	For what purpose.					
Date taken out.	Department.	C. No.	Year.	Initials of Referencer.	Date returned.	Initials of attender.

Marine (1899) Department.

G.O., No. 417 Marine

DATED 6 May 1899.

OC7 / 615 Mar/99

[Despatch Abstract.]

Private Jetties at Cocanada. ~~Requesting that~~ Calling for the Opinion of the Advocate General ~~may be~~ ~~obtained~~ as to the right of the owners of certain — to Compensation for their removal to admit of the execution of certain public improvements.

[M.- 6 / 500—7-1-99.]

exed. 19/5/99

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1412	Mar.	14-3-99.				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	615	Mar.	5-7-99				

Marine DEPARTMENT.

READ the following :—

tter from the Chairman, Municipal Council, Cocanada, No 1170 dated 21st January 1899

rsement thereon by the Collector of Godavari, No. 767 dated 21st February 1899.

tter from the Presidency Port Officer, Madras, No. $\frac{48}{1249}$ G dated 20th April 1899.

No. 41 Mar d/ 13 May 99

~~Circulated to~~

ORDER.

The Construction of a masonry wall and a platform alongside the Salt Creek from the Tower Clock to the Foster Road junction at Cocanada, so as to afford facilities for landing goods and conduce to sanitary arrangements, was sanctioned in G.O. 1058 M. mis dated 3rd May 1897. But in order to carry out these works eight wooden jetties within those limits, owned by private merchants and used by Canal traffic boats, have to be removed.

2. The late Godavari District Ports Conservancy Board, under whose control these jetties were supposed to be, transferred the sites to the Municipal on the understanding that any claim

for

P. W. 42-A.
1,000—2-3-99.

Date taken o

for Compensation should be paid by the Municipality. The Municipal Council, however, is of opinion that the jetties exist only by sufferance, that the owners cannot keep or remake them against the will of Government, and that Government has every right to order their removal. The Collector of Godavari also thinks that no Compensation need be paid. But the Presidency Port Officer to whom the matter was referred is unable to give an opinion on the question of Compensation as six of these jetties exist under unknown Conditions.

3. There would appear to be no doubt as to the right of Government to dispossess the wharf owners whose wharfs are only there on sufferance. These gentlemen would seem to have no legal claim to obstruct a public improvement on a tidal creek the presumptive title to which vests in the Government as guardian of public rights; and not in the Conservancy Board as apparently presumed by that body.

4. Before taking final action, however, opinion of the Advocate General in the matter will e obtained.

13.5.99

To
The Govt. Solicitor with t
following Enclosures to be returned
CNo. 531 with 5 Enclosures
+ G.O. 1058 M. Mis d/3rd May 1897 (orig

19/5

READ the fol

the Chairman, Municipal Council, Coca
dated 21st January 1899.

ment thereon by the Collector of Godavari, No. 767 dated 21st February 1899.

from the Presidency Port Officer, Madras, No. $\frac{48}{149}$ G dated 20th April 1899.

River Jetties

lated to

Excellency the Governor

FOR ORDERS

The construction of a masonry wall and a platform alongside the Salt creek from the Tower clock to the Foster road junction at Cocanada, so as to afford facilities for landing goods and conduce to Sanitary arrangements, was sanctioned in G.O. 1058 M. Mis dated 3rd May 1897. But in order to carry out these works ~~few~~ eight wooden jetties within those limits, owned by private mercha and used by Canal traffic bi have to be removed.

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[P. W. 43.
000—28-2-49.]

Date taken o

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[illegible] pal Council, however,
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only by sufferance, that the owners
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Port Officer to whom the matter
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opinion on the question of
compensation, as ~~in his opinion~~,
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unknown conditions.

3. It is submitted that there
can be no doubt as to the right of
Government to dispossess the
[illegible]rf owners whose wharfs are
[illegible]ly there on sufferance. These
wo[illegible]emen have no legal right to obstruct
ob [illegible]blic improvement on a tidal
cree[k] the presumptive title to which
in th[e] [illegible] in the Government as Guardian
righ[t] [illegible]blic rights, and not in the
as a [illegible] ary Board, as apparently ~~[illegible]~~
4. [illegible]ed by that body. The
opin
e ob
R.S.

Proceedings

1897 (orig

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x Flag U

Proceedings of the Boar
attached to G.O. 1058 M., d
3rd May 1897 are, it is submi
ultra vires.

4. The Collector may, therefore
it is submitted, now enter upon
the lands in question after
giving the wharf owners reas
notice to have the wharfs remo
R.S.

The Advocate General's opinion
should be obtained.
A.S.H.
8.5.99

unless it is considered
safer to obtain the offici
Advocate General's opinion
before issuing orders

L.B.[illegible]
3.5.99

Date taken o

Marine (1899) Department.

CURRENT No. 531

Order

From

Th[illegible] residency Port Offic
Madras

No. 48 G / 149

Dated 20th april 1899.

Received } 24.4.99
Registered }

Enclosures 5

Spare copies

SUBJECT.

Returning with remarks Endorsement No 141 E d/ 14th March 1899 regarding the removal of jetties to the west of the Bridge for the construction of the abutment wall along the Salt Creek, Cocanada.

BACK PAPERS.

No.	Date.
141 E of 14	3-99
1041 March/15	-11-2-98

FURTHER PAPERS.

No.	Date.

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c 242/Rw of 99 ~~AVC~~ M H K

G 242

Marine

~~Local & Munl.~~ (1899) **Department.**

[illegible] FEB 99

ads 4 to cls 53

CURRENT ~~No.~~ 302

No: 141 E of 14th March 99

Refered to the Presidency Port Officer for remarks.

regd 23/1/99

[illegible] Colonel R E

~~Order~~ Ag Secretary to Govt.

R.D.

To The P.P. Officer in original to be returned -

PRESIDENCY 15 MAR 99 PORT OFFICE

From The Chairman Municipal Council Cocanada thro' the Collector Godavari ~~Co Cocanada~~

No. 1170

Dated 21st January 1899.

Received / Registered } 2-3-99

Enclosures 2

Spare copies

SUBJECT.

Requesting to take steps for the removal of the jetties to the west of the Bridge so as to facilitate the construction of the abutment wall along the Salt creek.

BACK PAPERS.

FURTHER PAPERS

BACK PAPERS.

G.O.	No	Department.	Date.
G.O. 1041 of 15-12-98. Hdqrs			

FURTHER PAPERS.

G.O.	No.	Department.	Date.

bundle 4
Marcho 531/99

No. 1661 MUNICIPAL OFFICE,

Cocanada, 12th March 1898

From
M.R.Ry K. Perraju Garu
Chairman, Municipal Council,
Cocanada,

To
The Deputy Conservator of the Port.
Cocanada.

Sir,

Regarding masonry wall from Clock-Tower.

The contractor who is now sinking the foundation wells complains that the wharves over the canal are an obstruction and the portions of the same over the foundation line must be removed so as to facilitate the execution of the work. It seems that the wharf-owners are disinclined to do so and do not at all relish the formation of the wall as they would thereby lose their wharfage dues.

I do not think it is too much to expect that every well wisher of the town ought to be delighted at the prospect of the magnificent improvement of the Canal face but I regret to be informed that local jealousies are predominant and unless the Board assert its rights the object in view cannot be gained in as

BACK PAPERS.

FURTHER PAPERS

BACK PAPERS.

G.O.	No	Department.	Date.
Go	1041 of + [illegible]	15-12-98.	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclo 4
Marcho 531/99

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I do not think it is too much to expect that every well-wisher of the town ought to be delighted at the prospect of the magnificent improvement of the canal face but I regret to be informed that local jealousies are predominant and unless the Board assert its rights the object in view cannot be gained was much as it is hardly possible for me to arrange amicably with the wharf owners.

The wharves are there by sufferance and I do not think that the owners can keep or remake them at the place against the will of the Government.

The canal is a navigable and tidal highway and Government right to the land on both sides extends up to the highwater mark. The rights of the wharf-owners, if any, must be dependent upon a grant from the crown or prescription so as to presuppose any such grant.

When these wharves are on land where the tide flows and reflows i.e., on property vested in the crown, any individuals claiming an exclusive rights to any portion of the bed of the navigable river must show that it has been acquired by grant or prescription. In the case of grants, the conditions must be conformed to. Government will not lose its right unless the adverse user extends over a period of 60 years. All encroachments on the beds or channels of navigable rivers must be put down at the earliest opportunity

I would therefore request that the Board will soon arrange for the removal of the wharves between the clock-tower and Foster Road junction. I would further request passenger boat-owners be prohibited from mooring their boats at the place till the construction of the wall is complete, as they may till that time land passengers on Foster road ~~or~~ on commercial road to the East of the Bridge.

I have the honour to be,
Sir
Your most obedient servant
(Sd) K Perraju.
Chairman

(True copy)

Municipal office
Cocanada 19-1-1899

Perraju
Chairman

BACK PAPER

Municipal Department

From
THE CHAIRMAN,
MUNICIPAL COUNCIL,
Cocanada.

To

Dated
Despatched
Received

No.
Encl.

SUBJECT.

3-FEB. 99

No. 1170.
Municipal office,
Cocanada 21st January 1899.

From
M.R.Ry. K. Perraju Garu
Chairman Municipal Council,
Cocanada.

To
The Secretary to Government,
Marine Department,
Madras.

Through the Collector, Godavari District.

Sir,

The construction of a masonry wall alongside the salt creek near the Cocanada Bridge so as to afford facilities of landing goods and conduce to sanitary arrangements at the place was sanctioned by Government in G.O. No. 1058 M. Mis., dated 3rd May 1897, and the understanding between the Municipality and the Port Conservancy Board was reduced to writing and approved but when the Contractor, who had constructed the wall to a small extent, proceeded with the work, the owners of the jetties at the place obstructed him and declined to remove them. I have written on the subject to the Port Conservancy Board (Copy of my letter enclosed) but the Board declined to take any action in the matter. The work has now come to a stand-still.

original obtained and sent up

2. It does not appear under whose sanction the jetties in question were erected. These form an impediment to the improvement of the Bank and landing appliances and there is

no reason why the privileges enjoyed by certain favoured merchants should not be put a stop to in the interests of public convenience and I venture to suggest that Government has every right to do so. The jetties are made of wood and some of them are being rotten and their displacement is rather a boon than a bane to the public. Commerce will in no way suffer and on the construction of the wall, the level of present marshy locality will be raised and lower rates and fees than what these jetty-owners are now obtaining will be charged for much-improved landing facilities.

3. I have not been able to trace the history of these jetties. The Port Board afforded me no help in this direction. Before the advent of the Railways, there was much boat communication between this town and Rajahmundry as also of Ellore, Bezvada and Masulipatam. A large number of transit and goods boats used to bring passengers and goods constantly. I believe these jetties were constructed by those interested in the boat traffic for landing the passengers and the goods presumably under the permission or sufferance of the authorities concerned.

4. I request that Government will be pleased to take steps for the removal of the jetties to the west of the Bridge so as to facilitate the construction of the wall in question.

I have the honour to be,

Sir,

Your most obedient Servant,

K Perraju

Chairman

BACK PAPERS

Ex/[illegible]
531

D Dis no 767/Rev of '99 dated 21-2-99.

DESPATCHED
25 FEB. 1899

Forwarded.

2 The nature of these jetties has been described in the statement printed in G.O. no [illegible] F 956 × 1041 dated 15-12-98 marine. A ground rent of Re 1-0-0 per annum is at present being charged on them and Government has directed that the rent charged should be Rs 10-0-0 per annum. I think Government has every right to remove them without payment of compensation particularly when as in this case the owners will suffer no inconvenience or at least little inconvenience whilst the public in general gain by the construction of a quay wall instead.

(Sd) V. A. Brodie
Collector.

23-2-99
For Collector

As 22-2-99

Enclo 3.
Mad Cho 531/4/99

Presidency Port Office,

No. 48/[illegible] G

Statement of particulars relating to Private jetties at the Cocanada Port required by the Municipality to be removed for building a quay wall.

No of Jetty.	Name of present owner.	Under what Conditions	Remarks.
1.	Matcha Narayanaswamy	Unknown	No planking — formerly belonging to Pyda Ramakrishnayya.
2.	Korrakonda Narayanamoorty	Do	Formerly belonging to Batchu Ramesam
3.	Vizappu Suluyya	This jetty in no way to impede the free Navigation in the River and to be removed and Site Surrendered if required by Government or the Municipality.	
4.	Gudemetta Ramachendra moorthy	Unknown	Old, broken and unsafe
5.	Messrs: Arbuthnot & Co.	Do	Mere remnant, nothing but old and rotten posts
6.	Pyda Subbarayadu Brothers heirs of P. Ramakrishnayya	This jetty in no way to impede the free Navigation in the River, and to be removed and Site Surrendered if required by Government or Municipality	Old and unsafe.
7.	Pyda Venkama	Unknown	Do
8.	K. Chinnasawmy	Do	Do

Coconada
23rd March 1899

(Sd) Geo. W. Coick
Port Of

(True Copy)
Halbert
Commander R. I. M.
Presidency Port Officer.

is reported to have been approved by the Godavari District Ports Conservancy Board and sanctioned by Government, and the site from the Clock Tower to the junction of

BACK PAPERS

Enclo 5
Mar G.O. 531 of 99

Enclo 3
Mar G.O. 531 of 99

Presidency Port Office,

No. 48/149 G

Madras, 20th April 1899.

Heading

From

Commander H. A. Street R.I.M.,
Presidency Port Officer,
Madras,

To

The SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
CHEPAK.

Sir,

With respect to Endorsement No. 141.E. of 14th March 1899 on Marine Current No. 302 herewith returned, I have the honour to acquaint you, for the information of Government, that the building of the quay wall referred to in the correspondence is reported to have been approved by the Godavari District Ports Conservancy Board and sanctioned by Government, and the site from the Clock Tower to the junctn of

BACK PAPERS

of Foster Road — made over to the Municipality on certain conditions. The statement that the Conservancy Board declined to take any action in the matter of the removal of the jetties when requested to do so by the Municipality is correct.

2. Eight jetties (vide copy of statement attached) will be affected by the proposed quay wall: nearly all of them are reported to be old and in an unsafe condition, and their removal will rather be an advantage than otherwise to the people who use them.

3. It is impossible to give an opinion on the question of compensation for removal as nothing is known of the conditions under which six out of the eight jetties were erected. The other two, it appears, were allowed be built on condition of being removed

removed if the sites are requir

4. Inland boats load and unload at these jetties which are thus a source of profit to the owners. The objection to their removal is only natural therefore, but it should not be allowed to prevail in view of the fact that the contemplated quay wall will be a decided improvement to the Town and Port of Cocanada.

5. On enquiry of the Port Officer as to the reason why the Conservancy Board declined to take action in the matter as stated in para 1 of this letter, I am informed by the Port Officer that after communicating with the Collector he is unable to stat the reason; that the Collector was not at the meeting and the Board has since been dissolv

tha

BACK PAPER

of Fosterhed's minute Book contains only the entry "the Board declined to take any action in the matter"; and that probably the Board considered that as the ground had been made over to the Municipality and Government had sanctioned the same it was for the Municipality to take the necessary steps to remove the jetties.

I have the honour to be,
Sir,
Your obedt. servant,

Commander, R. I. M.,
Presy: Port Officer.