Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1273

DATED 6th Mar

[Despatch Abstract.]

Commng. to the Board of Rev. Progs. P. W. Depart. directing, with remarks, that the repairs to Pallipattu tank, in Madura-cum-Tirumangalam taluk, Chingleput Dt., be carried out by Govt., the expenditure incurred thereon being subsequently recovered from the owners under the provisions of Act IV of 1856.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Rev	4130/98						
Go	1560	Revenue	17-6-98				

Rev Dept.

Current No. 1445.

IRRIGATION.
ACCOUNT.

Government {1897} of Madras.

PUBLIC WORKS.

Why has this paper been delayed in transmission to Government so long?
PL
5-3-97

It was due to oversight which is much regretted.
DM

This should not recur again.
PL
5-3-97

GOVERNMENT OF MADRAS
16 FEB 97
REVENUE DEPARTMENT

Recd. 16/2/97

Regd. 17/2/97

1897.

Enclosures —

Spare copies —

G.O., No. 85 I., 22nd January 1897.

Go misc No 1273 dy 6th Mar 1897
Communicated to the Board of Revenue.
16/2/97.

16th Bd of Rev Rec. Dis. 9-3-97

Dis-
RJ
5-3-97

JANUARY.

Repairs to a Railway-affecting Tank

Directing, with remarks, that the repairs to Pallipattu tank, in Madurántakam taluk, Chingleput district, be carried out by Government, the expenditure incurred thereon being subsequently recovered from the owners under the provisions of Act IV of 1886.

Received 17/2/97

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.
Account.

READ—the following papers :—

Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 6350, dated 9th December 1896.

Read—the following Proceedings of the Collector of Chingleput, dated Saidapet, 1st June 1895, Ref. on No. 1891 Gl. :—

It having come to the notice of the undersigned that the tank in the shrotriem village of Pallipattu, of Madurántakam taluk, is in a state of great disrepair and is likely to affect the line of the South Indian Railway, the Acting Collector resolves, under section 5 of Act IV of 1886,* to call upon the dharmakartas of Agatheswaraswami temple of Acharapákkam, to whom the tank is said to belong, to carry out the measures required as per estimate furnished by the Public Works Department (copy thereof is herewith sent) within four months from the date of this proceedings, or show cause within three months from the date of this why they should not do the same bearing the whole of the expenditure themselves.

* Railway Protection Act, 1886.

(Signed) G. S. FORBES,
Collector.

To the Dharmakartas of Agatheswaraswami Temple,
Acharapákkam, with copies of estimate.

From M.R.Ry. T. V. LOKANATHA AIYAR Avergal, Tahsildar of Madurántakam, to the Collector of Chingleput, dated 13th November 1895.

With reference to your Ref. on No. 1349/Pet., dated 24th October 1895, to report if the dharmakartas of Agatheswaran temple, Acharapákkam, has repaired the Pallipattu tank which affects the South Indian Railway, I beg respectfully to report that, on inquiry, the dharmakartas say that they have not commenced the work as yet, though notice was given to them by the Collector about four months back, as they have not got proper funds with them. They further state that Government will have to contribute a portion of amount for its repair, as the water of the tank irrigates the fields of Kesavarayanpettai, a ryotwar village, wherein 30 acres are irrigated from this Pallipattu tank, but they made no report of it till now.

A statement taken from them is herewith submitted.

From M.R.Ry. T. V. LOKANATHA AIYAR Avergal, Tahsildar of Madurántakam, to the Collector of Chingleput, dated 30th November 1895.

With reference to your Ref. on No. 1349/Pet., dated 25th November 1895, I beg repectfully to report that 31 acres 96 cents of land in ryotwari Kesavarayanpettai are cultivated by the surplus water of shrotriem Pallipattu tank.

The total wet ayacut of the shrotriem Pallipattu village is 330 acres and 53 cents. Of this the shrotriemdars request that 75 acres 87 cents which are classed in the paimash as manavari wet should be excluded when calculating the extent irrigated under the tank. They also state that when the tank is full the water will spread over all the manavari wet fields, and thus the crop which were sown in pulidi (before rains) matures.

As the spreading of water is natural they claim its exclusion in the calculation. Excluding this from the ayacut, the amount of contribution due by Government is Rs. 255–5–6 as shown in the margin, the total estimated cost of repair being Rs. 2,290.

	ACS.	CTS.
Total wet ayacut of Pallipattu, excluding manavari lands	254	66
Lands in Kesavarayanpettai irrigated by the tank	31	96
Total ayacut under the tank ..	286	62
	RS.	A. P.
Total cost of estimates ..	2,290	0 0
On distributing the amount to the total number of irrigable ayacut, the cost of repair on each acre is	7	15 10
Amount to be paid by Government for the lands in Kesavarayanpettai	255	5 6

2. Statements taken from the shrotriemdars and the karnams are herein enclosed.

The shrotriemdars say that they are unable to commence its repair even though contribution is given by Government as they have not got sufficient funds in hand, and request that its repair may be undertaken by Government and the cost recovered with interest from them in ten years.

From A. T. MACKENZIE, Esq., Executive Engineer, Chingleput Division, to the Collector of Chingleput, dated 20th March 1896, No. 4289.

In answer to your No. 1349/Petn. of 10th March 1896, I have the honour to inform you that as the Pallipattu tank affects the South Indian Railway, it cannot be considered thoroughly safe without the repairs provided for in the estimate. Were it not a railway-affecting tank, it might be permissible to omit the revetment (Rs. 899), but it would then want more careful watching and more frequent repairs.

ENCLOSURE.

REPORT to accompany estimate for repairs and improvements to Pallipattu tank attached to Acharapákkam devastanam.

	RS.
Estimate	2,290

This estimate was called for by the District Magistrate in his letter, No. 3351, dated 9th November 1894.

This is a private tank attached to Acharapákkam temple, but affects South Indian Railway.

Tank bund is much worn out and badly cut up and is, in its present state, a source of danger to the line of railway. It is therefore proposed to raise and strengthen it as per sections herewith accompanying.

Front slope of bund is very badly cut up as the tank is a railway-affecting one and as grass is considered incapable of affording good protection to it on account of the nature of soil, it is thought worth the while to construct stone revetment to a level of one foot above M.W.L. This revetment will have a slope of 1 to 1 and a backing of gravel half a foot thick.

There are two sluices in this tank; both are said to be leaky. Lump sum of Rs. 80 has been provided to examine them and execute requisite repairs.

Surplus arrangements are defective. The natural escape through which the tank surpluses is of inadequate length and of irregular level. It is therefore proposed to construct a dry stone byewash 303 feet long, so as to be capable of discharging with a head of one foot 655 c. ft. a second.

All works will be carried out as per standard specification.

(Signed) A. KARIM KHAN,
Sub-Divisional Officer.

Endorsement from the Chief Engineer for Irrigation, dated 12th May 1896, No. 213 M.

Reference on the above, dated 2nd June 1896.

Before submitting the case for the orders of Government under section 9 of Act IV of 1886, the Collector will be requested to report whether he sees any objection to the grant of a loan to the dharmakartas under the Land Improvement Loans Act, sufficient to enable them to carry out the repairs of the tank. The nature and value of the security available for the loan, and the existence of prior circumstances, &c., should be fully stated. Information should also be furnished as to the nature of the law suit in which the dharmakartas are said to be at present engaged, and how far the result of the suit might affect the sufficiency of the security.

2. It is presumed that the Collector has informed the dharmakartas of the reduction of Rs. 255 in the amount demanded of them.

From the Collector of Chingleput, dated 30th Aug. 1896, Ref. on No. 1349/Pet.

I have the honour to reply to Board's reference No. 2449, dated 2nd June 1896, regarding the advisability of granting a loan under the Land Improvement Loans Act to the dharmakartas of Agatheswaraswami temple to enable them to repair the shrotriem Pallipattu tank, in Madurántakam taluk, which is a railway-affecting tank.

2. The dharmakartas having since resigned their appointments, the President of the Hindu Devasthanam Committee was addressed. The latter has written to say that the committee have resolved to raise a loan from Government for the repair of the said tank offering the shrotriem Pallipattu village as security. This shrotriem is an unenfranchised inam granted for the support of the temple, and as such cannot be accepted as security for the loan. No collateral security sufficient for the advance of a loan of Rs. 2,000 is forthcoming.

3. Mr. Dance's recommendation in his letter of the 11th April last was to take action under Act IV of 1886 (Madras) and to recover the cost from the dharmakartas in four annual instalments. Although the landed property is an unenfranchised service inam, a suit will, it is presumed, be maintainable under section 15 of the Act against the inamdars in the Civil courts (*vide* definition of "land holders" in section 2), and, as the obligation to repair is a statutory obligation, be enforceable against the income of the inam. If, therefore, the inamdars (represented at present by the temple committee) do not agree to pay by four or, say, *five* annual instalments, the temple service being proportionately reduced meantime, a suit must be filed which will enable Government to recover against the shrotriem revenue in such instalments as may be arranged.

Reference on the above, dated 22nd September 1896.

The papers read above will be forwarded to the Government Pleader for favour of opinion as to whether, in the circumstances reported by the Collector, a suit can be instituted with any prospect of success under section 14 of Act IV of 1886 for the recovery of the cost of repairs to the tank, if the repairs are executed by Government under the provisions of section 9 of the Act.

From the Government Pleader, No. 969, dated 10th November 1896.

Resolution—Mis. No. 6350, dated 9th December 1896.

The papers read above will be forwarded to the Chief Engineer for Irrigation, who will be requested to take such action as he may deem fit with reference to paragraph 5 of G.O., No. 501 W., dated 10th February 1896.

(True Copies and Extract.)

(Signed) R. V. SRINIVASIAR,
Secretary.

ORDER—No. 85 I., dated 22nd January 1897.

The dharmakartas of Agatheswaraswami temple of Acharapákkam, to whom the tank in the shrotriem village of Pallipattu of Madurántakam taluk, in the Chingleput district, belongs, having failed to carry out repairs to the tank which affects the South Indian Railway, and to appear and show cause why they should not carry out the same although the Collector had given them due notice under section 5 of Act IV of 1886, His Excellency the Governor in Council is pleased to direct, under section 9 of the Act, that the repairs be carried out by Government, the expenditure incurred thereon being subsequently recovered from the owners under the provisions of the Act.

2. The Collector will take care that the procedure laid down in the Act is strictly followed before undertaking the execution of the works.

(True Extract.)

Under Secretary to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
" Superintending Engineer, V Circle, with estimate, &c., and plans.
" Examiner, Public Works Accounts.
" Revenue Department.

Exd. T. K. Narayana Aiyangar.

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} 189

READ AGAIN G.O., No. 189 , DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT							
STATEMENT WITH DITTO							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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