law be made measure.

ments are effectually [illegible] should be kept in a [illegible] state free from prickly pear or other noxious vegetation by the Revenue Dept; & that as regards works on which repairs are executed periodically & at long intervals, the clearance must be provided for in the repair estimates of the Dept. P. Works, thus imposing no cost on the villagers or local funds. But the Government considered that the question as to the way in which Tanks & minor irrigation works of the country generally should be kept free from prickly pear, after it shall have been once effectually cleared away, is a question of very considerable importance & called on the Board of Revenue to report after

2nd Note.

I have read with [illegible] the Hon. W. Robinson's Note.

I cannot agree with him in thinking that the existing law has been found insufficient. I do not think it has been fairly tried - nor [illegible] if it were so [illegible] particular cases are [illegible] dealt with - instead of [illegible] or issuing G.O.s [illegible] a general [illegible].

I quite admit that it is open to question whether the [illegible] Sec. 6 Act [illegible] 38 [illegible] include this [illegible] I think that [illegible] it is [illegible] But until it has been tried & failed, I do not think we should attempt further legislation.

I incline to think that a [illegible] law enforcing [illegible] customary labor [illegible]

that the existing law is insufficient. It would be no more difficult than to enforce the custom under the present law.

L.B.

[illegible] clearance [illegible] ought to be paid for from the Treasury.

[illegible] Collectors [illegible] customary labor on

after reference to Collectors what are the requirements [illegible] likely to prove efficacious.

The Board of Revenue report that they concur in opinion with the Collectors who seem to be almost unanimous in thinking that where prickly pear has accumulated to a great extent, the cost of removing it should not be charged to the villagers, but when once clearance is effected, the villagers can & may be required to keep down the growth as customary labor under Act I of 1858. The Board would leave it to District officers to decide in what cases the work of first clearance is too extensive to be laid upon

upon the villagers; & will cause the discouragement should in their opinion be made through the officers of the Revenue dept: employed by the Collectors & District Engineer of Hoshangabad so successful in the carrying the Conservancy Law.

It is submitted that the Board's proposal may be approved; & their proceedings communicated to the Govt. dept:

It would be observed that the Board's reply is limited to Rs. 2000 of the Rs. 21 lacs of 1874 Rs. 2358. Rs 3, & does not extend to the second limit raised by the Collector of Hoshangabad: viz. Rs. 358 to exterminate the fear from pathways & from villages to where the owners of private property, have access can be made to remove the stacks of timber under Board's Cir: No XXXVIII of 1874

will effectually cause the detachment from Government Khedas & where the owners or other places as Rama Nattam &c, accept the terms submitted that the necessary outlay should be incurred from Local or Municipal Funds; as is already done in some districts, as a part of village sanitation.

AR 4-5-75

Rec'd 2nd June/95 Ret'd 6 June/95

Rec'd 7 June/95

No 888

Rec'd Dept

Pres't Bd of Promise

Reviewing and enclosing with remarks of Colby on subject of removal of prickly pear from irrigation works

} H.E. 10th April 1895 No 885

36

The Govt assign the Board's conclusions generally — but they desire that specific orders be issued & Collector & Deal with particular cases of Knight & letter. Cy the P.W.D. under sec. VI. Act. 1. 1858.

Alle

14 Secs Board of Rev advised
2 Copies P.W.D.

60/27