

6931, 5315 7607

Public Works (1896) Department.

G.O., No. 8799

DATED 24th October 1896

in the remarks

[Despatch Abstract.]

*Fishing: Directing that the right of - in waters under
the charge of the P.W.D. within the limits of the Chi-
dembaram Municipality be sold by that Dept.
in future, the sale proceeds being credited to Municipal
funds.*

T.C. 24/10

24/10

[24/10]

[illegible][illegible]

Government { 1896 } of Madras.
PUBLIC WORKS.

Spare copies

OCTOBER.

Directing, with remarks, that the right of — in waters under the charge of the Public Works Department within the limits of the Chidambaram municipality, be sold by that department in future, the sale-proceeds being credited to Municipal funds.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

READ—the following papers:—

G.O., No. 297, Revenue, dated 14th March 1882.

From the Chairman, Municipal Council, Chidambaram, dated 27th April 1896, No. 58.

Endorsement from the Local and Municipal Dept.,	"	1st May	"	"	64.
" " Public Works Department,	"	5th "	"	"	646.
From the Chairman, Municipal Council, Chidambaram,	"	25th June	"	"	2659 C.
From the Local and Municipal Department,	"	21st May	"	"	92.
From the Public Works Department,	"	30th July	"	"	878.
	"	11th August	"	"	3051 C.

From Lieut.-Col. C. C. RAWSON, R.E., Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Chepāk, 19th August 1896, No. 238 W.

With reference to your endorsement, No. 2659 C., dated 25th June 1896, forwarding for report endorsement in the Local and Municipal Department regarding certain fishery rents of the Pasimuthan odai, &c., within the limits of the Chidambaram municipality, South Arcot, I have the honour to forward copy of letter No. 200 S.E., dated 13th March 1896, from the Executive Engineer, South Arcot division, on the subject, with copy of my endorsement, No. 81 E.I., dated 30th March 1896, thereon, and of the Irrigation Chief Engineer's reply No. V./67 S.A., dated 9th April 1896, with copy of G.O., No. 297, Revenue, dated 14th March 1882, quoted in that reply.

2. From the correspondence embodied in the Revenue G.O. just quoted, it will be seen that the right of fishing in waters under the charge of the Public Works Department should be sold by that department, the sale-proceeds being credited to Local and Municipal funds, when such waters lie within the limits of those corporations, and that the Chidambaram municipality has no right to effect such sale. The Executive Engineer, South Arcot, was, with reference to his letter noted above, referred to this G.O. in the Revenue Department, but the municipality, being threatened with a suit by the contractor to whom they had sold the fishery rights for loss owing to the action of the Public Works Department in reselling them, have applied to Government to allow them to enjoy the rents of the channel fishery as formerly. How the ruling in the Revenue G.O. referred to was first lost sight of and the municipality allowed to effect the sale, is not known; but considering that the proceeds of the sale by the Public Works Department have to be credited to the funds of the municipality, I do not approve of the rule being longer broken in favour of that body, especially as the Executive Engineer in his No. 508 M., dated 8th May 1896, embodied in the Proceedings of the Municipal Council forwarded with your endorsement No. 3051 C., dated 11th August 1896, has informed the Chairman that the lease of the contractor to whom the council had rented the channel fishery could be extended for a period equal to that during which the lessee engaged by the Public Works Department held the right.

3. Under the circumstances I do not consider that the municipality have any just cause for complaint, and I would beg to recommend that the Executive Engineer's suggestion in regard to extending the municipal lessee's term to recoup him for any loss he may have sustained while he was ousted by the Public Works Department lessee may be approved, and that the renting of the channels within municipal limits for right of fishing in them, be ordered to be resumed by the Public Works Department, the sale-proceeds being credited to Municipal funds.

4. The papers received with both your endorsements quoted above are herewith returned.

ORDER—No. 879 I., dated 24th October 1896.

The right of fishing in waters under the charge of the Public Works Department, within the limits of the Chidambaram municipality, South Arcot, will, in future, be sold by that department, the sale-proceeds being credited to Municipal funds.

2. The suggestion to extend the municipal lessee's term to compensate him for any loss which he might have sustained while he was deprived of his lease, is approved. The Superintending Engineer, V Circle, will, in communication with the Collector of South Arcot, settle the period for which the lease granted by the municipality should be extended.

(True Extract.)

Under Secretary to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
" Superintending Engineer, V Circle.
" Examiner, Public Works Accounts.
" Local and Municipal Department.
" Revenue Department.

Exd. T. K. Narayana Aiyangar.

No. 879 I & 24th October 1896.
 PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

Press: of the Madras Government, Rev: (H.E. No: 297 dated 4th March 1882)
 Deptt: }

Letter from the Chairman Municipal
 Council Chidambaram } --Do-- No: 58 dated 27th April 1896.

-----Do----- } --Do-- No: 64 dated 1st May 1896.

Endorsement from the Local and
 Municipal Department----- } --Do-- No: 646 dated 5th May 1896.

Endorsement from the P.W. Department--Do-- No: 2659.C. dated 25th June/96.

Letter from the Chairman Municipal
 Council Chidambaram----- } --Do-- No: 92 dated 21st May 1896.

From the Local and Municipal Deptt:--Do-- No: 878 dated 30th July 1896.

From the Public Works Department-- --Do-- No: 3051.C. dated 11th Aug: 1896

From the Suptg Engineer Fifth Circle-Do-- No: 238.W. dated 19th August/96

within the limits of the Chidambaram Municipality S. Arc.
 The right of fishing in waters
 under the charge of the P.W.D. will
 in future be ~~always~~ sold by that
 Department the sale proceeds being
 credited to ~~the~~ Municipal or ~~Local~~
 Funds ~~as the case may be.~~

2 ~~In the present instance~~ The
 suggestion to extend the Municipal
 lessee's term to compensate him for
 any loss which he might have sustain
 -ed while he was deprived of his
 lease is approved. The Superintending
 Engineer Fifth Circle, will in
 communication

Rec-10/10

8/4/96

W.H.

21/10/96

Communication with the Collector of
South Arcot, settle the period for
which the lease granted by the
Municipality should be extended.

HH
19/9
96

Rucdh
25/9
96

MS 73.6.96

W.D.
12-10-96

To The Chief Eng. for Drift
- Supp. Eng. Fifth Circle
- General Process
- Local & Municipal Dept.
- Revenue Dept.

at B.D. *H.E. 19/10. R 23/10.*

Public Works (1896) Department.

CURRENT No. 7607

C
Order
No. 3268C of 4 September
1896.

To Eng.

From *Supg: Engineer*
V Circle

In favour of
disposal:

No. 2382.

Dated *19th August 1896*

Received *24-8-96*

Enclosures *2/11*

Spare copies *-*

SUBJECT.

Renting of the right
of fishing in channels &
within Municipal limits

Recommends that
may be ordered to be resumed
by the P. W. Dept.

Sent again
8/10/96
12/10/96
12/10/96

BACK PAPERS.

G.O.	No.	Department.	Date.
	283-293 L	L. of India P.W.D.	5.2.87
	4273C	Madras P.W.D.	24.11.87
	4596C	"	12.12.87
	4602C	"	12.12.87
	311D	"	12.6.88
	164D	"	14.5.88
	2104W	"	11.7.88
	2659C	"	25.6.96
	3051C	"	11.8.96

FURTHER PAPERS.

[illegible]

No. 200 S.E. of 13th March 1896

From J. S. Wilson Esquire

From J. S. Wilson Esquire
Executive Engineer South Arcot Dist.

To the Supg. Engineer, Circle,

Sir, I have the honour to forward a file of correspondence regarding the sales of fishery rights in Government channels within the Chidambaram Municipality and to suggest that the orders of Government be obtained.

2. The case is as follows:-

Notice having been given, the Chidambaram Sub D. Officer sold by auction the right of fishing in the Imperial channels and among others in the Pasimuttan Odai and Khan Sails Canal parts of which are within the Municipal limits. On the 14th January 1896 he received a letter from the Chairman of the Chidambaram Municipality, protesting against this, and stating that the Municipality had also sold the same fishing rights.

3. It appears that in previous years the sales have been conducted by the Municipality, a course, which in my opinion, is objectionable, as it vests in the Municipality a partial control over the channels.

4. If the Revenue from these Fisheries be considered to belong to the Municipality there would be no difficulty in paying the amount, realized by the sales direct to the Chairman or in crediting it to the Municipality through the Financial Department, a course which would give the P. W. Dept. the undivided control over the channels mentioned.

5. As this particular case is not likely to be an isolated one, I would suggest that general orders

66

he obtained.

I have &c.
Signed - J. S. Wilson
Executive Engineer
South Arcot Div.

R191
2

No 81 E. I. dy 30th March 1896

Copy to the Chief Engineer for Irrigation
with copy of the Correspondence and of the sketch
map, for favour of orders.

Signed - C. C. Rawson, M. L. R. E.

Supg Engineer V Circle

No $\frac{V}{67}$ S. A. dy 9th April 1896

Memorandum

With reference to endorsement No 81 E. I. dy 30-3-96
from the Supg Engineer, V Circle, the undersigned has the
honour to invite attention to G.O. No 297 Rev. dy 14-3-1882 a
copy of which was communicated to the Supg. Engineer,
with this office endorsement No 11 cu dy 4th April 1882.
Under this order the right of fishing in the waters under
the charge of P.W.D. should be sold by that Department
the sale proceeds being credited to Local or Municipal
Funds as the case may be.

(By order)

(True copies) Signed - F. J. Wilson
Asst. Chief Eng: for Irrigation
G. S. G. M. L. R. E.
Supg Engineer V Circle

June 1
26/2/1896

SUPERINTENDING ENGINEER'S OFFICE,

No. 238

V CIRCLE, MADRAS,

Chepāk, 17th August 1896.

From Colonel C. C. Rawson R. E.

SUPERINTENDING ENGINEER, V CIRCLE,

To
The Chief Engineer P.W. Department

SIR,

With reference to your endorsement No 2659 C
dy 25th June 1896 forwarding for report endorsement
in the Local and Municipal Department, regarding
certain fishery rents of the Pasimathan Odai &c
within the limits of the Chidambaram Municipality,
South Arcot, I have the honour to forward copy
of letter No 200 S.E dy 13th March 1896 from the
Executive Engineer South Arcot Division on the
subject, with copy of my endorsement No 81 E. I. dy
30th March 1896 thereon, and of the Irrigation
Chief Engineer's reply No $\frac{V}{67}$ S. A. dy 9th April 1896, with
copy of G.O. No 297 Rev. dy 14th March 1882 quoted
in that reply.

2. From the correspondence embodied in the Rev. G.O.
just quoted, it will be seen that the right of fishing
in

Enclosures.

in Supg. office No 100
dy 25.2.82

in waters under the charge of the P.W.D. should be sold by that Dept., the sale proceeds being credited to Local and Municipal funds, where such waters lie within the limits of those Corporations, and that the Chidambaram Municipality has no right to effect such sale. The Executive Engineer South Arcot was with reference to his letter noted above, referred to this G.O. in the Rev. Dept., but the Municipality being threatened with a suit by the Contractor to whom they had sold the fishing rights, for loss owing to the action of the P.W.D. in reselling them, have applied to Government, to allow them to enjoy the rents of the channel fishery as formerly. How the ruling in the Rev. G.O. referred to was first lost sight of, and the Municipality allowed to effect the sale, is not known, but considering that the proceeds of the sale by the P.W.D., have to be credited to the funds of the Municipality, I do not approve of the rule being longer broken in favour of that body, especially as the Executive Engineer in his No 508 M d 8th May 1896 embodied in the Proceedings of the Municipal Council forwarded with your Endorsement No 3051 C d 11th Aug. 1896, has informed the Chairman that the lease of the Contractor to whom the Council had rented the channel fishery could be extended for a period equal to that during which the lessee engaged by the P.W.D. held the right.

3. Under the circumstances I do not consider that the Municipality have any just cause for complaint and I would beg to recommend that the Executive Engineer's suggestion in regard to extending the municipal lessee's term to recompense him for any loss he may have sustained

sustained while he was ousted by the P.W.D. lessee may be approved, and that ~~indeed the immediately~~ ^{the} renting of the channels within Municipal limits for right of fishing in them, be ordered to be resumed by the P.W.D., the sale proceeds being credited to Municipal funds.

The papers received with both your Endorsements quoted above are herewith returned.

I have the honour to be
Sir
Your most obed^t. Servt.

12/8
Chidambaram
19.8.96.
Mol. R. E.
Sd/- Engineer V Circle

Sh
19.8.96

From

THE SUPERINTENDING ENGINEER,

V CIRCLE,

To

THE

Dated

Recd.

189

ENCLOSURES.

No.

R1913

From 1993/2996

The Chairman

Municipal Council

Chidambaram

To

The Chief Secretary

to Government

Madras

(Through the Madras
Collector and Collector
of South Arcot)

Dated 21st

Sept 22nd

Recd

May 1896

Enclosures 2

No 92

Submitting for the
orders of Government
extract from the
Executive Engineer's
letter no 508n
8-5-96
regarding the payment
of the fishing rents of
the Palimtham Adai
drainage channel
within municipal
limits.

From

THE CHAIRMAN,
MUNICIPAL COUNCIL,
CHIDAMBARAM.

To,

The Chief Secretary
to Government
Madras
(Through the Madras Collector
and Collector of South Arcot)

Dated 21st

Received

May 1896.

No. 92

REFERENCE

This office letter No.
Your

Sir,

In continuation of
my letters nos 508n and
508n 27-4-96
64, I have the honor
to forward herewith
a copy of letter no 508n
dated 8th Inst. from
the Executive Engineer
South Arcot Division
regarding the payment
of the fishing rents of the
Palimtham Adai drainage
channel within the
municipal limits for
such orders as the
Government may

deem fit to pass in the matter. By following
the plan suggested by the Executive
Engineer, the Municipality will sustain a loss.

2. A copy of the Council's resolution in the matter
at its meeting held on the 16th August is also
herewith submitted.

I have the honour to be
Sir

Yours truly obedient servant

James Smith

Chairman

Forwarded

Agst. East Collect

25-5-96

Submitted. The previous papers
were called for by the acting
Head Assistant Collector to enable
him to ascertain the facts of
the case and hence the delay.

J.R. Coombes
20/7

For Collector

South Arcot
Collector's Office
Cuddalore
18th July 1896

To,

The Chief Secretary to
Government Local and
Municipal Depto:
St. Louis George.

1896

Local Municipal Department

From
The Collector of
South Arcot.
To
The Chief Secretary
to Government
Madras.

Dated 1896
Despatched 20th July 1896
Received 21st July 1896

No 2659 C. D. 25-6-96
- 2104 W. D. 11-7-98
- 1642 D. 14-5-98
- 3115 D. 12-6-98
- 4602 C. D. 12-12-87
- 4596 C. D. 12-12-87
- 4273 C. D. 24-11-87

No. 600

ENCLOSURE

Subject.

Submitting Chidambaram
Municipal Chairman's
letter no. 92 d. 21st May 1896
and its encs: regarding
the enjoyment of certain
fishery rents accruing
within the Municipality.

No. 878
Transferred to the Public works
Department.

W. D. Hill
Assistant Secretary

1896
24/7/96
J. S. George
30th July 1896

To the Public works Department

No. 3051 C. D. 11th August 1896
Referred to the
Suptg. Engineers
& Circle in continuation
of endorsement
No. 2659 C. D. 25th June 1896.

J. S. George Col. No.
Jt. Secy. to Govt.

24/7 02 S. 305 127/8.

Government of Madras.
1896

P. W. DEPARTMENT.

CURRENT No.

From
The Local & Municipal Dept.

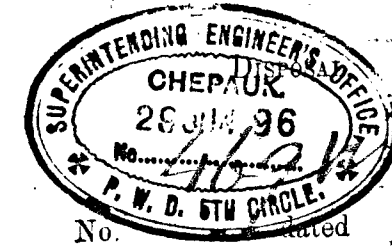
No. 646
Dated 10. 6. 96
Received

SUBJECT.

Fishery rents of Pasimathan
Ordre: Transferring letter
from the Chairman, Municipal
Council, Chidambaram request-
ing that the Municipality
may be allowed to enjoy
the

2104 W. D. 11-7-98
1642 D. 14-5-98
3115 D. 12-6-98
4602 C. D. 12-12-87
4596 C. D. 12-12-87
4273 C. D. 24-11-87

[P. W. 29.
2000-1-5-96]



No. 2659 C. D. 25th June 1896

Referred to the
Suptg. Engineers
Circle for favour
of report.

J. S. George Col. No.
Jt. Secretary to Govt.
P. W. D.

1896
7

Previous order for
the same

at 196 22/6

Public Works (1896) Department.

CURRENT No.

Order

From

*The Chairman
Municipal Council
Chidambaram*

No. 92.

Dated 21st May 1896

Received

Enclosures 2

Spare copies

SUBJECT.

*Submitting for the order
of Govt extract from the
S. & S. R. S. letter no. 5084 re.
8-5-96
- regarding the enjoyment of
the fishery rights of the Pasi -
- muthu odai drainage
Channel within Municipal
limits*

[illegible][illegible]

ok 508 m.

Stam

J. S. Melan Esquire
Executive Engineer
Louisiana, Du

4

The Chairman
Municipal Council
Calicutambran.

Li,

Referring to your letter no 83 dated
1st May 1886, I have the honour to state
that the period of ~~approx~~ summary Nations
has been extended, in communication
with the Cuban officer to his satisfaction
for a length of time equal to the time
during which the vessel engaged by this
Department held the right.

X X X X X X X X X X X X X X X X

I have the honour to be
Sir

your most obedient servant

(sd) J. S. Willan
Executive Engineer
South Coast Div.

(Zur Sache etc.)

I am a woman
Chadman

[illegible]

about 3 millions.

Government will be addressed
on the subject.

(Same extract)

Chairman



Public Works (1896) Department.

CURRENT No.

Order

From

The Chairman
Municipal Council
Chidambaram

No. 64

Dated 14 May 1896

Received

Enclosures

Spare copies

SUBJECT.

Soliciting to obtain
the sanction of Govt to
allow the Municipality
to enjoy the fishery rights
in the channels within
municipal limits as
heretofore.

[illegible][illegible]

The bank
 Current 1545
 9/10/91

C. nobilis ~~arg~~

1790
 The Chairman
 Municipal Council
 Chidambaram
 3 MAY. 96
 SOUTH INDIA.

forwarded
V. M. M. M.
A. H. A. H.
16. 5. 96

The Chief Secretary
to Government
Frank St George
(Through the Head and
Collector and Collector
of Land Revenue)
dated 1st
despatch
received } May 1896
24 MAY 96



COLLECTOR'S OFFICE
19 MAY 96
SOUTH ARCOT

Enclosure ✓

No 64

Soliciting to obtain the
Sanction of Government
to allow the Municipality
to enjoy the fishing rights
of Padimuttam aalai &
within Municipal limits
as heretofore.

(S. S. S. S. S.)

✓
Forwarded
See Lane
By Collector
22-5-96.
sub 22-5-96

$\frac{K_2}{19-5.}$
 no 646
 15754 1516m.

Transferred to the Public works
department.

W W Phillips
Ag. Assistant Secretary

12
4/5/96
Fort George }
10 June 1896 }

To the Public Works Department.
46 April 96

Received
 of
 27-4-96

Received of
 27-4-96

Received of
 27-4-96

Received of
 27-4-96

Received of
 27-4-96

27-4-96

Municipal Office
 Chidambaram
 27-4-96

To
 The Chief Secretary to Government
 Fort Saint George.
 (Through the Head Post Collector and
 Collector of South Arcot.)

Sir, I have the honor to inform you
 that since writing my letter no. ⁵⁸ 27-4-96,
 the Executive Engineer South Arcot
 states in his letter no. ⁴³² 25-4-96 that "the
 sale conducted by the Municipality
 may stand considering the amount
 realized by the sale as conducted by
 the Municipality and the time which
 has elapsed since the auction." It is
 very likely that the Municipal sales
 fetch greater amounts than the sales
 by the D.P.W. If the Council be
 deprived of the right of selling the
 fishery rents, the amount to be realized
 by the sales by the D.P.W. will be

Considerably small, I therefore
request that you will be pleased
to obtain the sanction of Government
to allow the Municipality to enjoy
the fishery rents of the Channels &
~~within~~ municipal limits as heretofore,
as requested in my letter above
adverted to.

I have the honor to be
Sir,
your most obedient servant
Rameshwar
Chairman.

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

Public Works (1896) Department.

CURRENT No.

Order

From
The Chairman
Municipal Council
Chudambaram

No. 58

Dated 27 April 1896

Received

Enclosures 1

Spare copies

SUBJECT.

Soliciting to obtain the
sanction of Govt to allow
the Municipality to enjoy
the fishery rents of Pasumtharu
odai Channel within municipal
limits as heretofore.

Considerable. Russell. (The same)

dat

Municipal office

Chidambaram

27th April 1896

No. 58

From,

The Chairman, Municipal Council

Chidambaram

To, The Chief Secretary to Government

Fort St. George.

(Through the Head Assistant Collector of
and Collector of South Arcot)

Sir,

I have the honor to bring to your notice that the Municipal Council has been enjoying the fishery rents of Paccinathan Adai channels &c within Municipal limits for the last 8 years without any objection by the Public works department and the rents of these channels were accordingly sold in July last for Rs 220 for one year. While so it would appear that the Sub-Division officer Chidambaram sold the fishery rents of the above channels and others early in January last for a less sum. Before the commencement of the sale, the purchaser of the fishery rents at the Municipal sale objected to the same.

Considerable amount of the same

His objection was overruled and the sale
conducted. The municipal tender having
brought the above facts to the notice
of the Council, the Executive Engineer
South West Division was requested in
my letter no. 573
23.3.1896 to cancel the sale.

He has replied saying that the Superin-
tending Engineer has been addressed
on the subject with a request to move
the government to allow the M.P.W. to sell
the fishery rights of the channels and
allow the Municipal Council simply

to have credited to its funds the sale
proceeds thereof. The purchaser of the
fishery rights at the municipal sale
has now given a notice to the Council
that he would sue it for the loss sustained
by him in the present instance. The
Council consequently resolved at its
meeting held on the 25th instant,
to address the government on the
subject.

2. I therefore request that
you will be pleased to obtain
the sanction of Government &
allow the Municipality to enjoy

the fishery rights of the channel
as heretofore.

3. A copy of the Proceedings of
the Council on the subject is also
herewith forwarded.

I have the honor to be
Sir

your most obedient servant
D. Ammann
Chairman

Correspondence
No 1545
96

Chingleput
19/5

Mr. Chairman
Municipal Council
Chingleput

Forwarded
M. H. H.
19/5



Chief Secretary
to Government
South Arcot

Forwarded

Ag Collector
22-5-96

Secy 22-5-96

19-5

(Through the Head and
Collector and Collector
of South Arcot)

Dated 27th
Despatch 28th
Recd 24 MAY 96

Enclosure 1
No 587
Soliciting to obtain the
sanction of Government
to allow the Municipality
to enjoy the fishing rights
of Padmanabhan a dachamp
within municipal limits
as heretofore.

14TH MARCH 1882, No. 297, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 9th February 1882, No. 431 :—

Read—the following letter from J. F. PRICE, Esq., Collector and President of the Local Fund Board, Chingleput District, to the Secretary to the Board of Revenue, dated Saidápet, 10th January 1882, No. 13 :—

I have the honor to submit, for the consideration and orders of the Board of Revenue, a correspondence relative to the question of renting the fishery of the Chembrambakum tank in the Saidápet taluk.

2. This arose from a report made to me by the Police to the effect that persons were fishing in this tank without permission.

3. I then addressed the General Charge Deputy Collector, and he having stated that, in his opinion, Rs. 1,500 per annum could be obtained from the Chembrambakum tank alone, I sent on his letter with a foot-note to the Executive Engineer, and did so as the tank is a large one and in charge of the Public Works Department.

4. The result has been a letter from the Superintending Engineer to the Executive Engineer, in which it is stated that the "Chief Engineer for Irrigation considers that until the Irrigation Bill, now under consideration, has been matured, the renting of the right of fishing in the Chembrambakum tank, &c., had better be postponed," and that as the Public Works officers are responsible for the good order of the tanks "the letting out of the fishing rights should be in their hands and not in the hands of officers of other Departments whose opinions may differ materially as to the importance of enforcing the conditions attached to the lease."

5. The proceeds of the rents of fisheries is an item of Incorporated Local Funds and not of Imperial Revenue. The funds of this circle are in anything but a flourishing condition, and we want every rupee that we can get. I am unable to see why it should be desirable to put off the letting of the fishery of a tank because an Irrigation Bill which may not, and probably will not, become law for many months, or perhaps even years to come, is under consideration.

6. I do not in the least object to the officers of the Public Works Department leasing the right to the fishing of any large tanks in their charge, though I venture to think that we could get better prices than they can, provided that they do not take the money as Imperial Revenue, but pay it in to Local Funds.

7. I only wish to work what will prove a source of profit to Local Funds, which are sadly in want of every addition that they can obtain. I do not care in the least what is the agency by which this is effected. Indeed the undertaking of the sale and supervision of fishing by the Public Works Department would be a relief to us.

8. I do not, however, see why the rental could not be made now under such conditions as may appear to the officers of the Public Works Department necessary for the protection of the Chembrambakum tank. All that I want is the money.

Resolution—dated 9th February 1882, No. 431.

Submitted for the orders of Government.

2. The Board observe that it is the custom throughout the Presidency for Collectors to lease the fisheries in tanks and that the receipts from such fisheries are a Local Fund asset (G.O., 12th March 1878, No. 199-I).

3. In drawing up these leases Collectors can consult the officers of the Public Works Department in order that conditions may be imposed in regard to points affecting the preservation of irrigation works if there be any, though no such questions have arisen hitherto.

(True Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Secretary to Government, Revenue
Department.

Endorsement on the above, dated 14th February 1882.

Referred to the Chief Engineer for Irrigation for remarks.

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

READ—the following letter from Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, to the Secretary to Government, Revenue Department, dated Buckingham Canal, 25th February 1882, No. 10-W :—

With reference to your endorsement, dated 14th instant, on the Proceedings, No. 431, of the 9th idem, of the Board of Revenue, I have the honor to say that, if Government consider it to be desirable that the right of fishing in the Chembrambakum tank should be leased at once without waiting for the Bill by which it is intended to regulate the management and provide for the due protection of irrigation works generally, I would recommend that the lease should be granted in the Public Works Department, and the proceeds paid in to the credit of Incorporated Local Funds.

2. The Board of Revenue remark that no questions affecting the preservation of irrigation works have arisen in connection with fishery leases granted by Revenue officers. This is a mistake—for the acts of fishermen, whether contractors or others, are a constant source of trouble and expense. In rivers, dams for fishing purposes are put up and occasion damage: in drains and distributaries, bunds are constructed and obstruct the flow of water: at anicuts and other regulating works the aprons are sometimes disturbed in searching for fish and especially for eels, and either from the state of the law, or from the unwillingness of the magistrates to restrain the fishermen, it has been found difficult to exercise any control over these proceedings. In P. M. G., No. 13-I, of the 8th January 1880, will be found the particulars of some cases which occurred in Tanjore.

3. It is desirable therefore that there should be no conflict of authority, but that the Public Works officers, who are responsible for the efficiency of the works, should grant the leases and provide in these for full control including the cancellation of the lease and the forfeiture of instalments of the rent paid, if the prescribed conditions be not attended to by the contractors.

4. In the case of the Chembrambakum tank, fishing should be permitted only from the margin of the waterspread or from boats or rafts, and not from the bund or masonry works; for if a fisherman be allowed to fish from the bund, the temptation to secure fish which may have been seen to go into the spaces between the revetment stones, or to use the sluice heads for fishing purposes, is liable to be

irresistible, and the removal of a stone or two of the revetment may lead to great damage, while any interference with the sluices would be highly objectionable.

There is a conservancy establishment in charge of the tank and the Superintendent will therefore be able to look after the fishery contractor, and see that the conditions of the lease are duly attended to.

5. It may be readily admitted that a lease granted by the Revenue officers would fetch more than one issued in the Public Works Department, because the conditions prescribed, even if the same in both cases, would not be enforced in the former; this would be true to a considerable extent even were the Collector to be desirous of enforcing them, for the number of authorities through whom the report of infringements would pass would practically result in the contractor doing as he pleased. The Collector has no means of exercising direct control over a contractor.

ORDER—dated 14th March 1882, No. 297, Revenue.

Miscellaneous.

The Government concur with the Chief Engineer for Irrigation, and the Board are requested to issue the necessary orders accordingly.

(True Extract.)

Secretary to Government.

To the Board of Revenue.
" Chief Engineer for Irrigation. ✓
" Financial Department.
" Accountant-General.

*Copy to the Superintending Engineer,
5th Circle, for information -*

(By order)

A. S. Russell.

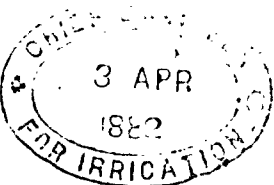
Exd. W. H. French.

Asst Chief Engineer for Irrig.

80 Copies.

Amuseau
U. N. 725.2.82

R 75m
21/11



Gobt. of (1882) Madras.
REVENUE.

Order, dated 14th March 1882, No. 297.

Issuing the Estuary of the Chendrambalam Tank
—Chief Engt.— Opinion of Chief Engineer for
Irrigation on the subject of— concerned with, and
the Board requested to issue the necessary orders
accordingly.

S. P. 11.21/82

R 63.5A/96

67-5A 29-4-86.

R du 191 of 4.9.96