Archives 1—10,000—6-10-76.

(1) Number of pages 18

(2) Date of repair 25-9-84

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	1959	Press. / ~~Mis.~~
Dated	5-12-1878	197 .

Not to be folded or roughly handled

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1959 / 1959 / 7

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

5th December 1878, No. 1,959.

Read the following paper :—

No. 57. Proceedings of the Board of Revenue, dated 6th November 1878, No. 2,976.

Read the following letter from J. G. HORSFALL, Esq., Acting Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 27th August 1878, No. 1,832 :—

With reference to the Board's Proceedings, Miscellaneous No. 6,223, dated 8th September 1874, directing inquiry into the injury alleged by Pillarisetti Ranganayakamma, mother and guardian of the minor proprietor of Halliparru, to have been caused to the proprietor's lands by the action of the Public Works Department, I have the honor to submit the following report.

2. A plan showing the proprietor's village and the channels affecting it is enclosed (sent separately).

3. The injury complained of and the remedy sought by the petitioner according to the statement filed by her in March 1877 are detailed below :—

4. *Injury* (1.) Channels E and G were excavated by the Public Works Department, the former to let the drainage of other villages into the Halliparru tank A and the latter to give an escape to the surplus water of the said tank; the bunds of the channel E are not sufficiently strong, and were on several occasions breached by other villagers or Public Works Department, either for the speedy discharge of the surplus water of the Lazzabanda drain D, or for the supply of irrigation to other villages, so that since Fasli 1275 the proprietor's wet lands on the southern side of the channel E have been flooded, wet crops grown in acres 2·91, assessable at Rupees 15, have in consequence been lost, and acres 7·54, assessable at Rupees 37-4-0, have been rendered uncultivable.

(2.) The stoppage of the drain Q by the intersection of the channel G, the construction of cross bund in the latter for supply of irrigation to some lands of the Madaka village, and the breaches made by other villagers, either with or without the permission of the Public Works Department, in the bunds of the tank A to give quick escape to the surplus water of other villages contributed to flood the proprietor's lands below the channel G, so that since Fasli 1270 an extent of acres 8·1 of wet land, chargeable with assessment of Rupees 48, has been rendered uncultivable, besides the loss of wet crops grown in acres 8·43, assessable at Rupees 50.

(3.) Since the construction of the anicut, some channels were excavated by the Public Works Department to let the drainage water of several villages into the drain D, which was a feeder to Mandala tank H (since superseded); its outlet was the channel K, which used to carry off a very large body of surplus water into the Munjulur swamp. In the cyclone year of 1864 this channel silted up and has not been repaired since, while a breach was made by the Public Works Department in the bund of the tank H, which formed, through the proprietor's lands, a water-way marked I, along which the Public Works Department subsequently excavated the drainage channel M from the breach to some distance and connected it with the former. Thus the abandonment of the channel K and the opening of an outlet (channel M-I) to the tank H contributed submersion to the proprietor's wet lands bordering on the south and north of the channel in question, causing the loss of wet crops in acres 23·49, assessable at Rupees 117-3-0, and rendering an extent of acres 38·75 chargeable with assessment of Rupees 194 unfit for cultivation since Fasli 1275.

Of the lands above referred to, those lying in the north of the channel have also been deprived in the absence of floods of the supply of irrigation from the tank A through the channel F which was intersected by the channel I.

(4.) No compensation was given for the lands taken up by the channels G, M-I and N.

5. *Remedy sought.*—Channels G and M-I to be given up, the breach of the tank H being closed and the channel K restored. A sum of Rupees 6,038 being the assessment of lands lost to the proprietor for several years up to Fasli 1286, referred to in clauses 1, 2 and 3 of paragraph 4, to be paid to the proprietor as compensation for the loss, besides the sum of Rupees 644 payable on account of the loss of produce for the lands taken up by the channels referred to in clause 4; and the assessment of the lands taken up by the channels which may be retained to be deducted from the peishcush.

6. In an arzi, dated 28th June 1873, Nagabhushana Naidu, the Tahsildar of Bander Taluk, on inspection of the locality, supported the petitioner's allegation in regard to the submersion to which the proprietor's lands were subjected and cursorily estimated an extent of acres 95 as having been in consequence lost to the proprietor.

On a further reference, V. Gopala Row, his successor, examined the village lands in November 1875 and January 1876, and by measurement found acres 54·30 of the proprietor's lands lying waste or uncultivable and the loss of wet crops in acres 34·72 of the proprietor as also in acres 21·93 of other Inamdars, all owing to submersion complained of by the petitioner. As a future remedy for the evil he proposed the retention of the channel E, its bunds being strengthened, the abandonment of the channel M-I by filling it up, as also of that portion of the channel G which passes through the lands of Madaka, as the channel excavated by the proprietor from the extremity of the other portion proposed to be retained to northward would be sufficient to drain off the surplus water of the tank A and the restoration of the channel K. On the whole his report propped up the petitioner's cause in every respect.

7. The Range Officer was consulted as to the damage and the remedy to be applied.

In a letter, No. 244, of the 2nd October 1874, Lieutenant Campbell stated that the whole mischief complained of arose from the Lazzabanda drain D, and that remedy for it was proposed in the Eastern Delta Project. He considered the restoration of the channel K useless.

Mr. Peters, the present Range Officer, after local inspection and inquiry in November 1877 and May 1878, on the Collector's further reference, has, in his letter, No. 21, of the 21st June last, admitted the overflowing complained of to some extent, and expressed an opinion that the loss is in a great measure due to the Balliparru people having bunded up (as shown by the dotted line in his plan) the low land and the channel P which is an outlet of the tank A, and that the stoppage of the drain Q by the channel G does not create much loss, the proprietor's lands in that part being considerably higher up. He adds that he has done away with a portion of the channel G, and proposed to strengthen at once the bunds of the channel E and M-I and to cut an outlet for the Lazzabanda drain D so as to avoid damage to the proprietor's lands.

8. The village lands of Balliparru are in a low lying part of the Bander taluk. The channel D, I gather from the reports of the Tahsildars and Range Officers, was a natural drain before the construction of the anicut, feeding both the tanks A and H, the former through the channels C, F and L.

With the extension of the anicut irrigation, the necessity for the improvement of the drainage for villages under its influence having proportionately increased, the channels complained of were excavated by the Public Works Department, some for drainage, some both for drainage and irirgation, so that the low lands of Balliparru formed a principal outlet for the drainage of many villages into the Munjulur swamp, and the tank A was also made to catch the drainage; all being calculated to increase

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the volume of floods on the proprietor's lands in question, which are naturally boggy. When the channel K was in good order it used to carry off a large body of waste water of the drain D to the proprietor's advantage. The former silted up in the cyclone year of 1864 and was virtually given up since; and the whole drainage has in consequence turned against the proprietor's lands. When the new delta project is sanctioned the evil will be completely eradicated, and until then the temporary arrangements proposed by Mr. Peters can to some extent answer the purpose, and I have requested him to carry them out as early as practicable.

9. The damage, if any, to the proprietor's lands must have occurred from Fasli 1275 since the channel K silted up and the channel M-I was formed.

I am not at one with Mr. Peters in considering that the loss complained of has originated in a great measure in the existence of the bund said to have been raised by the Balliparru people. It was not spoken of either in the reports of the Tahsildars who inspected the spot in 1873, 1875 and 1876, or in Lieutenant Campbell's letter, probably because it did not then exist, or, if it did exist, it was not one calculated to cause damage. If mischievous to the proprietor's interests, the bund would not have been raised or kept up by the petitioner.

There is no doubt that the proprietor has lost by the overflowing of the works in question, but what the amount of the loss was in years in which it was not inspected by Government officials, and how much of it was due to submersion complained of and how much to other causes, we have no means of ascertaining. It is questionable too whether other lands have not been benefited which formerly did not receive water.

Faslis 1283 and 1285 are the only years for which reliable information is available.

For the former, the petitioner produced a Public Works Department certificate showing that 64 acres were left waste owing to want of water and acres 17 were submerged by the drainage.

For the latter, the information is given in paragraph 6, clause 2.

In regard to the other years, neither the Curnam nor the petitioner has accounts to prove the extent lost in each year with its cause.

In the statement filed by the petitioner, the extent of loss found for Fasli 1285, an inspection by the Acting Tahsildar referred to in paragraph 6 was taken for all the years from Fasli 1270 to 1286, both inclusive.

In a year in which there was less rain and consequently less floods, there would be less loss to the proprietor. The circumstances of Fasli 1283 differed from those of Fasli 1285; in the former the greater part of the loss was due to want of water and in the latter to submersion. Again, the condition of Fasli 1286 differed from that of the preceding year. In November 1876, V. Ramanna Puntulu, the then Acting Tahsildar of Bander, inspected the land entered in the petitioner's statement. Of the 54 acres entered as uncultivable waste, about 39 acres were arid and of course arable, 7 acres were swampy, and about 8 acres were cultivated. Of the 34 acres entered under the loss of produce, about 5 acres were left waste, in 4 acres the crop withered and the rest yeilded.

It, therefore, follows that the figures of one year cannot be taken as the base for determining the loss for a series of years.

From the Curnam's deposition, it appears that of the waste given in the petitioner's statement, 39 acres were under wet cultivation up to two years previous to 1864, acres 4 up to Fasli 1279, 8 acres were brought under wet partly in Fasli 1283, partly in Fasli 1286, and the remaining extent was never under cultivation, and that the greater part of the extent entered under loss of produce has been brought under wet cultivation since Fasli 1283. This he has deposed to from his own personal knowledge and memory. From the cultivation accounts available only from Fasli 1271, we can make out the total extent cultivated and the total extent of waste, not the extent in which the crops were lost nor the causes to which waste was due.

The wet ayacut of the village registered as entitled to irrigation free of charge is 170 acres. In none of the years since Fasli 1271 has the wet cultivation, as per cultivation accounts, reached the registered area. During the four years preceding Fasli 1275 (first year of the damage) the highest figure of wet cultivation was 144 acres in Fasli 1274. There was a gradual decline* down to Faslis 1284 and 1286 for which acres 151 and 152 were respectively returned. It is not feasible to resolve the waste between submersion and other causes. I notice that, in Faslis 1249 and 1250, the only years for which we have the cultivation accounts prior to the anicut, the extent cultivated was entered at acres 191 and 12·45 respectively, a much greater variation than has ever occurred since the anicut.

* Faslis.	Extent of Wet Cultivation.		Waste in comparison with the Registered Area.		Waste in comparison with the Cultivation of Fasli 1274.	
	A.	C.	A.	C.	A.	C.
1275 ...	106	78	63	22	37	50
1276 ...	97	14	72	86	47	14
1277 ...	73	50	96	50	70	78
1278 ...	89	75	80	25	54	53
1279 ...	95	00	75	00	49	28
1280 ...	109	25	60	75	35	03
1281 ...	91	00	79	00	53	28
1282 ...	110	50	59	50	33	78
1283 ...	97	76	72	24	46	52
1284 ...	151	69	18	31	...	
1285 ...	120	25	49	75	24	03
1286 ...	152	45	17	55	...	

10. In regard to the compensation payable to the proprietor on account of the loss of produce for lands taken up by the channels, I have forwarded a bill to the Superintending Engineer for money, on the receipt of which the payment will be made to the petitioner. I beg to enclose for the Board's sanction a statement showing the amount to be deducted from the peishcush.

ENCLOSURE No. 1.—Copy of Range Officer's letter.

ENCLOSURE No. 2.—Copy of Mr. Peter's letter.

ENCLOSURE No. 3.—Statement.

ENCLOSURES Nos. 4 and 5.—Plans.

ENCLOSURES Nos. 6 to 9.—Petitions.

IN 1874 the mother and guardian of the minor proprietor of the Balliparru estate complained of damage done by the overflowing of certain channels and the Collector was called on for report. A report was received from Mr. Leman in August of the same year, but was so incomplete that the case was remanded to him for enquiry without further delay. Petitions on the same subject were also forwarded to the Collector in March and September 1875 and in January 1878, but it was only on the 27th August 1878 that the desired report was despatched to the Board, the difficulty of ascertaining the true position of an originally complicated case being very much enhanced by the delay, for which however the present Collector cannot be held to be responsible.

2. In the letter at the head of these Proceedings Mr. Horsfall gives a full account of the case and its many complications, but offers no suggestion as to the manner in which the claim for compensation for part losses should be dealt with.

3. Two points seem to be satisfactorily shown :—

(*a.*) That ever since Fasli 1275 the Balliparru estate has been damaged by floods.

(*b.*) That except with regard to two years, no definite estimate can be made of the extent of the damage so caused.

4. The Collector will report the amount of assessment to be remitted in accordance with the ascertained damage in Faslis 1283 and 1285. With regard to the other years the Board consider that the proprietor will be liberally treated if he is allowed a deduction from the peishcush of the assessment on all waste in excess of that which existed in Fasli 1274 and which is not clearly traceable to other causes. On the amount being reported the sanction of Government will be applied for.

5. From the latter part of paragraph 8 of the Collector's letter it appears that when the new delta project is completed the evil complained of will be at an end. Until that is done the best feasible temporary remedies should be adopted by the Public Works Department, and the amount of damage carefully noted annually.

6. The sanction of Government is solicited to a permanent deduction from the peishcush of Rupees 11-9-0 on account of land taken up for channels G and N as shown in the statement submitted* and a deduction will be similarly applied for on account of channel M-I on receipt of the further information promised.

	Rs.	A.	P.
* Peishcush	459	0	0
Remission	11	9	0
Reduced peishcush	447	7	0

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 58. ORDER THEREON, 5th December 1878, No. 1,959.

Land Revenue No. 1.

THE sanction sought in paragraph 6 is granted. The future peishcush of the estate will be Rs. 447-7-0.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.

To the Board of Revenue.

Exd. A. F. Goodall.

Original

Govt. of India.

REVENUE.

Dated December 5th.

Printed 1878.

Issued.

G.O., 5th December 1878, No. 1,950.

FOR BOARD OF REVENUE.

DECEMBER.

Nos. 57 to 68.

Mis No. 6223. 1950 Revenue Deptt.

Proceedings of Madras Board of Revenue

Dated 9th Sept. 1874.

No. 1344 Read the following

From

G. D. Leman Esquire

Collector of Kistna District.

To

J. Grose Esquire

Secretary to the Board of Revenue

Madras

Sir,

With reference to Board's endorsement on petition No. 1646 of 1874 presented by Pillarisetty Ranganayakamma, guardian of the Bellipparru Proprietor, I have the honor to report that she has already petitioned me complaining that the excavation of channels since the construction of the Anicut has deprived the proprietory village of its facilities of irrigation and drainage, and requesting that steps may be taken to improve their condition and that I have referred it to the District Engineer for his opinion as to how her wishes can be met, and as soon as

I

I am answered I will dispose of it in due course

2 The other request for which the petition is chiefly made is, in fact, an appeal against my order refusing remission. The petitioner has produced a certificate of the Range officer to the effect that an extent of acres 1808 was left waste in Fasli 1283 owing partly to deficiency of water and partly to submersion. The entire extent is usual wet, and therefore does not pay any water tax and she claims a remission of Peishcush. As her claim is certainly inadmissible, I have rejected it

I have &c
(Signed) G. D. Leman
Collector

Krishna District
Collector's Kacheri
at Masulipatam
10th August 1874

The Board consider Mr Leman's report on petition No 1646 of 1874 very unsatisfactory.

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unsatisfactory.

2. The complaint is to the effect that the lands of a minor proprietor have been injured by the acts of the officers of the D.P.W., that some of the land has been submerged & other portions deprived of their proper supply of water. This matter appears to have been referred to the Tahsildar for report two years ago, but no remedy has yet been afforded and when called upon by the Board for report the Collector contents himself with replying that he has referred the complaint to the District Engineer for his opinion & that as soon as he receives an answer he will dispose of the matter in due course. As regards the application for remission of Peishcush he rejects the claims forthwith as inadmissible.

3. The Board resolve to inform the Collector that, when called upon for a report, it was his duty to enquire

enquire into the merits of the case & the extent of the Loss complained of and he will do so now without further delay. If petitioner's statement as to Losses caused by the action of Government be correct the proprietor is certainly entitled to compensation in some form or other.

(True Copy & Extract)

(Signed) C. A. Galton

Ag Sub Secretary.

To

The Collector of Hissar District

(True Copy)

Ag Sub Secretary.

Capt

Ghelan Draftsmen

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No. 2,976.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th November 1878.

Read the following letter from J. G. HORSFALL, Esq., Acting Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 27th August 1878, No. 1,832:—

WITH reference to the Board's Proceedings, Miscellaneous No. 6,223, dated 8th September 1874, directing inquiry into the injury alleged by Pillarisetti Ranganayakamma, mother and guardian of the minor proprietor of Balliparru, to have been caused to the proprietor's lands by the action of the Public Works Department, I have the honor to submit the following report.

2. A plan showing the proprietor's village and the channels affecting it is enclosed (sent separately).

3. The injury complained of and the remedy sought by the petitioner according to the statement filed by her in March 1877 are detailed below:—

4. *Injury* (1.) Channels E and G were excavated by the Public Works Department, the former to let the drainage of other villages into the Balliparru tank A and the latter to give an escape to the surplus water of the said tank; the bunds of the channel E are not sufficiently strong, and were ... several occasions breached by other villagers or Public Works Department, either for the speedy discharge of the surplus water of the Lazzabanda drain D, or for the supply of irrigation to other villages, so that since Fasli 1275 the proprietor's wet lands on the southern side of the channel E have been flooded, wet crops grown in acres 2·91, assessable at Rupees 15, have in consequence been lost, and acres 7·54, assessable at Rupees 37-4-0, have been rendered uncultivable.

(2.) The stoppage of the drain Q by the intersection of the channel G, the construction of cross bund in the latter for supply of irrigation to some lands of the Madaka village, and the breaches made by other villagers, either with or without the permission of the Public Works Department, in the bunds of the tank A to give quick escape to the surplus water of other villages contributed to flood the proprietor's lands below the channel G, so that since Fasli 1270 an extent of acres 8·1 of wet land, chargeable with assessment of Rupees 48, has been rendered uncultivable, besides the loss of wet crops grown in acres 8·43, assessable at Rupees 50.

(3.) Since the construction of the anicut, some channels were excavated by the Public Works Department to let the drainage water of several villages into the drain D, which was a feeder to Mandala tank H (since superseded); its outlet was the channel K, which used to carry off a very large body of surplus water into the Munjulur swamp. In the cyclone year of 1864 this channel silted up and has not been repaired since, while a breach was made by the Public Works Department in the bund of the tank H, which formed, through the proprietor's lands, a water-way marked I, along which the Public Works Department subsequently excavated the drainage channel M from the breach to some distance and connected it with the former. Thus the abandonment of the channel K and the opening of an outlet (channel M-I) to the tank H contributed submersion to the proprietor's wet lands bordering on the south and north of the channel in question, causing the loss of wet crops in acres 23·49, assessable at Rupees 117-3-0, and rendering an extent of acres 38·75 chargeable with assessment of Rupees 194 unfit for cultivation since Fasli 1275.

Enclosure in Board's Proceedings to the Secretary to Govt. R.D., dated 6th November 1878. No. 2976.

Re Sub-Div. Officer's Letter

Of the lands above referred to, those lying in the north of the channel have also been deprived in the absence of floods of the supply of irrigation from the tank A through the channel P which was intersected by the channel I.

(4.) No compensation was given for the lands taken up by the channels G, M-I and N.

5. *Remedy sought.*—Channels G and M-I to be given up, the breach of the tank H being closed and the channel K restored. A sum of Rupees 6,038 being the assessment of lands lost to the proprietor for several years up to Fasli 1286, referred to in clauses 1, 2 and 3 of paragraph 4, to be paid to the proprietor as compensation for the loss, besides the sum of Rupees 644 payable on account of the loss of produce for the lands taken up by the channels referred to in clause 4; and the assessment of the lands taken up by the channels which may be retained to be deducted from the peishcush.

6. In an arzi, dated 28th June 1873, Nagabhushana Naidu, the Tahsildar of Bander Taluk, on inspection of the locality, supported the petitioner's allegation in regard to the submersion to which the proprietor's lands were subjected and cursorily estimated an extent of acres 95 as having been in consequence lost to the proprietor.

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1282 ...	110	50	59	50	36	78
1283 ...	97	76	72	24	46	52
1284 ...	151	69	18	31	...	
1285 ...	120	25	49	75	24	03
1286 ...	152	45	17	55	...	

10. In regard to the compensation payable to the proprietor on account of the loss of produce for lands taken up by the channels, I have forwarded a bill to the Superintending Engineer for money, on the receipt of which the payment will be made to the petitioner. I beg to enclose for the Board's sanction a statement showing the amount to be deducted from the peishcush.

Enclosure No. 1.—Copy of Range Officer's letter.

Enclosure No. 2.—Copy of Mr. Peter's letter.

Enclosure No. 3.—Statement.

Enclosures Nos. 4 and 5.—Plans.

Enclosures Nos. 6 to 9.—Petitions.

In 1874 the mother and guardian of the minor proprietor of the Balliparru estate complained of damage done by the overflowing of certain channels and the Collector was called on for report. A report was received from Mr. Leman in August of the same year, but was so incomplete that the case was remanded to him for enquiry without further delay. Petitions on the same subject were also forwarded to the Collector in March and September 1875 and in January 1878, but it was only on the 27th August 1878 that the desired report was despatched to the Board, the difficulty of ascertaining the true position of an originally complicated case being very much enhanced by the delay, for which however the present Collector cannot be held to be responsible.

2. In the letter at the head of these Proceedings Mr. Horsfall gives a full account of the case and its many complications, but offers no suggestion as to the manner in which the claim for compensation for part losses should be dealt with.

3. Two points seem to be satisfactorily shown :—

(*a.*) That ever since Fasli 1275 the Balliparru estate has been damaged by floods.

(*b.*) That except with regard to two years, no definite estimate can be made of the extent of the damage so caused.

4. The Collector will report the amount of assessment to be remitted in accordance with the ascertained damage in Faslis 1283 and 1285. With regard to the other years the Board consider that the proprietor will be liberally treated if he is allowed a deduction from the peishcush of the assessment on all waste in excess of that which existed in Fasli 1274 and which is not clearly traceable to other causes. On the amount being reported the sanction of Government will be applied for.

5. From the latter part of paragraph 8 of the Collector's letter it appears that when the new delta project is completed the evil complained of will be at an end. Until that is done the best feasible temporary remedies should be adopted by the Public Works Department, and the amount of damage carefully noted annually.

6. The sanction of Government is solicited to a permanent deduction from the peishcush of Rupees 11-9-0 on account of land taken up for channels G and N as shown in the statement submitted* and a deduction will be similarly applied for on account of channel M-I on receipt of the further information promised.

	Rs.	A.	P.
* Peishcush	459	0	0
Remission	11	9	0
Reduced peishcush	447	7	0

(A true Copy and Extract.)

Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with five original enclosures to be returned, and Copy of Board's Proceedings, dated 9th September 1874, Mis. No. 6,223.
" Collector of the Kistna District, with four petitions.

Exd. A. Gruber.

Revenue Depart

1878. No 5203.

Board of Revenue,

MADRAS.

To

THE SECRETARY TO GOVT.,
REVENUE DEPARTMENT,

&c., &c., &c.

Dated November 6th.

Printed 16th.

Received 25 November

PROCEEDINGS, 6TH NOVEMBER 1878, No. 2,976.

NOVEMBER.

No. 2,976.

Lands — in Balliparru Estate, in Kistna District, alleged to have been damaged by the overflowing of channels.—Requesting Collector to report the amount of assessment to be remitted on account of —, and soliciting sanction of Government to a permanent deduction of Rupees 11-9-0 from the peishcush on account of land taken up for channels.

With Orders.

G.O. Dated 7th No 1957