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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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Proceedings of the Madras Government, Revenue Department,
23rd June 1875.

No. 189. Read the following Endorsement of the Officiating Joint Secretary to Government, Public Works Department, dated Ootacamund, — June 1875, No. 100 :—

Read the following letter from Colonel F. J. MOBERLY, R.E., Superintending Engineer, Chingleput, to the Chief Engineer for Irrigation, dated Guindy, 7th June 1875, No. 845.

Collector,	No.	24,	dated	27th Jan.	1875.
Supg. Engr.,	„	4,202,	„	11th March	„
Collector,	„	122,	„	24th May	„
Supg. Engr.,	„	4,467,	„	30th March	„
Collector,	„	168,	„	22nd April	„
Supg. Engr.,	„	614,	„	20th May	„
Collector,	„	292,	„	28th „	„

* No. 614, dated 20th May 1875.

I HAVE the honor to enclose, for your consideration, copies of letters which have passed between the Collector and myself regarding grant of remission under the Cholaveram Tank. My last letter* summarises the previous ones; I will not, therefore, repeat its contents.

ENCLOSURE No. 1.

From R. W. BARLOW, Esq., Collector of Chingleput, to Colonel F. J. MOBERLY, R.E., Superintending Engineer and District Engineer, Chingleput, dated Saidapet, 27th January 1875, No. 24.

IN forwarding copy of an Arzi, dated the 13th instant, No. 23, from the Tahsildar of Ponnery, I have the honor to request that you will be good enough to inform me what steps can be taken by your department to remove the obstruction caused to the irrigation of the Serooniam village lands, referred to therein, by the Cholaveram drainage channel. Remission has to be given to the villagers [illegible] lands left waste on this account, and I fear the same will be the case this season.

From Colonel F. J. MOBERLY, R.E., Superintending Engineer and District Engineer of Chingleput, to R. W. BARLOW, Esq., Collector of Chingleput, dated 11th March 1875, No. 4,202.

IN reply to your No. 24, 29th January 1875, I have the honor to observe that the land of Serooniam village, Ponnery Taluq, should be watered from the northern sluice, Cholaveram Tank. The conveyance of water from the southern sluice necessitates the obstruction of the natural drainage.

2. I must lay stress on the point that the channel to drain the pits under the tank has been cut in the lowest ground, and that the old arrangements of supply across it prevented the free flow of the water.

3. To prevent any difficulty pending the survey and arrangement of the channels, palmyra aqueduct was constructed by the Taluq Overseer. This was removed, and in its place a bank stopping the drainage was put up. The villagers assert that the aqueduct was removed by one of the tank Lascars, a subordinate of the Overseer, and that consequently they were driven to put up the bank.

4. No complaint was made to the Tank Menegar, the Taluq Overseer, then residing at Pady Nellore, the Range Officer, or myself. The villagers took the law into their own hands, and put up a bank, regarding which complaint was made to the Sub-Magistrate; the issue is given in No. 431, dated 26th October 1874, from your office.

5. I submit that the assertion that the aqueduct was removed by any subordinate of this department is, in itself, highly improbable, and that this is supported by the fact that the villagers did not complain as they should have done immediately.

6. I regret to hear that any remission has been granted to these people, as I would urge that they have not the smallest right to it, either in last year or this; the aqueduct could have

been restored in a few hours in any case, whether removed by themselves or by a Lascar, or by accident, and the villagers were bound to inform the Tank Conservancy Department at once.

7. I cannot find that they even applied to the Tahsildar.

From R. W. BARLOW, Esqr. Collector of Chingleput, to Colonel F. J. MOBERLY, R.E., Superintending Engineer and District Engineer, Chingleput, dated Saidapet, 24th March 1875, No. 4202.

I have the honor to acknowledge your No. 4,202, of the 11th instant, and regret to observe that you have deemed it advisable to re-open the question of who removed this aqueduct. No possible good can result from discussing the question as one of Department of Public Works *versus* Revenue Department, and waste of valuable time must ensue. A competent criminal court having decided that no proof existed that the villagers did remove it, such decision, rightly or wrongly, should be accepted by us, and all that we need do in the interests of Government is to see that there shall be the necessary supply of water for the future; and it was with this object that I addressed you in my No. 24 under acknowledgment, and now again request that you will restore the aqueduct or supply water in any way you deem best, so long as there is a supply.

2. As regards paragraph 6, I may observe that the necessity or otherwise for remissions is always carefully considered by me, but I reserve to myself entirely the decision of such questions, though I am always glad of information from you.

From Colonel F. J. MOBERLY, R.E., Superintending Engineer and District Engineer of Chingleput, to R. W. BARLOW, Esq., Collector of Chingleput, dated Guindy, 30th March 1875, No. 4,467.

I HAVE the honor to request that, if it be not irregular, I may be allowed to see the proceedings of the Magistrate sanctioned by you in No. 122, 24th instant, paragraph 6, as I had not previously understood that any judicial investigation had taken place.

From R. J. MELVILLE, Esq., Ag. Collector of Chingleput, to Col. F. J. MOBERLY, R.E., Superintending Engineer and District Engineer of Chingleput, dated Saidapet, 22nd April 1875, No. 105.

Referring to your No. 4,467, of the 30th ultimo, and my reply thereto, dated 6th instant, No. 101, I have the honor to forward copy of an Arzi received from the Tahsildar of Poonery and the order issued thereon. No magisterial inquiry appears to have taken place in the taluq, but the matter was taken up departmentally.

From Colonel F. J. MOBERLY, R.E., Superintending Engineer and District Engineer of Chingleput, to R. J. MELVILLE, Esq., Acting Collector of Chingleput, dated Guindy, 20th May 1875, No. 614.

I HAVE the honor to request a reconsideration, if possible, of your No. 122, 24th March, with reference to your No. 105, 22nd April.

2. The following remarks may assist you in the matter.

The Chelaveram Tank has three sluices; one at the south, in the wing of the head sluices to Red Hill Tank; one at the north, in the wing of the calingulah; and the third nearly half way between. From the first to the third a line of pits, from which the earth for the bank was taken, is more continuous. At the pressure of water in these pits appeared very dangerous to the bank, and earth was taken for a channel along the inner ground to drain them.

4. In cutting this channel, we found that we were intercepting an irrigation channel by which the Sirooniam villagers were watering land across the hollow; it was clearly wrong, but we

were not prepared to make any fresh channels, and, therefore, continued the existing line, and put an aqueduct of palmyra trees across the drain.

5. Some little time after the cultivation commenced, we found the drain obstructed by a bank and the aqueduct removed. The Tank Monegar, who said he knew the authors of this mischief, was ordered to prosecute them before the Taluq Magistrate. I heard some time after that nothing had been done, and I censured the Monegar for having laid it before the Tahsildar in his revenue instead of his magisterial capacity.

6. In No. 24, 27th January, Mr. Barlow inquired as to the irrigation across this drainage channel, and informed me that remission had been granted. My No. 4,202, dated 11th March 1875, replied to it, and No. 122 is the answer to that.

7. I submit that by constructing an aqueduct we prevented any claim for remission by the Sirooniam villagers; that Mr. Barlow has been misinformed regarding the inquiry as to its removal; and that consequently the villagers of Sirooniam have escaped punishment for mischief and received remission.

8. I submit that it is most improbable that any of the tank Lascars (two) removed the aqueduct, and constructed the dam across the drainage, and that, though there may be no legal proof against the Sirooniam villagers, the presumption is very strong against them, as they are the persons who benefited by the act; but no inquiry has, it now appears, really taken place. I urge, also, that the remission of revenue on land easily supplied from a tank brimming with water implies neglect by this department.

9. I have no information as to the grounds on which Mr. Barlow came to his conclusion as to the justice of the claim made; but I have reason to believe that we could have shown that there was never any deficiency of water available, and that if any crop suffered it was because the cultivators would not take it in the way in which we offered to supply it, and resented the removal of the bank which we procured.

From R. J. MELVILLE, Esq., Ag. Collector of Chingleput, to Col. F. J. MOBERLY, R.E., Superintending Engineer and District Engineer of Chingleput, dated Saidapet, 28th May 1875, No. 292.

I have the honor to acknowledge the receipt of your letter, No. 614, dated May 20th, and, in reply, would observe that nothing will, in my opinion, be gained by re-opening the discussion therein referred to.

2. The inquiry held failed to show who was the person who removed the palmyra aqueduct, and it is not likely that a second inquiry held, now that so much time has elapsed, will be more successful.

3. My predecessor at the annual settlement satisfied himself that the villagers had a claim to remission, and I do not feel myself justified in revising his proceedings.

No. 657.

MEMORANDUM.

Submitted for the consideration of Government.

2. In the opinion of the undersigned the Sirooniam village was not entitled to the remission referred to in the letter, No. 24, of the 27th January 1875, from Mr. Barlow. Water was available in abundance in the Chelaveram Tank; the means of conveying it to the channel irrigating the lands were provided by an aqueduct, and it is considered that the Superintending Engineer's conclusion that the aqueduct was removed and a bank substituted by the villagers necessarily follows from the circumstances. It appears to be desirable that the villagers should be required to restore the aqueduct or to forfeit all claim to remission. If this be done, and if it be necessary permanently

to convey water across the drainage channel from the central or intermediate tank sluice, a permanent aqueduct should be constructed.

2. The Monegar of the Conservancy Establishment was clearly to blame for not having detected the removal of the aqueduct at the time, as this could not have been effected and a bank constructed in less than good many hours, and probably the work was in progress on more than one day. If similar improper proceedings take place without an immediate report, together with information as to the names of the persons engaged in perpetrating them, he should be removed and another man appointed.

OOTACAMUND, (Signed) J. MULLINS, Lieut.-Colonel, R.E.,
12th June 1875. *Officiating Chief Engineer.*

To the Officiating Secretary to Government, P.W.D.

TRANSFERRED to the Revenue Department for consideration.

(Signed) J. O. HASTED, Major, R.E.,
Offg. Joint Secy. to Govt., P.W.D.

No. 190. ORDER THEREON, 23rd June 1875, No. 951.

Irrigation, No. 4.

FORWARDED to the Board of Revenue for report.

(True Extract.)

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

To the Board of Revenue.

Exd. F. R. Bantleman.