

Political (1897) Department.

ORDINARY MS.

G.O., No. 200

DATED 24. 3. 97.

[Despatch Abstract.]

Consent to the Road in Teret Cachin Public Works
despatch proceedings passing orders on the question
of the navigation of the Teret Lake by the opening
of the Travancore Grotto and in regard to the line
to be taken up outside of the contour line and
in the immediate vicinity of the Lake.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1197/97				1246/98			
C.N. 483/98							
677/98							
1693/98							
834/98							
1212/98							

CURRENT No. 406. P.O.

IRRIGATION.

Government (1897) of Madras. PUBLIC WORKS.

79: 2.2.97
717: 7.10.96
R269: 6.8.96
R147: 16.5.96
R25: 31.1.96
R370: 6.12.95
R354: 13.11.95

CHIEF SECRETARY
23 MAR. 1897
GOVERNMENT OF MADRAS

Recd.

Enclosures

Regd.

Spare copies

1897.

G.O., No. 230 I., 6th March 1897.

MARCH.

Order No. 200 of 24.2.97
Communicates to the
Resident in Travancore and
Cochin.

To the Resident in Travancore (S.C. 10) 20/2/97

Periyar Lake

Passing orders on the question of the navigation of the — by officers of the Travancore Government and in regard to the land to be taken up outside of the contour line and in the immediate vicinity of the lake.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

READ—the following papers :—

From W. HUGHES, Esq., Superintending Engineer, VI Circle, to the Chief Engineer for Irrigation, dated Trichinopoly, 28th August 1896, No. 1078 M.D.

I have the honour to offer my opinion on the matters referred to in G.O., No. 601 I., dated 23rd July 1896 (paragraph 3), and your memo. No. VI/33 P.R., dated 3rd August 1896.

2. The lease grants the right of carrying out works only on the land included within the 155 feet contour and such other land, limited to 100 acres, as may be selected in the immediate vicinity for purposes connected with the execution or preservation of the Irrigation works. It is not clear to me that the lease gives the right to make or maintain the tunnel without taking up the land over it. A strip of land, say, 20 yards wide, along the line of the tunnel should, certainly, form part of the 100 acres. Again, I think it altogether a mistake to restrict the land taken up at Periyár and Thekkadi to the small patches containing the cemetery and the buildings. There was no need to make the elephant trenches the boundaries. As things now are, we cannot without trespass hut coolies, quarry stone or even dig earth for the repair of the bund at the left end of the dam. I think it must have been for such purposes as these and not for the acquisition of forest that the clause empowering the Government to acquire 100 acres was entered in the lease. In my opinion Government should acquire for the maintenance and preservation of the works (inclusive of land now in possession)—

At Periyár.—First, the whole of the hill on which the Periyár buildings stand.

Second, the bed of the escape channel for 100 yards below the dam across it, with a strip 20 yards in width of the hill at right flank of the escape, the latter boundary being deflected so as to include the cemeteries.

Third, land within 100 yards of the main dam on all sides.

Fourth, land of necessary extent for stone quarrying in a convenient place.

The land in the first three items above will not amount to much, as the boundaries stated overlap and also a portion is already included in the lake area below level 155.0.

At Thekkadi.—First, about 15 acres around the bungalows and the head works of the tunnel.

Second, a strip 20 yards in width along the line of the tunnel.

All the land enumerated above will come to much less than 100 acres and it is a question whether forest land should be selected to make up the balance. Mr. Pears assumes that all trees below the 155 feet level will die, but I think this is a matter of opinion. The water will not stand much above 144 feet (the full lake level) except occasionally and for short periods. I think Mr. Pears is probably wrong and that trees of which the roots are rarely submerged should survive. It would no doubt add much to the expense of procuring firewood or timber if it has to be cut here and there over a large area. On the whole, I think the acquisition of forest is not necessary, though it would be very convenient.

From the Honourable J. D. REES, C.I.E., Acting Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort St. George, dated Trivandrum, 6th November 1896, Ref. on C. No. 3294.

In G.O., No. 418 I., dated 13th May 1896, communicated with Political order, R. No. 147 of the 16th idem, the Government requested the Resident to ascertain—

(a) whether the Travancore Sirkar would exempt from duty the surplus inferior timber and second-hand wrought timber which the Madras Public Works Department subordinates at Periyár were permitted to sell;

(b) whether the Sirkar had any objection to allow none but its superior officers to navigate the lake, and whether it would take steps to prevent trespass on the area leased to Government; and

(c) whether it had any objection to the selection of the 95 acres of land demarcated by the late Superintendent of Works, No. 1 Periyár division, near Thekkadi, to make up the 100 acres in the immediate vicinity of the lake referred to in the lease.

2. In G.O., No. 601 I., dated 23rd July last, communicated with Political order, R. No. 269, dated 6th August 1896, point (a) was dropped by Government, while in Mr. Thomson's letter, Ref. on C. No. 1694, dated 9th June last, he dwelt upon the question raised in point (b) on a previous reference from the Travancore Durbar. The Dewan has again addressed me on this subject pointing out the serious inconvenience caused to the Durbar by the prohibition against Travancore subordinate officials navigating the lake. Copy of his letter (No. R. 1060, dated 23rd September 1896), with its enclosure, is herewith submitted for the early orders of Government. I think that the Sirkar cannot fairly be asked to forego navigation of the lake by its officials. Of its readiness to comply with all reasonable requisitions, it has in this and in other cases given ample proof. I have lately visited the Periyár lake and therefore understand, from navigating it and from some knowledge acquired of the surrounding country, that a considerable tract, perhaps 20 square miles, of the Cardamom Hills will be cut off from all communication. The objection taken really relates to the passage of timber down the lake which may block the canal, and works near the mouth of the tunnel. But an arrangement might be made that timber should be sent down in concert with the British subordinate in charge, or the entrance to the canal might perhaps be protected. However this may be, and I do not presume to express an opinion, it is clear that the Sirkar cannot properly be cut off by the lake from part of its territories, and then be forbidden to use it as a means of access. The lake winds in and out among the hills for many miles.

3. As regards point (c), I have the honour to report, for the information of Government, that His Highness the Maharaja has expressed his willingness to include in the lease the 95 acres of land demarcated by the late Superintendent of Works, near Thekkadi, in addition to the 5 acres already taken up. The Conservator of Forests, Travancore, has been requested by the Sirkar to hand over the land to the British subordinates on the spot. In his letter on the subject, copy of which is also enclosed,

the Dewan raises the question whether an acreage rent of Rs. 500 per annum should not be paid for this land. Under the lease a payment of Rs. 40,000 covers the area within the contour line up to a maximum of 8,000 acres, any acreage in excess having to be paid for at Rs. 5 an acre. There is no separate stipulation as to payment for these 100 acres, nor have I any papers at my disposal showing what was intended in this behalf. If the Rs. 40,000 was intended to cover the concession, the inference from the omission of any express stipulation as to 100 acres would be, that it was a part of the concession, and obnoxious to no payment. On pointing this out to the Dewan, he has in his letter, No. 4391/P. 318 of the 20th ultimo, expressed his willingness to withdraw the claim. It is nevertheless advisable, I think, that it should be laid before Government, for the construction of deeds is often a matter of doubt.

ENCLOSURES.

From M.R.Ry. SHUNGRASOBYER Avergal, Dewan of Travancore, to the British Resident in Travancore and Cochin, dated Trivandrum, 23rd September 1896, No. R. 1060.

Adverting to my letter, No. R. 605, dated 6th June last, I have the honour to enclose copy of a letter, No. 761, dated 8th instant, from the Acting Superintendent and Magistrate, Cardamom Hills, pointing out the serious inconvenience caused by the prohibition against Travancore officials navigating the Periyár lake. I shall be obliged by your kindly making early arrangements for at least a limited portion of the lake being allowed to be used by the Travancore officials and contractors.

From M.R.Ry. SHUNGRASOBYER Avergal, Dewan of Travancore, to the British Resident in Travancore and Cochin, dated Trivandrum, 20th October 1896, No. 4391/P. 318.

In reply to your letter, Ref. on C. No. 2928, dated the 2nd instant, I have the honour to state that, as observed by you, there is in the agreement no express stipulation as to payment for the 100 acres outside the 155 contour line. But the rent of Rs. 40,000 reserved in the agreement is for the area within such contour line up to a maximum of 8,000 acres, and there is a distinct provision for the payment of an acreage rent of Rs. 5 an acre for the excess over 8,000 acres within the above line. It will also be noted that there is neither in the agreement nor in the correspondence any reference to the 100 acres as being a free gift. I presumed, therefore, that the area outside the contour line was meant to be paid for, when it came to be made over. If, however, you think that in the absence of any express stipulation to the contrary, the transfer of the 100 acres of land in question should have no separate consideration either in the shape of a lump value or of land tax, His Highness' Government would gladly withdraw the claim.

From M.R.Ry. SHUNGRASOBYER Avergal, Dewan of Travancore, to the Acting British Resident in Travancore and Cochin, dated Trivandrum, 15th September 1896, No. 3874/P. 296.

With reference to your letter, Ref. on C. No. 2556, dated the 18th ultimo, I have the honour to inform you that His Highness the Maharaja has been pleased to sanction the lease to the British Government of the lands selected near Thekkadi not exceeding in area 100 acres for the execution and preservation of the works. This includes the 5 acres now occupied by the houses of the British subordinates at Thekkadi and Periyár and their immediate surroundings.

2. I trust the acreage rent of Rs. 5 per acre will be paid to this Government for these 100 acres along with the rent for the area covered by the original agreement.

3. I am asking the Conservator of Forests to hand over to the British subordinates on the spot the lands demarcated by the Superintendent of Works, near Thekkadi, to the extent above mentioned.

Endorsement from the Political Department, dated 17th November 1896, No. 2389.

Letter from the Government Solicitor, dated 11th January 1897, No. 15.

From F. A. NICHOLSON, Esq., Acting Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort St. George, dated Trivandrum, 15th January 1897, Ref. on C. No. 4038.

In continuation of my Ref. on C. No. 3294, dated 6th November 1896, I have the honour to forward herewith copy of a further communication received from the Dewan of Travancore, No. R. 1390, dated 19th ultimo, pointing out that much inconvenience and loss to the Sirkar Dépôt at Coomily are caused by the prohibition against the navigation of the Periyár lake by the Travancore officials and contractors. I request, therefore, that Government will be pleased to issue early orders on the subject.

ENCLOSURE.

From M.R.Ry. SHUNGRASOBYER Avergal, Dewan of Travancore, to the British Resident in Travancore and Cochin, dated Trivandrum, 19th December 1896, No. R. 1390.

Adverting to my letters noted in the margin, I have the honour to inform you that the Conservator of the Forests has again brought to my notice that much inconvenience and loss are caused to the Coomily dépôt by the prohibition against the navigation of the Periyár lake.

He states that there are reserves of timber beyond the lake which cannot be tapped, as the cost of carting the materials round the lake is prohibitive. I shall feel obliged by your kindly making early arrangements for at least a portion of the lake being allowed to be used by the Travancore officials and contractors.

Endorsement from the Political Department, dated 22nd January 1897, No. 165.

ORDER—No. 230 I., dated 6th March 1897.

In his letter, No. 3294, dated 6th November 1896, the Acting Resident, Travancore and Cochin, replies to the three heads of enquiry made in G.O., No. 418 I, dated 13th May 1896.

2. Of these the first has been disposed of in G.O., No. 601 I., dated 23rd July 1896.

3. With regard to the second head—that relating to the navigation of the Periyár lake by officers of the Sirkar—the Government agrees with the Resident, and the prohibition against Travancore officials navigating the lake, will be removed. The Government resolves that, for the purpose of regulating traffic on the lake, the new Navigation rules about to be issued as applicable to the Chilka lake group will be made applicable to the Periyár lake and that, pending the issue of these rules, navigation of the Periyár lake will be permitted on payment of the following fees and subject to the condition that, for the present, timber or rafts must be excluded from that part of the lake known as the watershed cutting:—

Licenses.					Annual.	Six weeks.		
					RS.	RS.	A.	P.
Rafts or timber	...	...	...	...	...	6	4	0 per 100 sq. ft.
Steamers	...	...	...	...	30	6	0	0
Cargo boats	...	...	...	...	1	0	3	0
Passenger boats, 1st class	...	...	...	...	2	0	5	0
" 2nd "	...	...	...	...	1	0	3	0
Registration fees.					12	2	4	0
Private boats	...	...	...	...	1	0	3	0
Pleasure boats	...	...	...	...	...	...	...	...

4. As regards the land to be taken up outside of the contour line which forms the subject of the third head of enquiry made in G.O., No. 418 I., dated 13th May 1896, the Government considers that the yearly rent of Rs. 40,000 covers all such part of the 100 acres outside the contour line as may be required by Government for

the execution and preservation of the irrigation works within the contour line and that, for this purpose, the land described by the Superintending Engineer, VI Circle, in his letter, No. 1078 M.D., dated 28th August 1896, is required, as well as such portion of the forest demarcated by Mr. Pears as will make up 100 acres, that is, a block running up the hill from the lake margin near where the watershed cutting joins the lake.

5. The Government observes that His Highness the Maharaja of Travancore has expressed his willingness to include in the lease the 95 acres of land demarcated by the late Superintendent of Works and that the Conservator of Forests, Travancore, has been requested by the Sirkar to hand over this land to the British subordinates on the spot.

6. The Superintending Engineer, VI Circle, has already been called on to submit a map showing the boundaries of the land that it is proposed to take up, and on receipt of which the Resident will be addressed with a view to the Travancore Sirkar being asked to hand over the land.

(True Extract.)

[Signature]
Under Secretary to Government,
Irrigation Branch.

To the Resident in Travancore and Cochin, through the Political Department.

" Chief Engineer for Irrigation.
" Superintending Engineer, VI Circle.

Exd. T. K. Narayana Aiyangar.

Given for copying 24/3/97

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