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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	1369	Press. / Mis.
Dated	28.8.1878	197 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

GOVERNMENT OF MADRAS.

1369/1

REVENUE DEPARTMENT.

28th August 1878, No. 1,369.

Read the following paper:—

No. 317. Proceedings of the Board of Revenue, dated 21st May 1878, No. 1,365.

Read the following letter from C. S. CROLE, Esq., Acting Collector of Kurnool, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 3rd May 1878, No. 186:—

WITH reference to Board's Proceedings, dated 2nd September 1876, No. 2,260, I have the honor to report that it does not appear that Mr. Puckle made any proposals in regard to the "future treatment" of the lands referred to when he visited Cumbum in May last. In his diary of the 31st idem, he made certain suggestions as to how the formation of a swamp above the Sekrail anicut might be avoided without permanently breaching the anicut, but this has nothing to do with the lands now under reference.

2. I beg to enclose copy of a letter (No. 491, dated 18th March 1878,) received from Mr. Fawcett from which it appears that the dams complained of by Mr. Minchin in his letter embodied in G.O. No. 423, dated 27th February 1865, the removal of which has now been ordered, are mere earthen bunds scraped together with the hands and put across the distribution channels to make the water rise to fields on a higher level, and that they are perfectly harmless. We will be unnecessarily sacrificing a large amount of revenue in prohibiting their erection and converting the wet lands irrigated with their aid into dry.

3. The erection of such dams across distribution channels is a thing of every day occurrence wherever irrigation is carried on in Southern India, and it is hard to see why the practice should be considered objectionable under the Cumbum tank in particular. This was evidently the view taken by Government in 1865 when they declined to sanction Mr. Minchin's proposal.

4. The banks which the increased pressure of water in the channels are said to breach do not even exist, for excepting the Chinna-Cumbum channel which runs along the edge of a hill and is embanked on the lower side only, the other channels are all excavations. I can therefore see no possible reason for disturbing the existing state of things, and I beg respectfully to suggest that the Government may be moved to reconsider their order directing the removal of the dams. Apart from necessity or expediency there are grounds for very strong doubts as to whether the proposed measure could be legally carried out without the payment of compensation. It would involve the confiscation of vested rights in irrigation which have become consolidated by long continued recognition into property possessing a distinct market value which has no doubt been actually paid for by several of the present holders or their predecessors. I would strongly recommend that this proposal, which has nothing whatever to do with the alleged unhealthy effect of the "swamp," be allowed to drop.

ENCLOSURE No. 1.

From G. W. FAWCETT, Esq., Acting Head Assistant Collector, to C. S. CROLE, Esq., Acting Collector of Kurnool, dated Cumbum, 18th March 1878, No. 491.

I HAVE the honor to report on the subject of your office foot-note, No. 118, dated the 26th September 1876, to Board's Proceedings, No. 2,250, dated the 2nd of the same month, concerning the dams put by ryots in the Cumbum tank channels for the purpose of cultivating wet crops in certain lands in which wet crops could not otherwise be raised.

2. These lands are above the level of the water in the channels intended to irrigate them and are classed as wet. To irrigate them the ryots put dams across these channels, and so either raise the water high enough to run over the fields, or else get it high enough easily to bale it into them.

3. Mr. Minchin, the Collector in 1865, was of opinion that this practice of the ryots was injurious and ought to be stopped, the reason he gave being that the channels being unable to bear the pressure brought on them were constantly breaching with the result of a great loss of water and additional cost in the maintenance of the channels. He reported his views to the Board in his letter, No. 3, dated the 9th January, 1865, and proposed that the lands cultivated with wet crops by means of the dams to which he referred should be converted into dry, and a water-rate of Rupees 3 per acre charged when wet crops were cultivated by means of baskets or picottas, the practice of placing dams in the channels being strictly prohibited. He forwarded at the same time a statement showing the yearly loss of revenue which I shall mention presently.

4. The Board submitted Mr. Minchin's proposal for the sanction of Government, but Government did not see any necessity for the measure (*vide* G.O., No. 423, dated 27th February 1865).

5. The matter dropped there till Mr. Foster mentioned it incidentally in a letter (No. 358, dated the 11th August 1876,) about the removal of the Sekrail anicut when the present report was called for.

6. I have gone into the matter carefully and seen a good many of the dams, and every one who ought to know anything about it tells me that the only dam that ever causes a breach in any one of the channels is one in the Chinna Cumbum channels to the south of Bestavarapetta, and that no money whatever has ever been spent by Government to repair the breaches caused by it, the ryots always repairing it themselves. I have no reason to doubt this. Even large channels are narrow and not deep and do not carry a large body of water; the current where the dams are is not fast, and if dams are put in there the only effect is that the water rises slowly to the level of the fields and gradually runs over them. It does not burst its banks. In fact except in one or two places there are no banks properly so called to burst, the bed of the channel being merely cut in the earth. If anything were to burst it would be the dam itself, which is merely a mud erection scraped up with the hands. In the one place where the breach occurs the Chinna-Cumbum channel runs along the base of a small hill and above the level of the fields next it; hence a bank is necessary on the lower side, and it is this bank that breaches. Elsewhere there are no banks and consequently no breaches.

The same remarks will apply to the smaller channels. The current in them is even slower than in the large channels; they are not more than about 4 or 5 feet broad and have no banks, and there are never any breaches in them.

7. The only place therefore where a dam ought perhaps not to be permitted is that mentioned, in the Chinna-Cumbum channel, to the south of Bestavarapetta. This dam is put to divert the water when wanted from the Chinna-Cumbum into a smaller channel. The bank above the dam is constantly breached when the dam is put there, and is consequently in very bad repair. It is true ryots always repair the breaches, yet it is injurious in this way that there is a loss of water for the fields further on, while the fields next the bank get perhaps too much. This dam has another evil. The channel into which it forces the water runs across the road from Bestavarapetta to Chinna-Cumbum, breaking it up. I was told that it was the ryots holding lands under that channel that had so dug it across the road.

8. Of the lands under report there are 167·12 acres of wet lands in Huzerat gudem and Kagitala gudem that can only be cultivated with wet crops by means of dams, and yet on account of great drainage through the subsoil are too moist for dry crops. These lands evidently cannot be converted into dry.

Lands.	Acres.	Present Sist.	Proposed Sist on converting into Dry.	Lands likely to take water at 3 Rs. an Acre.	Water-rate at Rs. 3 an Acre on the lands in Column 5.	Total new Revenue.	Loss.
1	2	3	4	5	6	7	8
Under the dam at Bestavarapetta in the Chinna Cumbum channel which dam causes a breach in the channel.	63·04	Rs. A. P. 479 1 5	Rs. A. P. 44 3 1	14	Rs. A. P. 42 0 0	Rs. A. P. 86 3 1	Rs. A. P. 393 1 6
Under the dams in the Pedda Cumbum, Kotwa, and Nakkalagandi channels and under the remaining dams in the Chinna-Cumbum channel.	76·93	601 4 8	53 7 5	45·71	137 2 1	192 9 6	408 11 2
Under the smaller channels.	194·37	1,819 5 4	157 9 5	1,178·59	535 12 4	693 5 9	1,125 15 7
Total ...	333·34	2,592 14 6	255 3 11	238·30	714 14 5	970 2 4	1,622 13 2

9. The above is a statement showing the remaining lands under the different classes of channels only cultivable with wet crops by means of dams. These could be converted into dry if necessary, the dams being forbidden, but except in the case of the acres 63·04 in Bestavarapetta, I do not see any reason for the measure. There would be a loss of revenue of Rupees 1,600 odd a year, perhaps more, and nothing would be gained instead. In addition to this an order prohibiting these dams could not be enforced.

The loss in the acres 63·04 is small and has some counterbalancing advantages. In addition an order prohibiting it could be enforced for the channel into which the dam drives the water as breaks up a public road and is therefore a public nuisance. I would recommend that the dam under which the acres 63·04 are cultivated with wet crops be forbidden to be erected, the lands themselves being converted into dry and a water-rate of Rupees 3, that proposed by Mr. Minchin, charged when water is taken.

The rest of the dams and the fields under them I would propose to have as they are.

10. The dams probably cause a slight increase in the accumulation of silt. I could not ascertain the cost of clearing out the silt due to them alone, but the total cost of clearing out all the channels is only Rupees 700 a year, so that that due to the dams must be too small to be worth taking into account.

(True Copy.)

(Signed) C. S. CROLE,
Acting Collector.

SUBMITTED to Government with reference to G.O., dated 23rd August 1876, No. 1,150.

2. The Board support the present Acting Collector's view. Interference with the dams appears unnecessary and undesirable, and the Head Assistant Collector estimates the loss of revenue under the proposed treatment at Rupees 1,600 a year, besides the assessment on 165 acres of wet land which are not suitable for dry cultivation.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

No. 318. ORDER THEREON, 28th August 1878, No. 1,369.

Miscellaneous.

HIS GRACE the Governor in Council resolves, in modification of G.O., 23rd August 1876, No. 1,150, to direct that the Board's proposals negatived in G.O., 27th February 1865, No. 423, shall have effect only as regards the main channel dams which should be at once removed. The dams in the branch channels may be left undisturbed, but the obligation on the ryots to make periodical and effective clearances of silt and to maintain the channel banks in order must be strictly enforced and the Tahsildar who is on the spot held responsible for seeing that this is done.

2. The Board will report in due course what transfers, if any, from wet to dry will be requisite under this order, and what loss of revenue will thereby be incurred.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
,, the Financial Department.
,, the Director of Revenue Settlement.

Exd. F. R. Bantleman.

Revenue Department.

No. 2477

1369/3

From Board of Revenue

Dated 21st May 1878.

FOR ORDERS.

In 1865 Mr. Minchin
a late Collector of Shimoga,
recommended the prohibition
of the practice in force among
the ryots of erecting dams across
the channels leading from the
Tumkur Tanks for the purpose
of raising water for the cul-
tivation of fields varying in
height from 3 inches to one foot
above the bund of the channel,
as being most injurious to the
safety of the channels, causing
breaches, waste of water and
additional cost for repairs as
well

Q Bowers earthen dams
Conduce to Utility & Ry are
not Larmless - Shd. maintain the order in all Main
Channels
18/8 JWD

I do not think that any
G.O. on the subject has
been issued that could
limit & regulate the matter
one way or the other
Immediately the petition

Vide C. No. 4149/79.

Govt. of India.
1878.
REVENUE.
THE BOARD of REVENUE
No.
Dated August 1878.
Dated September 1878.
Read
Read
G.O. 28th August 1878, No.
AUGUST
No. 317-318

well as inundating the neighbouring land.

2. He proposed that the land classed as wet affected by the measure (some 4½ acres) should be transferred to dry a water rate of Rs 2 per acre being charged in addition to dry assessment if water should be taken by artificial appliances. The computed loss of Revenue was Rs 485.

3. The Board approved and submitted the proposal for orders, but the Government were "not satisfied of the necessity of the prohibition proposed."

4. In 1876 when certain measures connected with the sanitation of Cumbum were ordered Mr. Foster, then Ag: Collector of Kurnool

= that the Coll. proposal in Cl. 3 to prohibit persons putting the land under irrigation from the Cumbum tank is still under consideration.

I think Mr. Forbes' observations at the foot of this para. show the conclusion to which the Govt. is inclined is unobjectionable. I do not say that Govt. cannot impose the restriction proposed, but I think the obligation of the Govt. to make pecuniary compensation for loss of water clearances &c. to keep & maintain the Cumbum tanks in order

G.O. 27th Feby. 1865 - No 423.

must be strictly enforced & the Dist. Offr. in the first instance. Little response to this for saying that this is done. The simple explanation

In the case of the Chinna Cumbum channel both of Mr. Robertson's letters should be kept to the creation of the work appears -

G.O. 7.D. 18th August 1876. No 1194.

G.O. R.D. 23rd August 1876. No 1150.

Board's Proc: 2nd Sept. 1876 No 2260 recorded in G.O. 8th Sept. 1876 No 1237.

G.O. 9th June 1876 No 1051.

Kurnool, brought this order to notice with the suggestion that it might be cancelled as being (as I apprehend) inconsistent with the drainage operations in progress.

5. Accordingly the Government cancelled the order and called for a report on the future treatment of the lands, the nature of irrigation which they possessed and the rates of assessment to be charged hereafter.

6. In communicating this order to the Collector of Kurnool, the Board observed that Mr. Pochin purposed visiting the District in connection with the proposed introduction of the new settlement rates into the villages under the Cumbum tank and that the future treatment of the lands referred to

to should be discussed at the same time unless this course would entail unnecessary delay in the settlement of the matter.

7. The Government approved the Board's proposal.

8. The paper recorded above contains the Board's further report on this subject.

9. It will appear that Mr. Pauckle made no proposals in regard to the future treatment of the lands in question when he visited Coimbatore in May 1877; that the dams formerly complained of by Mr. Thirlwall and recently ordered to be removed as affecting the cultivation of Coimbatore" are mere earthen bunds scraped together with the hands and just across the distributing channels to make the water rise to fields on a higher level and that they are perfectly harmless;" that the measure will cause an unnecessary and heavy sacrifice of revenue; that the erection of such dams is allowed wherever irrigation is carried on in Southern India and that no breaches could ever have been caused as supposed; that vested rights in irrigation would be affected and consequent payment of compensation would be unavoidable; and that in the Collector's opinion the proposal "which has nothing whatever to do with the alleged unhealthy effect of the "swamp" should be allowed to drop."

10. The Board [illegible] report

Ch 8th September 1877
No 1257

* Rs 1622 a year on wet converted into dry and the assessment on 165 acres of wet land.

Mr. Cooke's view and considers that interference with the dams is "unnecessary and undesirable."

11. If the Court agree to this view G.O. 27th July 1865 No. 423 will be revived.

I think the dams should be allowed to remain

The matter is not free from

from the papers + Plans

Some of the dams appear

Under the Clause (11)

Consent must be given

Substantial dam across

the top of each by Landowner

Not to prevent flow on Low

Min. Water but to

Must abstain from

Sd Illegible

The Crown Lands

1369

Dept 12/6 The

Survey dams in the

Main channels - allow

Weirs or Retents in

Feeder channels - Lessee

responsible for them

Survey

27/6

Memo for Boles

Earthen dams across the Cumbum Tank Channels.

No 2477

Rev. Dept.

1879

No 1069

Proceedings of the Madras Government

Under date the 28th Augt 1878

Read the following Proceedings of the Board of Revenue, dated 21st May 1878 No. 1365, regarding earthen dams across the Cumbum Tank Channels in Kurnool District.

His Grace the Governor in Council resolves in modification of G.O. 23rd August 1876 No 1150 to direct that the Board's proposals negatived in G.O. 27th February 1865 No 423 shall have effect only as regards the main channel dams which should be at once removed. The dams in the branch channels

No 2010.

C 14-8-78
R 22-8-78
RC 24-8-78
R 27-8-78.

channels may be left undisturbed but the obligation on the ryots to make periodical and effective clearances of silt and to maintain the channel banks in order must be strictly enforced and the Tahsildar who is on the spot held responsible for seeing that this is done.

2. The Board will report in due course what transfers, if any, from wet to dry will be requisite under this order and what loss of revenue will thereby be incurred.

14 To the Collector of Ramnad with Board's
5 The Financial Asst
26 The Drawing Establishment

704

1369/8

No. 1,365.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st May 1878.

Read the following letter from C. S. CROLE, Esq., Acting Collector of Kurnool, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 3rd May 1878, No. 186:—

WITH reference to Board's Proceedings, dated 2nd September 1876, No. 2,260, I have the honor to report that it does not appear that Mr. Fuckle made any proposals in regard to the "future treatment" of the lands referred to when he visited Cumbum in May last. In his diary of the 31st idem, he made certain suggestions as to how the formation of a swamp above the Sekrail anicut might be avoided without permanently breaching the anicut, but this has nothing to do with the lands now under reference.

2. I beg to enclose copy of a letter (No. 491, dated 18th March 1878,) received from Mr. Fawcett from which it appears that the dams complained of by Mr. Minchin in his letter embodied in G.O., No. 423, dated 27th February 1865, the removal of which has now been ordered, are mere earthen bunds scraped together with the hands and put across the distribution channels to make the water rise to fields on a higher level, and that they are perfectly harmless. We will be unnecessarily sacrificing a large amount of revenue in prohibiting their erection and converting the wet lands irrigated with their aid into dry.

3. The erection of such dams across distribution channels is a thing of every day occurrence wherever irrigation is carried on in Southern India, and it is hard to see why the practice should be considered objectionable under the Cumbum tank in particular. This was evidently the view taken by Government in 1865 when they declined to sanction Mr. Minchin's proposal.

4. The banks which the increased pressure of water in the channels are said to breach do not even exist, for excepting the Chinna-Cumbum channel which runs along the edge of a hill and is embanked on the lower side only, the other channels are all excavations. I can therefore see no possible reason for disturbing the existing state of things, and I beg respectfully to suggest that the Government may be moved to reconsider their order directing the removal of the dams. Apart from necessity or expediency there are grounds for very strong doubts as to whether the proposed measure could be legally carried out without the payment of compensation. It would involve the confiscation of vested rights in irrigation which have become consolidated by long continued recognition into property possessing a distinct market value which has no doubt been actually paid for by several of the present holders or their predecessors. I would strongly recommend that this proposal, which has nothing whatever to do with the alleged unhealthy effect of the "swamp," be allowed to drop.

ENCLOSURE No. 1.

From G. W. FAWCETT, Esq., Acting Head Assistant Collector, to C. S. CROLE, Esq., Acting Collector of Kurnool, dated Cumbum, 18th March 1878, No. 491.

I HAVE the honor to report on the subject of your office foot-note, No. 118, dated the 26th September 1876, to Board's Proceedings, No. 2,260, dated the 2nd of the same month, concerning the dams put by ryots in the Cumbum tank channels for the purpose of cultivating wet crops in certain lands in which wet crops could not otherwise be raised.

2. These lands are above the level of the water in the channels intended to irrigate them and are classed as wet. To irrigate them the ryots put dams across these channels, and so either raise the water high enough to run over the fields, or else get it high enough easily to bale it into them.

3. Mr. Minchin, the Collector in 1865, was of opinion that this practice of the ryots was injurious and ought to be stopped, the reason he gave being that the channels being unable to

bear the pressure brought on them were constantly breaching with the result of a great loss of water and additional cost in the maintenance of the channels. He reported his views to the Board in his letter, No. 3, dated the 9th January 1865, and proposed that the lands cultivated with wet crops by means of the dams to which he referred should be converted into dry, and a water-rate of Rupees 3 per acre charged when wet crops were cultivated by means of baskets or picottas, the practice of placing dams in the channels being strictly prohibited. He forwarded at the same time a statement showing the yearly loss of revenue which I shall mention presently.

4. The Board submitted Mr. Minchin's proposal for the sanction of Government, but Government did not see any necessity for the measure (*vide* G.O., No. 423, dated 27th February 1865).

5. The matter dropped there till Mr. Foster mentioned it incidentally in a letter (No. 358, dated the 11th August 1876,) about the removal of the Sekrall anicut when the present report was called for.

6. I have gone into the matter carefully and seen a good many of the dams, and every one who ought to know anything about it tells me that the only dam that ever causes a breach in any one of the channels is one in the Chinna-Cumbum channels to the south of Bestavarapetta, and that no money whatever has ever been spent by Government to repair the breaches caused by it, the ryots always repairing it themselves. I have no reason to doubt this. Even large channels are narrow and not deep and do not carry a large body of water; the current where the dams are is not fast, and if dams are put in them the only effect is that the water rises slowly to the level of the fields and gradually runs over them. It does not burst its banks. In fact except in one or two places there are no banks properly so called to burst, the bed of the channel being merely cut in the earth. If anything were to burst it would be the dam itself, which is merely a mud erection scraped up with the hands. In the one place where the breach occurs the Chinna-Cumbum channel runs along the base of a small hill and above the level of the fields next it; hence a bank is necessary on the lower side, and it is this bank that breaches. Elsewhere there are no banks and consequently no breaches.

The same remarks will apply to the smaller channels. The current in them is even slower than in the large channels; they are not more than about 4 or 5 feet broad and have no banks, and there are never any breaches in them.

7. The only place therefore where a dam ought perhaps not to be permitted is tha mentioned, in the Chinna-Cumbum channel, to the south of Bestavarapetta. This dam is put to divert the water when wanted from the Chinna-Cumbum into a smaller channel. The bank above the dam is constantly breached when the dam is put there, and is consequently in very bad repair. It is true ryots always repair the breaches, yet it is injurious in this way that there is a loss of water for the fields further on, while the fields next the bank get perhaps too much. This dam has another evil. The channel into which it forces the water runs across the road from Bestavarapetta to Chinna-Cumbum, breaking it up. I was told that it was the ryots holding lands under that channel that had so dug it across the road.

8. Of the lands under report there are 165·12 acres of wet lands in Huzerat gudem and Kagitala gudem that can only be cultivated with wet crops by means of dams, and yet on account of great drainage through the subsoil are too moist for dry crops. These lands evidently cannot be converted into dry.

Lands.	Acres.	Present Sist.	Proposed Sist on converting into Dry.	Lands likely to take water at 3 Rs. an Acre.	Water-rate at Rs. 3 an Acre on the lands in Column 5.	Total new Revenue.	Loss.
1	2	3	4	5	6	7	8
Under the dam at Bestavarapetta in the Chinna Cumbum channel which dam causes a breach in the channel.	63·04	Rs. A. P. 172 4 6	Rs. A. P. 42 3 1	14	Rs. A. P. 42 0 0	Rs. A. P. 84 3 1	Rs. A. P. 88 1 5
Under the dams in the Pedda Cumbum, Kotwa, and Nakkalagandi channels and under the remaining dams in the Chinna-Cumbum channel.	75·93	601 4 8	55 7 5	45·71	137 2 1	192 9 6	408 11 2
Under the smaller channels.	194·37	1,819 5 4	157 9 5	178·59	535 12 4	693 5 9	1,125 15 7
Total ...	333·34	2,592 14 6	255 3 11	238·30	714 14 5	970 2 4	1,622 12 2

1369/10

9. The above is a statement shewing the remaining lands under the different classes of channels only cultivable with wet crops by means of dams. These could be converted into dry if necessary, the dams being forbidden, but except in the case of the acres 63·04 in Bestavarapetta, I do not see any reason for the measure. There would be a loss of revenue of Rupees 1,600 odd a year, perhaps more, and nothing would be gained instead. In addition to this an order prohibiting these dams could not be enforced.

The loss in the acres 63·04 is small and has some counterbalancing advantages. In addition an order prohibiting it could be enforced for the channel into which the dam drives the water breaks up a public road and is therefore a public nuisance. I would recommend that the dam under which the acres 63·04 are cultivated with wet crops be forbidden to be erected, the lands themselves being converted into dry and a water-rate of Rupees 3, that proposed by Mr. Minchin, charged when water is taken.

The rest of the dams and the fields under them I would propose to have as they are.

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(True Copy.)

(Signed) C. S. CROLE,
Acting Collector.

Submitted to Government with reference to G.O., dated 23rd August 1876, No. 1,150.

2. The Board support the present Acting Collector's view. Interference with the dams appears unnecessary and undesirable, and the Head Assistant Collector estimates the loss of revenue under the proposed treatment at Rupees 1,600 a year, besides the assessment on 165 acres of wet land which are not suitable for dry cultivation.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,

Copy to the Collector of Kurnool.
" " Director of Revenue Settlement.

Exd. W. J. Lewis.

B O. 9. 76 and 65-66.
- 23-8-76 - 236-37.
- 27-2-65 - 488-89.

Revenue Deptt
No. 24. 77

1878.

Board of Revenue,

MADRAS.

PROCEEDINGS, 21ST MAY 1878, No. 1,365.

Encl.

Received 10 June /78

MAY.

No. 1,365.

Dams—raised by ryots across the Cumbum tank channels, in Kurnool District, for the purpose of cultivating wet crops in their lands in which wet crops could not otherwise be cultivated. — Submitting to Government letter from Collector requesting reconsideration of the order directing the removal of the —.

No. 317.

C 11-8-78
R 22-8-78
RC 24-8-78
R 27-8-78