

9-1072
20-3-15
V.R.
Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 324

DATED 21st
24th January
1899

[Despatch Abstract.]

Passing orders on Board's Pwags. recom-
mending to Govt. that the task of aligning
the smaller distributaries under the Periyar
Project should be undertaken by Govt.
in all cases where the collector or the
Rev. Divisional officer states it to be
necessary.

BACK PAPERS.

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

FURTHER PAPERS.

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

Cur 1093/85
 735 Revenue 17-2-99

1/8 2,000 20-3-98.

Q.W.
Revenue (189⁸) Department.

CURRENT No. *9834*
~~5494~~



*Out with in the
 in the in the in the*

From The Board of Revenue (Rev. Set)
 Madras.

Endt: Mis.No.4617, d/ 24-11-98.

Order

Referred to the Public Works
 Department for favour of early remarks.
 (By Order)

No. 4668 Mis.

Ag. Under Secretary to Government.

Dated 2nd August 1898.

Received 6th

Registered 28-11-98

Enclosures 2

Spare copies

To

The Public Works Dept.
 No 371 of 4. 12. 98

I consider that the Board's
 recommendation will meet
 the case.

4.12.98 W.H.

SUBJECT.

Submitting to Govt. with
 Board's support the Collector's recom-
 mendation that P.W.D. be instructed
 that the task of aligning the smaller
 distributaries should be undertaken
 in all cases where the Revenue Officers
 state it to be necessary and that the
 acquisition of the land will be the duty
 of the Revenue Establishment.

Re

Rev Dept

*will P.W.D. please
 expedite the return
 of this Dept's ref (no.) on
 Rs. No 7776 of 1898 (P.P.
 reviewing progress report of
 P.W.D. in relation to the*



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture),

Dated 2nd August 1898.

No. 4668 Misc.

READ

the following letter from J. G.
S. Partridge Esquire Acting
Collector of Madras, R.O.
No: 1887. dated 25th July 1898:-

I have the honor to solicit
the Board's orders on the follow-
ing points:-

2. The Public works Dept.
has been ordered to Construct
all distributaries connected
with the Pariyar Project
which are intended to irri-
gate 50 acres and upwards
(vide Government Order No.
698. I. dated 17th August 189.
and all smaller distributari
are

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Rev Current No
7776 is herewith
returned with my
remarks.

for
16/10/98



3962
3-10-96

are left to be done by the ryots themselves. The question now arises who should align the latter class of channels — the ryots or the Public Works Department. The Superintending Engineer thinks that experienced cultivators of wet lands should be able to make as good an alignment as any one else and that if there should be any difficulty in so doing, the officers of the Public Works Department may be asked to give their assistance. He is of opinion that if these alignments are to be laid out in every case by the Public Works Department, much extra work will be thrown on the officers engaged on the development of the Project, and valuable time taken up which can ill be spared.

3. The Special Deputy Collector understands the Government

538
ment Order quoted above to mean that the alignment of the channels as well as the acquisition of the channels required for all smaller distributaries otherwise called field channels intended to irrigate entire and separate blocks of less than 50 acres included in a larger area should be undertaken by Government in the same way as is done in the case of distributaries intended to irrigate 50 acres and upwards. He is of opinion that the ryots have neither the knowledge required for aligning channels, nor the spirit of combination and co-operation necessary to provide lands for the channels. He fears that if there is delay in providing the means of irrigation, it will seriously decrease the bids

4. Bids at future sales of Government waste lands and also entail heavy loss on Government in the shape of loss of Revenue as the purchasers of Government assessed waste lands cannot be properly charged with wet assessment if, owing to the refusal of the adjacent land holder to let water flow through his field, he is unable to bring his lands under wet cultivation. Vide

Copy of his letter Rec No: 577 of 98 dated 4th July 1898 herewith submitted.

4. The Deputy Collector's suggestion that the Public Works Department should align Channels even for blocks of less than 50 acres is in my opinion admissible as the owners of lands through which the Channels will have to pass would not obstruct Government officers, and it

if the area required for the Channels was small, would not be likely to demand Compensation. As this work appears to be a most essential point in the success of the Project, and as waste land will be brought under Cultivation sooner and better prices will be realised at future sales when the ryots know that there will be no difficulty about irrigation, I strongly recommend that the work be done by the Public Works Department.

5. The lands required for these small distributaries will be either dry and wet lands long held on patta or lands either newly assigned on dakhast or sold in public auction. Ryots owning patta lands can be compelled to give up the land required for small Channel free

free of cost by threatening
to cut off the supply of Periyar
water if they objected to give
up the lands; at least this
is the experience of the Special
Executive Engineer, Periyar
Scheme. In most cases it
may be possible for the
ryots by mutual agreement
or otherwise to get the land
required free of cost. When
this is not possible, small
payments will have to be
made by way of compensa-
tion. In the case of lands
assigned under the Periyar
Darkhast rules, it was
already notified in the
District Gazette that the
ryots should give up the
lands required for these
Channels free of cost. With
regard to lands sold in
public auction, the proportion-
ate part of the purchase
money has to be refunded
if

if any land is taken for
the Channels. There will
thus be very few cases in
which it would be necessary
to acquire lands for the
Channels under the Land
Acquisition Act; and for
these rare cases, provision
must be made for the payment
of Compensation by Government,
though the payment of such
Compensation was not con-
templated before. I request that
the Public Works Department
may be authorised to make
the necessary provision for
this in their Budget.

Resolution.

In the letter read above,
the Comptroller of Madras reports
the Public Works Department
Constructs para 2 of Government
Order No. 698 I. dated 17th
August 1896, as relieving the
Engineering staff of all concern
with

10
distributaries intended to irri-
gate less than 50 acres. It is
to be limited out by the Collector
and his Special Deputy Col-
lector that in many instances
it is indispensable that the
smaller distributaries should
be aligned by professional
Agency, and that the lands
which the said distributaries
cover should be acquired
where the owners object to
surrender it without compen-
sation.

2. The alignment of small
distributaries will, no doubt,
throw much extra work on the
officers engaged in the deve-
lopment of the project, but
any extra expense in strength-
ening the Staff is a small
matter when compared with
the urgency of not shaking
the confidence of intending
purchasers of Government
waste that Government will
do

11 158
do what is necessary to place
the water within their reach.
As regards lands already sold,
it is also essential that Supply
Channels should be properly
aligned and that the strips
of land required for them
should be acquired, if not
otherwise available.

3. The Board would
therefore strongly support
the Collector's recommendation
that the Public Works Depart-
ment be instructed that the
task of aligning the smaller
distributaries should be under-
taken in all cases where the
Revenue Officers state it to
be necessary. The acquisition
of the land will be the duty
of the Revenue Establishment
and the Collector should esti-
mate for his requirements
under this head.

4. When the Course is
marked out, and the land
is

12
 is available, the construction of the channels will in most cases be performed by the ryots without murmur, but there may be instances in which it would be a bad policy to refuse help even in the work of construction, and it would be probably unwise to regard it as a hard and fast rule that no outlay should be incurred on the construction of a Channel irrigating less than 50 acres.

(True copy and Extract)

(Benson)

By Director
 (L. R and Agri)

To, The Secretary to Government Revenue Department. Collector of Madras.

5/8/98
 95/11/98

du

Copy of communication
 Q. O. No. 577 of 1898 dated 4th July 1898 from the Special Deputy Collector Madras, to the Collector of Madras.

- | | | |
|---|---------|---|
| 1. Assistant Engineer's letter No. 990 | 7-7-97 | In forwarding herewith Copies of the Correspondence noted in the margin I have the honour to state that Government in G. O. No. 6989 dated 17 th August 96 |
| 2. This office reply to do. No. 139 | 31-8-97 | |
| 3. Special Executive Engineer's do. 531 | 23-9-97 | |
| 4. This office letter to do. No. 297 | 20-3-98 | |
| 5. do. do. No. 283 | 5-8-97 | |
| 6. do. do. No. 442 | 15-9-97 | |
| 7. Assistant Engineer's No. 1871 | 23-9-97 | |
| 8. Collectors No. 1084 | 21-3-98 | |
| 9. Special Executive Engineer's do. 2754 | 13-6-98 | |
| 10. do. do. No. 318 | 22-6-98 | |
| 11. This office letter No. 577 | 27-6-98 | |
| 12. Special Executive Engineer's } No. 3594 | 29-6-98 | |

(P. W) approved of the Commissioner's recommendation that Government should undertake the construction of all distributaries intended to irrigate fifty acres and upwards. The Public Works Department Construe^{tho} to mean that for all extents less than

13

14
than 50 acres, they will do nothing
viz (1) there will be no align-
ment of channels (2) no
acquisition of lands required
for the same and (3) no
excavation of channels

2. There are two classes of
Cases to be considered (1)
entire and separate blocks
of less than 50 acres (2) blocks
of less than 50 acres included
in a larger area. I understand
the Government Order to mean
that the alignment and the
acquisition of lands required
for all channels in both the
Cases should be undertaken
by Government, but that the
construction of the same by
Government should be under-
taken only for blocks of 50
acres and above. The Govern-
ment Order is silent either
as to alignment of channels
or the acquisition of lands
therefor.

15 7 PM
3. It is obvious that the
ryots and purchasers of land
will not be in a position to
find out how their fields
could be brought within easy
reach of water from a given
distributing or a sluice already
opened, nor have they spirit
of combination and co-opera-
tion among themselves requisite
to give up lands for the excava-
tion of channels free of
cost. They could not otherwise
compel an unwilling ryot
to allow water to flow through
his lands and the remedy
suggested by the Special
Executive Engineer to apply
coercion by a threat to cut
off water in total even if fair,
may perhaps be effectual
only in some Cases, but it
always means delay, loss of
Revenue to Government and
heavy damage to ryots. It
can never prevent any ryot
from

16
from Again filling up the
Channel in his field and
it requires the attendance of
the officer again to compel
him (vide Executive Engineer's
letter no: $\frac{318}{22-6-98}$). Though the
owners of Patta dry lands
may not have a right to
complain, the purchasers
of Government waste lands
will certainly be losers if
there were delay in providing
means of irrigation. These
"petty field Channels" may
not occupy a large extent
and if the alignment alone
be made by the Public Works
Department, most of the ryots
will gladly consent to give
up lands free of cost and
for their transfer to poramboke.
In a very few cases the owners
may claim compensation and
this amount will never reach
a high figure. Whereas refusal
to do this, will mean a heavy
loss,

17
loss to Government in the
shape of loss of Revenue, as
we cannot rightly charge
a purchaser of waste lands
with wat assessment, if
owing to the refusal of the
adjacent land-holder to
let water through his field,
he is unable to bring the lands
under ^{wat} cultivation. It will also
seriously decrease the bids at
future sales. The purchasers
of waste lands are already cla-
mouring for channels as they
lose interest on their purchase
money and loss of produce.
4. In conclusion, I humbly
beg to submit that though the
intentions of Government
be as interpreted by the
Special Executive Engineer,
they may be requested to
order investigation and align-
ment of channels by the Public
Works Department in all cases
and permit the acquisition of
lands, where necessary, restricting
the

OFFICE OF THE
DIRECTOR OF THE
BUREAU OF THE
CENSUS
WASHINGTON, D. C.

para

20 2
para 1 of G.O. No 123 of 19.3.16
this point among others was
transferred for consideration in
the P.W.D.

2. The Supr Engineer who
was asked to report on the
subject states in his letter
dated at 31 of 9.0. No. 698
of 17.8.96 states that there
were about 20 miles of distri-
butaries marked till then; that
the laying out and estimating
were being continued as rapidly
as possible; and that the estimate
will provide for all distributaries
required for blocks of 50 acres
and upwards. In para 2 of
G.O. No 698 of 17.8.96 the
Commissioner recommends
that Govt should undertake the
construction of all distributaries
intended to irrigate fifty acres
and upwards was approved.

3. It is now reported
that the order is construed
by the Officers of the P.W.D.
to mean that for all extent
less than 50 acres the P.W.D.
will

A.

FOR ORDERS.

In Rem G.O. No. 3962 of
3.10.96.

do. C

B.P. No. 4668 d 2.8.98 (Sett)
Cus. 5494/98

3

~~do~~ do nothing, i.e.,

- (i) there will be no alignment
of channels;
 - (ii) no acquisition of lands
required for the same; and
 - (iii) no excavation of channels.
- The Collector states: - The Supr
Engineer thinks that experienced
cultivators of wet lands should
be able to make as good an
alignment as any one else and
if there should be any difficulty
in so doing the Officers of the
P.W.D. may be asked to give
their assistance. He is of opinion
that if these alignments are to
be laid out in every case by the
P.W.D. much extra work will
be thrown on the Officers engaged
on the development of the project
and valuable time taken up which
"can ill be spared".

4. The special deputy collector
constructs the Govt order (No 698 of
17.8.96) ^{to mean} ~~is of opinion~~ that
(i) the alignment of the channels
intended to irrigate entire and
separate blocks of less than
fifty

4
fifty acres

and also channels intended to
the rate less than 50 acres included
in a larger area and the acquisition
of land required for such channels
should be undertaken by Govt.
and the collector agrees in this
view. The Special Dy Collector
and the collector are of opinion
that the ryots have neither the
knowledge required for aligning
channels nor the spirit of
combination and cooperation
to induce them ~~necessary~~ to provide lands
for the channels and that if
Govt. does not undertake this
work there will be loss of revenue
in two ways;

(i) by decreased revenue from
future sales of Govt. waste land; and

(ii) by the difference between
net & dry assessment in
cases in which owing to the
refusal of the adjacent landholder
to let water flow through his
field wet cultivation is not
carried on.

The collector considers
undoubtedly that the work of
alignment

L.D.
Kew

5

alignment of the channels and
the acquisition of the land
therefor should be undertaken
by Govt.

5. As regards the cost of
acquisition of the necessary
lands the collector considers that
compensation will have to be
paid and the land acquired under
the Land Acquisition Act only
in a very few cases. The lands
required ^{in the collector's opinion} can, in most cases be
got from the ryots free of
cost by threatening to cut
off the supply of Periyar water
if the ryots object to give up
the lands. It is only when
this is not possible compensation
will have to be paid but even
this would be unnecessary
as in the case of land newly
assigned on darkhast the
notification is issued providing
that the lands required for
distributing channels should
be given free of cost.

The Board strongly
supports the collector's recom-
-is
-sults

and requests that the necessary
orders may be issued in the
P.W.D. for the alignment of
the channels by the P.W.D. The
Board states that the acquisition
of the lands will be the duty
of the Revenue establishment
and that the collector should
estimate for his requirements
under this head.

7. The Board considers that
when the course is laid out
and the land is made available
the ryots will in most cases
carry out the work but that
it would be bad policy to refuse
help even in the work of
construction when the ryots
fail to carry out the work.

8. In orders as to whether
the opinion of the P.W.D.
may be obtained on the proposals.

WH 3.11.98
(N. Ganga with explanation
why he kept this 3 months)
This is urgent. Put on R. Pad)

Secy Submitter that the
remarks of the P.W.D.
irrigation may be invited

WH 4.11.98
8/7/98

WH 7.11.98

PFO

1003 7/11/98

7. 25
Secy
The P.W.D. ^{implied} apparently
considers in the view
of the R.D.

Narasimha
of the P.W.D.
Current

May ~~you~~ ^{the} R.D's recommendations be
accepted? 11/8.11.98

Our note has been
initialled in the D.P.W. so
in ordinary course that
implies that no objection is
raised to its ^{general} conclusions by
that department. But perhaps
it is better to make certain - so
the file will be returned with
the request that it may be
~~reconsidered~~ ^{reconsidered} whether stated
whether we rightly assume
that D.P.W. has no objection
to the proposals. ~~Secy~~

8/11/98

I was under the
impression that the D.P.W.
it be asked to report
on the subject - I don't
think it is practicable to
undertake the laying out and
construction of channels for
very small areas until the larger
areas (over 50 acres) are
provided for and I think
there should be some limit
to the demands on the D.P.W.
establishment and would
like the opportunity of asking to D.P.W. no.
what the district officer here
to say before any general order
is issued. I admit that a
rigid rule which prevents a
ch. being located to blocks under the current
50 acres is not right.

In order Secy

Please draft 8.0.

submitted on the docket. of

WH 10/11/98

19-11-98 WH

Secy A formal suit is
put up as P.W.D. with to consult
the district P.W. officer by
8/12/98

To Under Secy.

In reply to Encl. No. 4617 d. 24.11.98, the Public Works Dept. States u.s. that "the Board's recommendation will meet the case."

Pl. 17/11/98

Secy

The Board's recommendation may therefore be now accepted?

M. 3/1/99

W. 3/1/99

I entirely agree with the B.P. & the Hon. Mr. Winterbottom. It is of much importance that the distributaries should be properly aligned & that Govt. should possess the land taken up for them, now at the outset when control is easy & in fact is desired by the ryots. The work ought to be pushed on ~~as fast~~ as on its completion depends ^{much} the revenue from the project. If the B.P.W. staff is short-handed, only temporary hands can be employed.

W. 7.1.99.

22.11.98 = 4.1.99.

I was the author of the B.P. I don't know whether I can properly dispose of this. The Board's view should certainly be concurred in. This will not expedite progress of the local B.P.W. staff - I understand it - it urgently requires strengthening in order to cope with the work to be done. W. 1-99 -

W. 1-99 -

To Under Secy.

Please see draft submitted.

Secy. Please draft. It will seem too general to say "Rev. officers" so I have substituted "Col. or Ryot" for approval.

To S.P.W. (I) keeping S. 16.1-5

at once 21/1/99

Read B.P. No. 4668 Ins. Sett. d. 2.8.98.

Order Ins. No. 324/21 Jan 3/99.

The Govt. concurs in the views expressed by the Board in its Proceedings read above.

2. The Collector's recommendation that the task of aligning the smaller distributaries should be undertaken by Govt. in all cases where the ^{Collector or} ~~Revenue~~ ^{the Rev. Dist. Officer} states it to be necessary, is approved. The necessary instructions will be issued in the Public Works Department.

W. 16.1.99 (from order) W. 19.1.99

To the Board of Rev. Rev. Sett. " " P.W.D. (Irrigation).

Dy. 23.1.99

Pl. 12.1.99.