

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	865	Press
		~~His.~~
Dated	31 st March	1869.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
31st March 1869.*

No. 718. Read the following Proceedings of the Madras Government in the
Public Works Department:—

Passing orders on the letter from the Consulting
Engineer regarding the water-way provided at
the spot where the North-West Line of the
Madras Railway is endangered by the floods of
the Naggery river. (Here enter 22nd March 1869, No. 953.)

No. 719. ORDER THEREON, 31st March 1869, No. 865.

Miscellaneous.

COMMUNICATED to the Revenue Board.

(True Extract.)

(Signed) H. WELLESLEY,
Acting Under Secretary to Government.

To the Board of Revenue, with Proceedings Public Works Department, No 953.

Exd R. R. Bantleman.

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*Proceedings of the Madras Government, Public Works Department,
22nd March 1869.*

No. 632. Read the following letter from the Consulting Engineer for Railways, to the Secretary to Government, Public Works Department, dated Madras, 25th February 1869, No. 59 :—

1. In their Order dated the 28th August 1868, the Government expressed the opinion that the waterway provided at the spot where the North-West Line of the Madras Railway crosses the Naggery river is totally inadequate. This was communicated at the time to the Agent; and I again brought it to his notice a few days ago, with a request that he would let me know whether any steps are being taken

* No. 65, dated 19th February 1869.

to increase the waterway at the place referred to. Mr. Elwin's reply* I have

the honour to enclose for the information of Government.

2. It will be observed that the Agent quotes the opinion of the Chief Engineer, to the effect that ample waterway is provided for any contingency likely to arise short of the breaching of the banks of the Naggery river, and the consequent diversion of its waters from their present channel, in which event no additional waterway, short of a second Naggery bridge, would render the Railway secure: that, therefore, no increase to the present waterway need be provided, but that attention should be directed to the safety of the banks of the river near the village of Sattravady.

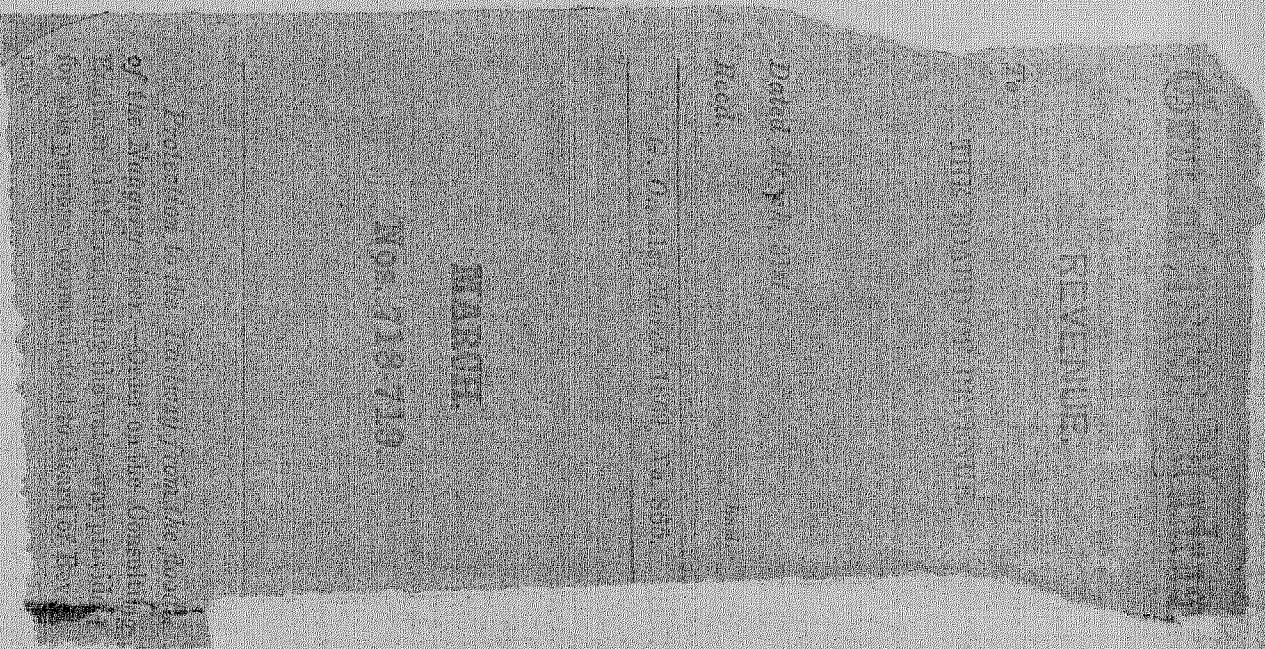
3. In this opinion I entirely concur. During the month of March 1868, I made a careful inspection of that portion of the Railway which is said to be in danger, and of the country in the neighbourhood. I have no hesitation in stating my opinion that the waterway afforded by the bridge is ample, and that so long as the waters of the Naggery river are kept within its banks, the line of Railway is not likely to sustain injury. I therefore think with Mr. Anderson that, instead of doubling, at great expense, the existing waterway, attention should be directed to the river banks, and to rendering them secure against any probable contingency.

4. Mr. Anderson goes on to say that "the protective works already executed at this place by the Railway Company and the Naggery Zemindar have, I consider, secured the safety of our line for the present, and any further expenditure on this account should be borne either by Government or the Zemindar, and certainly not by the Railway Company."

5. I am obliged to dissent from this opinion. I do not consider the protective works now in existence to be sufficient to place the security of the river bank, and therefore of the line of Railway, beyond all reasonable doubt; and I think that a considerable increase to their length and strength is highly advisable.

6. With regard to the source from which the necessary expenditure should be met, I cannot agree with Mr. Anderson's opinion that "it should be borne either by Government or the Zemindar, and certainly not by the Railway Company." I cannot see how, in any case, the expense could properly fall upon the State. The question is one between the Railway Company, whose property is endangered, and the Zemindar of Cavaty Nagger, through whose land the Naggery river and the Company's line both run.

7. In the letter from the Government of India, dated the 7th June 1867, No. 476 R, it was stated that the Governor General in Council was of opinion that it would be only fair and reasonable that the proprietors of land should be responsible for any harm or loss which might arise from damage caused either by the bursting



*Proceedings of the Madras Government, Public Works Department,
22nd March 1869.*

of artificial embankments, which they or their ancestors had constructed, or by natural causes, such as the action of rivers within their Zemindaries: and in the Order of this Government, dated the 19th July 1867, No. 2,171, the Legislative Department was instructed to prepare the draft of a Bill to provide the legal powers necessary to secure those objects. The draft Bill, when prepared, was

* G. O., Legislative Department, 14th August 1867, No. 19.

referred* to the Board of Revenue for their views on the subject upon which legislation was proposed, but I am not aware whether any further steps have been taken towards the settlement of the question.

8. It is most desirable that some decision should be arrived at, as soon as possible, as to the degree of responsibility which attaches to Zemindars in the event of the Railway works suffering from their neglect to maintain in a proper and efficient state the irrigation works and the river embankments within their estates. The existing state of things is fraught with danger to the property of the Railway Company. In the Zemindaries through which the line of Railway passes there are many works which are now in a most inefficient and insecure condition, and the failure of which would certainly cause great loss to the Company. The only measure which the Railway authorities can at present take, in order to provide against this threatened injury to their property, consists in making considerable additions at great cost to the existing waterway. I trust that this most unsatisfactory expenditure may be rendered unnecessary by the proposed legislation.

From the Agent and Manager of the Madras Railway Company, to the Consulting Engineer for Railways, dated Madras, 19th February 1869, No. 65.

1. In reply to your letter of the 11th instant, No. 53, I have the honour to quote as follows from a communication received from the Chief Engineer —

* No. 64, 16th February 1869.

“ On the 20th of March 1868, I visited the North-West Line at the place where the Railway crosses the Naggery river, and, in company with yourself and the Consulting Engineer, carefully inspected the waterway allowed, and the drainage area likely to affect our line. The opinion I then formed, and in which I imagined the Consulting Engineer concurred, was that ample waterway was provided for any contingency likely to arise short of the breaching of the banks of the Naggery river, and the consequent diversion of its waters from their present channel, in which event no increased waterway short of a second Naggery bridge would render our line secure.

“ I expressed my opinion at the time that no increased waterway need be provided through our Railway, but that attention should be directed to the safety of the banks of the river near Saltravady.

“ The protective works already executed at this place by the Railway Company and the Naggery Zemindar, have, I consider, secured the safety of our line for the present, and any future expenditure on this account should, I conceive, be borne either by Government or the Zemindar, and certainly not by the Railway Company.

“ Sand Mils.

“ The line farther west was, on the 19th November 1864, seriously damaged by the

bursting of the bund of the Govindraj Coopum tank. This bund has since been repaired, but requires constant and very careful watching.”

2. As we are to have a meeting in this Office to-morrow, I would suggest that the question of the waterway at the spot where the railway crosses the Naggery river, should be discussed.

*Proceedings of the Madras Government, Public Works Department,
22nd March 1869.*

No. 633.

ORDER THEREON, 22nd March 1869, No. 953.

RAILWAY, No. 41.

1. The Government are glad to learn from this report that, in the opinion of both the Consulting Engineer for

Railways and of the Officers of the Madras Railway Company, the waterway provided at the spot where the North-West Line is endangered by the floods of the Naggery river, is now sufficient to protect the Railway under ordinary circumstances; but, referring to paragraph 12 of

* Vide G. O. No. 2 209, dated 23rd July 1867. Colonel Anderson's letter* to Mr. Elwin under date the 10th July 1867, No. 154, His Excellency the Governor in Council fears that, unless the extensive protective works described by the Chief Engineer of the Railway and the Consulting Engineer are carried out, there will still exist great risk of injury to the Railway from sudden floods overtopping or breaking through the river embankments and sweeping down on the line. It is therefore very desirable that the protective works in question should be completed on a thoroughly effective scale, but His Excellency in Council agrees with the Consulting Engineer that, as no Government lands or villages are subject to damage in the neighbourhood, the interests of the State are not directly involved, and the Railway Company have no grounds on which to look to the Government to share any part of the cost of such works. The question is one, as the Consulting Engineer remarks, entirely between the Railway Company and the Zemindar of Cavaty Naggari. It is possible that the Zemindar may be induced by a fair representation of the case to take such measures as may be necessary to secure the safety of the Railway, but the Government are not of opinion that he can be legally compelled to bear the whole or a part of the expense of those measures, as there would appear to be some doubt whether it will be possible to make him responsible for any injury the Railway may sustain from the failure of irrigation works in the Zemindary, unless it can be clearly shown that the injury arose from those works having been allowed to fall into a state of disrepair since the construction of the Railway.

2. Paragraphs 7 and 8 of the Consulting Engineer's letter will be communicated to the Legislative Department with reference to the previous correspondence on the subject.

(True Extract.)

Colonel R. E.

Colonel, R. E.,

Secretary to Government.

To the Consulting Engineer for Railways
.. Legislative Department
.. Revenue do.

Ed. S. T. Augustin.

*Comm. to the
Revenue Board.*

R. No. 24 July/67 No. 461-2
29 " " " " 539-540
20 Aug. " " " " 408-1.
17th February/68 No. 331-2
28 August " " " " 595-6.

Revenue Dept.
No. 953.

Govt. of 1869, Madras.

PUBLIC WORKS.

THE CONSULTING ENGINEER FOR

RAILWAYS.

do. do. do.

Dated March, 22nd.

Recd. 26th.

Encl.

G. O., 22nd March 1869, No. 953.

MARCH

Nos. 632-633

Waterway (Railway).—Passing orders on the letter from the Consulting Engineer regarding the waterway provided at the spot where the North-West Line of the Madras Railway is endangered by the floods of the Naggery river.

1865-31 March/69
With order