

(1) Number of pages 6(2) Date of repair 2-1-73

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	1506	Press
B.P. No.		Mis.
Dated	21-4-1877	197

Not to be folded or roughly handled

506

Proceedings of the Madras Government, Revenue Department,
21st April 1877.

No. 503. Read the following Proceedings of the Board of Revenue, dated
22nd March 1877, No. 1,289 :—

Read Proceedings of the Madras Government, dated 23rd February 1877, No. 1,044,
Revenue Department.

Read Proceedings of the Madras Government, dated 5th February 1877, No. 400,
Public Works Department.

COMMUNICATED to all Presidents of Local Fund Boards for report.

2. The Board presume that the latter part of paragraph 3 of the G.O.,
Public Works Department, refers to natural drainage channels which have been
utilized in connection with irrigation projects, and which consequently carry
greater volumes of water and are greater obstructions to traffic than before, other-
wise the Board cannot understand the passage. There is no question as to the
incidence of the cost of providing communication over other natural drainages.

(True Copies and Extract.)

(Signed)

H. E. STOKES,

Secretary.

No. 504. ORDER COMMUNICATED BY THE GOVERNMENT, DATED APRIL 1877, NO. 1,506.

Irrigation, No. 4.

COMMUNICATED to the Public Works
Department.

(True Extract.)

(Signed)

D. F. CARMICHAEL,

Officiating Chief Secretary.

To the Public Works Department.
„ the Board of Revenue.

Exd. F. R. Bantleman.

1506
2

No. 1,289.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 22nd March 1877.

Read the following :—

Proceedings of the Madras Government, dated 23rd February 1877, No. 1,044, Revenue Department.

Proceedings of the Madras Government, dated 5th February 1877, No. 400, Public Works Department.

Read the following papers :—

From Captain L. CONWAY-GORDON, R.E., Examiner of Public Works Accounts, to Major-General G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Fort St. George, 16th September 1876, No. 229-W.

I HAVE the honor to address Government, with reference to G.O., No. 1,676, of 3rd July 1876, directing the District Engineer, South Arcot, to prepare and submit estimates for sixteen bridges over irrigation channels in South Arcot.

2. The Government Order in question does not explicitly state that all these sixteen bridges, when finally sanctioned, are to be constructed out of Imperial funds; but from the wording of the order generally I gather that this is the intention of Government, and I therefore respectfully venture to suggest a reconsideration of this question.

3. The irrigation systems in connection with which these bridges are considered necessary are the—

Lower Coleroon Anicut System.		
Kattumailur	do.	do.
Shetiatope	do.	do.
Pelandorai	do.	do.

and one system not specified. The Pelandorai and Kattumailur Anicuts are works of quite recent construction (1875 and 1873 respectively), and the bridges connected with these systems seem to be fairly chargeable to Imperial funds (Irrigation).

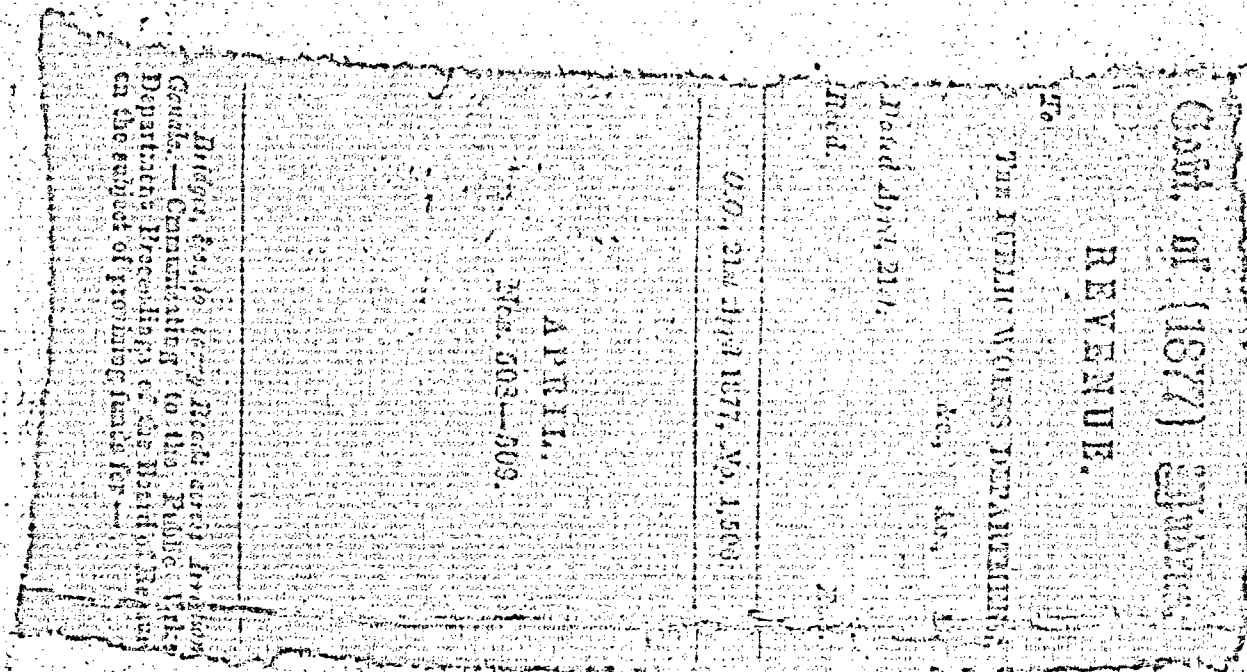
4. But I am informed by the District Engineer that the Lower Coleroon Anicut was built in 1836, and the Shetiatope Anicut restored in 1848, whilst the channels fed from these two sources have been in existence from time immemorial. The District Engineer further informs me that prior to 1854 there were few roads in the district, and that these few were mere fair-weather cart-tracks.

5. It seems to me very doubtful whether Imperial funds can be held liable for the erection of bridges at points where Local Fund roads, of quite recent construction, cross Imperial irrigation channels which have been in existence from time immemorial.

6. The principles that appear to me to underlie the question are as follow :—

(a.) If the construction of a new irrigation channel interfere with an existing right of way, the constructors of the channel, i.e., the Imperial Government, are bound to provide the same facilities for traffic as previously existed.

(b.) But if the road were constructed subsequently to the construction of the irrigation channel, the cost of making the bridge is part of the cost of the road, and is chargeable to the constructors, i.e., the Local Fund Board concerned.



7. I should mention that the question now raised acquires additional importance from the fact that the action taken by the Collector of South Arcot District seems to be a result of G.O. (Revenue Department), No. 1,127, of 18th October 1873, communicated with G. O. (Public Works Department), No. 3,003, of 12th December 1873, and that similar action may be expected with respect to other districts.

No. 594-W.

MEMORANDUM.

The reason why 1868 was suggested as a date of departure for the rules making bridges, &c., chargeable entirely or partly to Imperial funds, is that it was in that year that the first rules on the subject were passed, and that date consequently became a ruling date for the rules then and subsequently promulgated. Whatever rules may be adopted will have to be a compromise, and the undersigned thinks that, while to settle what is an equitable arrangement is not as simple as it would at first sight seem to be, it is desirable that the rules should be clear and easily understood, so that each case may be capable of settlement without delay. On a first glance at the subject it might be thought proper and equitable that Imperial funds should bear the whole cost of every bridge required on a canal or channel on every line of communication which existed prior to the formation of such irrigation work, but it is questionable whether this arrangement would be equitable—

1st.—Because such communications, which must have existed in some form or another between every two villages, were of very different capabilities, and the traffic to be accommodated when the irrigation works were made may have been very different as to its requirements from that to be provided for now: a plank might have done then; a bridge may be necessary now.

If all the circumstances are to be ascertained and weighed in each case, the actual construction of bridges will be indefinitely postponed.

2ndly.—It seems to be necessary to remember that the irrigation works in many of the localities chiefly concerned have been the means of creating the greater part of the local funds, which, had no irrigation works been carried out, would have amounted to a comparatively insignificant sum.

The numerous roads, equally with the numerous bridges needed for them, have been a result of increased prosperity and increased trade.

In the Northern Deltas at any rate there were no communications worthy of consideration; two or three principal roads, or rather tracks, excepted, prior to the construction of the irrigation works. For some years too afterwards no great need of bridges was felt. It is from the development of agriculture and trade, due to the provision of irrigation water, that the pressure for improved means of communication has arisen.

As a matter of fact Local Fund Boards do sanction the construction, entirely from Local Funds, of bridges, which, under the rules suggested by this office, would have been built entirely or partly from Imperial funds, either because some such considerations as those above mentioned have weighed with the Boards, or because they could spare the money and knew that it would be a very difficult matter to get Imperial funds sanctioned for the purpose.

It is believed that, even were the equity of the construction of all bridges across irrigation canals and channels from Imperial funds admitted, practically in the majority of cases, the Local Fund Boards would have to undertake their construction or go without them, and this too although plans and estimates might be duly sanctioned from time to time, simply because the Imperial funds would not be forthcoming. The précis put up with the file indicates how the rules have varied under the pressure due to this cause.

FORT ST. GEORGE, (Signed) JOHN MULLINS, Lieut.-Colonel, R.E.,
22nd January 1877. Chief Engineer for Irrigation.

ORDER THEREON, 5th February 1877, No. 400.

IRRIGATION, No. 18-A.

Account.

As the orders which have been passed from time to time on the subject of the provision of funds for bridges and similar works to carry roads across

irrigation canals, channels, &c., are not definite, it is desirable to lay down general principles for future guidance. And those suggested by the Examiner of Public Works Accounts in paragraph 6 of his letter seem equitable as regards all interests concerned, except that the change of phrase in the last sentence is liable to cause some confusion, and it will be better to substitute—

"But if the right of way accrued subsequently to the construction of the irrigation channel, the cost of providing for it is chargeable to the construction of that way, i.e., the Local Fund Board concerned."

2. Before deciding on their adoption however, His Grace the Governor in Council desires to be favored with the views of Local Fund Boards and Municipalities, which will be called for by the Board of Revenue and submitted to Government through the Revenue Department.

3. The inquiry now ordered should also embrace the incidence of the cost of maintenance of all bridges and similar works over irrigation canals and channels, and of the construction of bridges and roads crossing natural as well as artificial drainages.

(True Extract.)

(Signed) JOHN MULLINS, Lieut.-Colonel, R.E.,
Secretary to Government, P.W.D.

ORDER THEREON, 23rd February 1877, No. 1,044.

COMMUNICATED to the Board of Revenue who will issue the necessary orders with reference to paragraphs 2 and 3 of the foregoing Government Order.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government, R.D.

COMMUNICATED to all Presidents of Local Fund Boards for report.

2. The Board presume that the latter part of paragraph 3 of the G.O., Public Works Department, refers to natural drainage channels which have been utilized in

connection with irrigation projects, and which consequently carry greater volumes of water and are greater obstructions to traffic than before, otherwise the Board cannot understand the passage. There is no question as to the incidence of the cost of providing communication over other natural drainages.

(True Copies and Extract.)

J. P. ...
Secretary.

To all Presidents of the Local Fund Boards, with copy of Government Order.
the Secretary to Government, Revenue Department.

Exd. W. J. Lewis.

21. ... 20-4-77
14. 4. 1877 of Revenue

508-509

21-4-77

Bridges and similar works to carry roads across irrigation canals, channels, &c.—Commencing to all Presidents of Local Fund Boards for report Government Order on subject of provision of funds for —, and submitting remarks with reference to paragraph 3 of the order.

MARCH
No. 1289.

Received 18 April 1877

Copy to ...

1877.
BOARD of EXCHANGES,
MADRAS.

Revenue Department
21-4-77