

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.**Government of Madras.***Public Work* **DEPARTMENT.**

G.O. No. 292	(W)	Press
		Mis.
Dated 23-6-	1877.	

Not to be folded or roughly handled

GOVERNMENT OF MADRAS
PUBLIC WORKS DEPARTMENT.

23rd June 1877, No. 292 W

Buildings and Roads
Military Works

Read the following paper —

No 222 Proceedings of the Madras Government in the Judicial Department,
dated 12th June 1877, No 1,420

From Major J BEATTY, R E, Officiating Superintending Engineer, Godavery, to
the Chief Engineer, Public Works Department, Buildings and Roads, dated
Camp at Dowlaishweram, 7th May 1877, No 367.

With reference to G Os, Nos 582 and 1,307, of 3rd March and 26th May 1876,
Report on Public Works land at Dumagudiem and Bhadrachellam by Mr T Vanstavern
I have the honor to request instructions as to whether I can authorize the officer in charge of the Dumagudiem Range, as proposed in paragraph 9 of the accompanying report, to issue a notice that no building materials will in future be allowed to enter the station except on a pass issued by him, after he has ascertained that they are required only for the repair of old buildings and not for the construction of new ones

2 The present village of Dumagudiem, which is in a different place from the village of that name which existed before the Upper Godavery Works were commenced, is situated on land belonging to the Public Works Department. This land is bounded to the north by the channel leading to the scouring sluices, and on the other two sides by the canal and the flood embankment of the river. There is only one road into it by the bridge over the head lock, and consequently it is easy for the officer in charge to stop materials entering, but I am not quite clear as to whether I can legally do this, and I understand that the District Magistrate is not disposed to give an opinion on the ground that an appeal might be made to him

3 The right of the department to the land has already been asserted both by levying a quit-rent on existing holdings and by preventing the construction of new buildings.

4. It is very desirable in view both of the unhealthiness of the site and the danger from inundation that the present inhabitants of Dumagudiem should be induced to move to the site near Gongole selected by Colonel Haig and afterwards approved by a Committee appointed by the Central Provinces Government. And the matter has become more pressing, as the trade through the canal is increasing, sites are required for new buildings, and the Range Officer has to keep constant watch against attempts to build or enlarge without permission

5. On the question of forbidding the entry of building materials except on a pass, legal advice seems to be necessary. As regards Mr Vanstavern's second proposal for the removal of the Post Office and Police Station, I have requested him to submit plans and estimates. The cost of a building similar to the present one will be very trifling.

REPORT ON THE PUBLIC WORKS LAND AT BHADRACHELLAM AND ALSO ON THE VILLAGE IN THE PUBLIC WORKS STATION NEAR DUMAGUDIEM

Bhadrachellam

THE long canal runs past Bhadrachellam, and in front of it near the river the canal has been excavated to its full depth, but the embankment has not, owing to the want of material near, been carried up to its full height

2 For the ground taken up by the excavation and also for that taken up by the embankment compensation was paid by the Public Works Department to the Zemindar

3 Should the long canal even be gone on with, or the shorter one proposed to Bhadrachellam be taken in hand, then in the first case the water would be let into the canal, and in the second the water from the escape would fall into and flood this canal to where it runs to a yagu where it would discharge itself into the river

4 Building sites at Bhadrachellam are very scarce, as the ground is limited in extent and several parties have actually built small houses in the bottom of the canal opposite Bhadrachellam

5 This has been done without the sanction of the Public Works Department, and the question now arises, how are the builders to be treated, to give them a putta or lease would be tantamount to the department acknowledging their right to the ground, and should it be required compensation might be demanded by them from the Public Works Department. The only way I see to settle the matter is to issue a notice to them that, as they have occupied the ground without sanction, they have committed a trespass, and when the ground is required they would have to give it up, and make them sign a bond to that effect, or, should they refuse, to eject them from the land

Public Works Station near Dumagudiem

I SAY near Dumagudiem for the following reason —

The village of Dumagudiem was on the lunka lent in 1862, when cooly lines were built there for the work on the ancient, the villagers decamped and went and built a new village which they named Kottagudiem some two miles further up river, so that in fact the village of Dumagudiem disappeared from the map.

2 The Public Works Station has since then been called Dumagudiem, which is a misnomer as station should always be added

3 In 1861 the floods rose to 188 feet* level immersing, with the exception of a small piece of high ground, the whole of the ground now belonging to the Public Works Department on which the station stands. In 1846-47 (the records in the District Engineer of the Godavery's Office will give the correct date) the water stood at 191 feet† level, and a still higher fresh is spoken of some years before that which by inquiries has been found to be correct.

4. In 1861 when the station was flooded the few people that were here were taken by the steamer to the high ground inland and then landed

5. The head lock, scouring sluice wing wall, and flood embankment joining them and running from hence to the high ground was built for the fresh of 1846-47, and would stand safely, should, however, a still higher fresh come down, danger to the head lock would occur, and then it would be necessary to cut the embankment running up to the high ground and lower the water in the basin above the head works. This cutting would do very trifling harm to the works, whereas not cutting might involve the Government in a very large expenditure. By cutting the embankment a strong current would sweep through the station and carry everything before it

6 After the fresh of 1861 the present site where the village stands was selected for cooly lines, the Doctor objected to it on sanitary grounds, but as no floods of that extent were expected for some years, and the cooly lines were only temporary, arrangements were made for to build lines for a limited number employed on the canal and head lock. These lines were laid out by the Doctor forming streets, and in continuation of them the skilled laborers built houses, and also bazaars sprung up, these, however, had all to conform to the plan and built in lines, and that is the reason of the streets being at right angles in the village now

7 Most of these original houses are still in existence, and only a few new ones have been built.

8 The ground occupied by these buildings belongs to the Public Works Department, having been paid for and charged to the works, as it was considered necessary by Colonel Haig, then Superintending Engineer, that the ground within the head works and embankment should be under control of the Public Works Department

9 No parties in the village in the station hold leases for the ground on which these buildings stand, they have been made to pay a quit-rent for a few months to break the limitation, this rent however, for matter in law, which I need not refer to, should now be stopped and need not be levied again until such time as another limitation draws nigh. And to have the village removed to the new site already approved of by the Government, I should recommend that no building material should be allowed to enter the Public Works Station, except on a pass by the Public Works Officer in charge, when by him could be ascertained whether this was for repairs or the construction of new houses

10 Of the people that were here in 1861 there are not above six remaining, one of them the Rev Venkatram Rajoo, and the rest coolies, the latter carry no weight as far as opinion is concerned

11 The leading Native merchants and several others told me that, if the Government would only give distinct orders on the subject, the shifting of the village from the Public Works Station to the new site would go on, but, as it is at present, with no distinct orders on the subject, they do not like to leave singly, but would do so in a body, they certainly acknowledge that the new site is preferable

12 Trade is on the increase and more buildings for godowns will be required. If this station was a suitable place, I do not see that there would be any objection to them remaining, but as it is, and fully knowing the risk the inhabitants run, I most respectfully ask is it right to authoritatively encourage the people to remain in a place which is decidedly unsafe, and owing to its low situation very unhealthy, and where they will certainly some time be exposed to risk of life and property, and if I may be allowed to offer an opinion I should ask my recommendation in paragraph 9 to be acted on, which would have effect to a certain extent

13 Owing to reasons mentioned in paragraph 11, very little progress has been made with the new village. The small channel, to allow boats to come close up to the place where godowns would be built, has been completed, the place cleared, and the streets laid out according to plan, some fifty-three sites have been taken, and puttas granted by the Collector, some fourteen houses have been built, excavations made for the foundation of the pukka houses and materials brought to site

14 The Police and Post Office are now located in the station in one of the writer's houses. This is very inconvenient and disapproved of by both departments

15 Major Porteous, when on inspection duty, visited the place, and in his report recommended that a Police Station should be built at the new village on a site selected by him. The Inspector of Post Offices reported the same, and also selected a site at the new village

16 To construct these buildings would show the people that the Government are in earnest about the removal from the station, buildings suitable to the place could be cheaply built, and would certainly be more convenient than the present one in which there is one dark room for the Post Office, one room for arms, &c, and one room to lock up prisoners, men and women together, the rooms are about 13 feet square each

(Signed) T VANSTAVERN,
Ex Engr, Dumagudiem Division,
Godavery District

28th April 1877.

No. 1,340

REFERRED to the Judicial Department for consideration of paragraph 2

(Signed) E A. FOORD, Colonel, R E,
Secy. to Govt, P.W.D

22nd May 1877.

No 1,117.

REFERRED to the Collector of the Godavery District for report on paragraph 2 of the Superintending Engineer's letter.

FORT ST GEORGE,
24th May 1877

(Signed) D F. CARMICHAEL,
Offg Chief Secretary.

Wm. J. J.

From the Collector of Godavery, to the Officiating Secretary to Government, dated
31st May 1877, No 19

WITH reference to your endorsement, No. 1,117, of the 24th May 1877, on the letter from the Superintending Engineer of the 7th idem, No 367, about prohibiting the entry into the village of Dumagudem of building materials except on a pass issued by the officer in charge, after he had ascertained that the materials were required for the repair of old buildings and not for the construction of new ones, I have the honor to inform you that I do not remember refusing to give any opinion on this matter. Though in some cases affecting the relations between the Public Works Department and their tenants and liable to come before a Civil Court, I have been unwilling to give an opinion. I have not, as far as my recollection goes, refused to do so in any matter which could only be disposed of by a Magistrate.

2. In the present case the question is asked, whether it would be legal to stop building materials entering the village for certain reasons. I certainly think that, if any one stopped these things on the high road, he would be liable to a prosecution for wrongful restraint. I doubt the right of the Department Public Works Officers to close the road to anything, and I do not think that even the Police or Magistracy could stop anything on the road, unless it was property in respect to which an offence had been committed or was likely to be committed. Even if the landlord said that no new house was to be built on land in a certain man's possession, it would not be an "offence" in that man simply to build it, it would require a Civil Court's order to prevent him doing so.

COMMUNICATED to the Public Works Department, with the remark that the Magistrate's opinion is perfectly correct. As all the land on which the village stands belongs to the Department Public Works, there are various other means, besides the one suggested, by which further building can be inhibited.

(True Extract)

(Signed) W. M. SCHARLIEB,
Assistant Secretary

No 223.

ORDER THEREON, 23rd June 1877, No 292 W.

COMMUNICATED to the Superintending Engineer, Godavery.

(True Extract)

Colonel, R.E.,
Secretary to Government, P.W.D.

To the Superintending Engineer, Godavery.
" Judicial Department.

Exd. T D Ryan
Spare Copies

No 367

From,

The Offg. Superintending Engineer
Godavery District

To,

The Chief Engineer
for Roads and Buildings
Madras

Camp Dowlaishweram 7th May 1877

Sir,

With reference to G.O. Nos 582
and 1307, of 3rd March and 26th May 1876,
I have the honor to request instructions
as to whether I can authorize the of-
ficer in charge of the Dumagudem
Range, as proposed in para 9 of the ac-
companying Report, to issue a Notice
that no building materials will in
future be allowed to enter the station
except on a pass issued by him, after
he has ascertained that they are re-
quired only for the repair of old
buildings.

buildings, and not for the construction of new ones.

2. The present village of Dumagudem, which is in a different place from the village of that name which existed before the Upper Godavery Works were commenced, is situated on land belonging to the Public Works Department. This land is bounded to the North by the channel leading to the Scouring Sluices and on the other two sides by the Canal and the Flood Embankment of the River. There is only one road into it, by the bridge over the Head Lock, and consequently it is easy for the Officer in charge to stop materials entering, but I am not quite clear as to whether I can legally do this; and I understand that the District Magistrate is not disposed to give an opinion on the ground that an appeal might be made to him.

3. The right of the Department to the

42
the land has already been asserted both by levying a quit rent on existing holdings, and by preventing the construction of new buildings -

4. It is very desirable, in view both of the unhealthiness of the site and the danger from inundation, that the present inhabitants of Dumagudem should be induced to move to the site near Gongole selected by Colonel Haig and afterwards approved by a Committee appointed by the Central Provinces Government. And the matter has become more pressing as the trade through the Canal is increasing, sites are required for new buildings, and the Range Officer has to keep constant watch against attempts to build or enlarge without permission -

5. On the question of forbidding the entry of building materials except on a pass, legal advice seems to be necessary.

As

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5. On the question of forbidding the entry of building materials except on a pass, legal advice seems to be necessary.

As.

As regards Mr Tanstavern's second proposal for the removal of the Post office and Police Station, I have requested him to submit plans and estimates. The cost of a building similar to the present one will be very trifling -

I have the honor to be
Sir
Your Most Obedt Servt
J. Peatty Major R.E.
Offr Superintending Engr G.O.

4623rd June 1882

Report on the public works land at Bhadrachellam and also on the village in the public works station near Dumagudem -

Bhadrachellam

1. The long canal runs past Bhadrachellam, and in front of it near the river the canal has been excavated to its full depth but the embankment has not, owing to the want of material near, been carried up to its full height.
2. For the ground taken up by the excavation and also for that taken up by the embankment, compensation was paid by the Public Works Department to the Zemindar -
3. Should the long canal ever be gone on with, or the shorter one proposed to Bhadrachellam be taken in hand, then in the first case the water would be let into the canal and in the 2nd the water from the escape would fall into and flood this canal to where it runs to a ravine where

where it would discharge itself into the river -

4. Building sites at Bhadrachellam are very scarce as the ground is limited in extent and several parties have actually built small houses in the bottom of the canal opposite Bhadrachellam.

5. This has been done without the sanction of the Public Works Department, and the question now arises how are the builders to be treated; to give them a putta or lease would be tantamount to the Department acknowledging their right to the ground, and should it be required compensation might be demanded by them from the Public Works Department. The only way I see to settle the matter is to issue a notice to them that as they have occupied the ground without sanction they have committed a trespass and when the

the ground is required they would have to give it up, and make them sign a bond to that effect; or should they refuse to eject them from the land -

Public Works Station

near Dummagudem.

1. I say near Dummagudem for the following reason -

The village of Dummagudem was on the Lunka bent in 1862 when railway lines were built there, for the work on the Arment, the villagers decamped and went and built a new village which they named Kottagudem some two miles further up river; so that in fact the village of Dummagudem disappeared from the map -

2. The Public Works Station has since then been called Dummagudem, which is a misnomer as station should always be added -

3. In 1861 the floods rose to 188 level ^x immersing

x above high water
of springs =
192 feet above
mean sea level

immersing, with the reception of a small piece of high ground, the whole of the ground now belonging to the Public Works Department in which the Station stands. In 1846-47 (the records in the District Engineer of the Godavari's Office will give the correct date) the water stood at 191' level, and a still higher fresh is spoken of some years before that which by enquiries has been found to be correct -

4. In 1861 when the station was flooded the few people that were here were taken by the steamer to the high ground inland and then landed -

5. The head lock, scouring sluice wing wall, and flood embankment joining them and running from hence to the high ground was built for the fresh of 1846-47, and would stand safely; should however a still higher fresh come down danger to the head lock would

* above High water of Springs = 195 feet above mean sea level

It may be noted here that the crest of annicut is 171 feet above M.S.L; its wings are 205 feet above M.S.L; maximum freshes being expected to rise 30 feet on the crest of annicut L.B.

would occur and then it would be necessary to cut the embankment running up to the high ground and lower the water in the basin above the head works; this cutting would do very trifling harm to the works, whereas not cutting might involve the Government in a very large expenditure. By cutting the embankment a strong current would sweep through the station and carry every thing before it -

6. After the fresh of 1861 the present site where the village stands was selected for cooly lines; the Doctor objected to it on sanitary grounds, but as no floods of that extent were expected for some years, and the cooly lines were only temporary, arrangements were made for to build lines for a limited number employed on the canal and head lock. These lines were laid out by the Doctor, forming streets

streets and in continuation of them the skilled labourers built houses and also bazaars sprung up; these however had all to conform to the plan and build in lines and that is the reason of the streets being at right angles in the village now -

7. Most of these original houses are still in existence and only a few new ones have been built -

8. The ground occupied by these buildings belongs to the Public Works Department, having been paid for and charged to the Works, as it was considered necessary by Colonel Haig, then Superintending Engineer, that the ground within the head Works and Embankment should be under control of the Public Works Department -

9. No parties in the village in the Station hold leases for the ground on which these buildings stand; they have been made to pay a quit rent for a few

few months to break the limitation, this rent however, for matter in law which I need not refer to, should now be stopped and need not be levied again until such time as another limitation draws nigh. And to have the village removed to the new site already approved of by the Government I should recommend that no building material should be allowed to enter the Public Work Station, except on a pass by the Public Work Officer in charge, when by him could be ascertained whether this was for repairs or the construction of new houses.

10. Of the people that were here in 1861 there are not above six remaining; one of them the Reverend Venkatram Rajoo, and the rest coolies: the latter carry no weight as far as opinion is concerned -

11. The leading Native Merchants and several others told me that if the Government would only give distinct orders.

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orders on the subject the shifting of the village from the Public Works Station to the new site would go on; but, as it is at present, with no distinct orders on the subject, they do not like to leave singly, but would do so in a body. They certainly acknowledge that the new site is preferable.

12. Trade is on the increase, and more buildings for godowns will be required. If this station was a suitable place, I do not see that there would be any objection to them remaining; but as it is, and fully knowing the risk the inhabitants run, I most respectfully ask is it right to authoritatively encourage the people to remain in a place which is decidedly unsafe, and owing to its low situation very unhealthy, and where they will certainly some time be exposed to risk of life and property, and if I may be allowed to offer an opinion I should ask my recommendation in para 9 to be acted on

92
on, which would have effect to a certain extent.

13. Owing to reasons mentioned in para 11 very little progress has been made with the new village. The small channel, to allow boats to come close up to the place where godowns would be built, has been completed; the place cleared; and the streets laid out according to plan, some 53 sites have been taken, and puttas granted by the Collector; some 14 houses have been built, excavations made for the foundation of the pukka houses and materials brought to site -

14. The police and post office are now located in the Station in one of the Mr. = ters houses. This is very inconvenient and disapproved of by both Departments -

15. Major Porters, when on inspection duty, visited the place and in his report recommended that a police station should be built at the new village

on a site selected by him. The Ins-
-pector of Post Offices reported the
same and also selected a site at the
new village -

16. To construct these buildings would
show the people that the government
are in earnest about the removal
from the station; buildings suitable
to the place could be cheaply built,
and would certainly be more con-
-venient than the present one in
which there is one dark room for
the post office, one room for Arms
&c., and one room to lock up prison-
-ers, men and women together; the
rooms are about 13 feet square each.

(s.d) J. Vanstaern
Executive Engineer.

28th April 77

Dumaguete Div. G. Dist

(True Copy)

L. Beatty - Major R.E.
Offr. Superintending Engineer, D.D.

12/11/77
No. 4755

Enclosure in a letter
No. 367 from the Office
Superintending Engineer
Cpdanery dated 7 May/77
to the Chief Engineer
for Roads and Buildings -

Report on Public Works
Land at Bhadrachal -
- land and Dammag -
- dem -

GA 23rd June 1977 Bk-222

1 July 1978/77

No 1340

Referred to the
Judicial Department
for consideration of
para 2.

Edm Caldwell.

Secy. to Govt. P.W.D.

22nd May 1877.
Recd 23rd

G.O. 23rd June 11/18 No 222

To the Judicial Dept.

10/11/77
Referred to the Collector
of the Godavery District for
report on para 2 of the
Superintending Engineer's
letter.

Handwritten signature

Off. Secy.

24th May 1877

G.O. No 1307 of 26th May 1876
" " 582 of 3rd March 1876.

Judicial 1877 Left

12 MAY 77

1785

From,

The Offg. Sup^r Engineer
Godavery District

To,

The Chf Engineer
Roads & Buildings
Madras

Dated

7th 3 May 1877

Desp

Recd 23 May 77

No. 367

Enclosure 1

16/20/77
Village at the P.W. Sta.
- tion of Durnagudem -

Requesting instructions
regarding certain mea.

- sures proposed for ac.

- celerating its removal.

Referred
Referred

Judicial Department
PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

Superintending Engineer, Godavery District
No. 367 dated 7th May 1877
Read the following letter from
the Collector, Godavery District, dated 19th May 1877
With reference to the
document No. 1117 of the 21st May 1877, in the
letter from the Superintending Engineer of the
Godavery District, about prohibiting the entry
into the village of Durnagudem of buildings
constructed with a view to the repair
of old buildings, and not for the construction
of new ones. I have the honor to inform you
that I do not remember refusing to give any
opinion on this matter though in some
cases affecting the relations between the
Govt. and the tenants, and liable

liable to come before a Civil Court, I
have been unwilling to give an opinion.
I have not, as far as my recollection goes,
refused to do any matter which
could only be disposed of by a Magistrate.

2. In the present case, the ques-
tion is asked whether it would be legal
to stop building materials entering the
village for certain reasons. I certainly
think that if anyone stopped these things
on the high road, he would be liable to
a prosecution for wrongful restraint. I
don't think the Dept Public Works
Officers to close the road to anything, & I
don't think that even the Police or Inspec-
tors could stop anything on the road
unless it was properly in respect to which
an offence had been committed ^{or was about to be committed}. Even if
the land lord said that no one should
be built on land in a certain man's
possession

possession, it would not be an offence in
that man simply to build it; it would require
a Civil Court order to prevent him doing so.

Order thereon 12 June 1877. No. 5420

Communicated to the Public
Works Dept, with the remark that the Ma-
gistrate's opinion is perfectly correct. As all
the land on which the village stands belongs
to the Dept Public Works, there are various
other means - besides those suggested - by
which further building can be inhibited.

(True to fact)

W. M. Sharkey

Assistant Secretary

In
The Public Works Dept
With papers returned.

26 May 1876 No 1307
3 March 1877

13 JUN 77

No 5824

Judicial Department.

Dated 12th June 1877

1877

Recd

Govt of 1877 - Madras.

1877

1877

46 23rd June 1877

1877

No 292 W P W D

Proceedings of the Madras Govt.

Under date the 23rd June 1877

Read the following

Proceedings in the Judicial Dept. (H E. No 1420 of 12th June 1877)

Communicated
to the Superintending En-
gineer, Godavery.

1877
10/6/77

S. E. Godavery. MS No 23. 6. 77
Jud. Dept. - 7-7-77

1877

Cover
Govt. of 1877 *Madras*
PUBLIC WORKS.

To

Dated

Issued

Recd

Encl.

G. O. 23rd June 1877, No. 292.6

Nos. 222 - 223

Village of Rungachetty
Godavery Dr. Pore in the
Niv Dept. Currency Collection.
To post an correspondence re-
sulted by the change regarding
the adoption of certain
measures in view to the
gradual removal of
to another side of the
Census to the *Director*

Entered in Register