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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

REV DEPARTMENT

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
27th January 1873.*

Read the following papers:—

No. 520. Proceedings of the Revenue Department, dated 11th December 1872, No. 1,663.

Proceedings of the Court of Wards, dated 20th November 1872, No. 2,235.
From the Acting Collector of the Godavery District, to the Secretary to the Court of Wards, dated Cocanada, 25th October 1872, No. 336.

I HAVE the honour to refer the Court to the papers noted in the margin.

Court's Proceedings, 25th Sept. 1871, No. 4,111.
Do. 27th June 1872, No. 1,125.
G. O., 4th July 1872, No. 1,032.
Court's Proceedings, 5th July 1872, No. 1,224.
G. O., 17th Aug. 1872, No. 1,212.
G. O., 2nd Aug. 1872, No. 1,825, P. W. D.
Court's Proceedings, 29th Aug. 1872, No. 1,724.
Do. 13th Sept. „ „ 1,825.

They relate to the embankment of the Godavery at Kesanakurru. According to the orders contained in the Court's Proceedings, No. 1,825, I have desired the Sub-Collector to put a stop to the work. I cannot find in my office any paper to show that Government built

the embankment along the Proprietary Estates: I have always assumed that it had, and so has every one I have spoken to on the subject, and I do not think there is any more to show that Government built the embankment along its own land. Mr. Stuart writing to me says—

“1. The fact that the embankment now in a ruinous state was executed by Government is proved, first, by the fact that there is no Zemindar who could have done it, or would have done it, since it protects Government villages as well as Zemindari villages, and since it is too big a work for the small proprietors of that part, and since in going through the villages every villager tells you in the same words the history of the embankment, and the name of the Collector who constructed it.

“2. The fact that the Zemindars pay by way of peishcush probably as much as Government would take from the lands in cultivation if they were ryotwari, a fact due to the Zemindari tenures of this district being mostly the remains of the old renters and not of ancient Zemindaries.

“3. That Government holds as ryotwari a considerable part of the island, which, if the embankment be put in good order, will greatly improve, but if not, will undoubtedly yield a less revenue than it has done during the last 20 years since the embankment was constructed.

“4. That the Government are absolutely bound to construct the embankment is a consequence necessarily following from their having constructed the two lines of embankment which enclose the Godavery from the ghauts to the sea. It is easy to see how the Polaveram island must necessarily be ruined by the river embankments above it unless similarly protected itself, for the water which in a high fresh spread pretty well all over the delta before the construction of the main lines of the Godavery embankment, being by the embankment confined into the comparatively narrow space between the embankments, rises much higher than it would have done before the construction of those banks, and by the banks is led to hurl itself straight on the top of the unfortunate Polaveram island down to the head of which the river embankments continue nearly parallel. I illustrate the way in which the Godavery has been converted into a huge squirt for the destruction of the Polaveram islanders as soon as their protection is allowed to go to ruin.

Western
Ghauts

Embankment line.

Embankment line.

*Polaveram
island.*

"The floods of the river are brought down at from 3 to 9 feet above the level of the country by reason of being confined between the embankments, and these are to be allowed to shoot clear over Polaveram island, which is of the same level as the country on the main land at either side and with all the force accumulated by not having been allowed to spread over the whole delta before the river embankment was constructed. Are not then those who constructed the river bank from the ghauts to the sea answerable for the injury done to Polaveram island by the excessive floods?"

2. I think we may assume that Government built the embankment along its own banks, and having done so, I imagine that it was bound to build the embankment to protect the Polaveram island from the higher floods, which the rest of the embankment would cause: not only so, I imagine that the Government of the day did consider itself bound to build this, and did build it.

3. If then they built it from a sense of duty, and not merely by way of present to the Zemindars, it would be but natural that they should consider their duty to keep it in repair.

4. It is true that I cannot find any positive order of Government on the subject of repairs to this: but there is some correspondence between the Collector and the Civil Engineer, which shows that the river embankment along its whole length was considered by the District Officers a work, the cost of repairing which should be borne by Government. Mr. DeButts, the Civil Engineer, writing to the Collector in January 1844, observes that the repairs to these embankments should be done in the first instance by Government, and the amount expended recovered from the different Zemindars. The Collector then issued orders that the amount expended should be paid by the Proprietor of the Kapileswarapur estate: but in October 1845, Major Cotton, who was then Civil Engineer, wrote to the Collector in the following terms:—

"With respect to the money expended on the river embankment, it is to be observed that these works are constructed for the general protection of the whole tract of delta country on that side of the river which in this case contains perhaps 250 villages and not for the benefit of those lying along the line of the embankment only, which are but 24, and therefore it would be manifestly unjust to make these few bear the burthen of a great work constructed for the benefit of a great number, and on this ground about one-tenth of the sum expended only could justly be demanded, but further the villages on the bank of the river are those least benefited by the embankments, and indeed in some of them the inhabitants scarcely wished for them, for they often suffer from the floods, yet being all on a higher level than the villages behind them they are much sooner relieved, and again, on the other hand, they are considerably benefited by the sediment from the water. They therefore should not be called on to pay even in proportion, but they form one-tenth of the number, probably one-twentieth would be an ample proportion of the sum for them to pay. Again, in this case not only should the proprietors of villages along the embankment be called upon to pay, but also those of all other villages benefited by these works, and to adjust the proportion of each would be almost an endless task, as the total amount that could justly be claimed is so small, as instead of making the river villages dislike the embankments, it is the special interest of Government that they should be in every way encouraged to watch over and preserve them. I am of opinion that on no account whatever should any demand be made upon them for a portion of the money expended, but on the contrary that they should be assisted that if at any time they execute any repairs themselves, which upon examination are considered to be necessary, the money would be repaid to them. To the Government servants to have been necessary, the money would be repaid to them. To the inhabitants who are on the spot thus encouraged to do any small repairs that may be required so that when the embankments are in danger, whatever can be done at the moment to prevent breaches may be executed, would be a great point. It is the greatest mistake to make the em-

ments a burthen to these villages, upon which we are most dependent for their being preserved from being breached. Thus, in this very village, I found in my late inspection of the river bank that the proprietor had repaired a very extensive breach which had been formed in the embankment by a flood of last year, and I purposed when the opportunity offered of recommending that the sum so expended should be repaid to him, as indeed it is no more than just as well as politic that works which are necessary for the public welfare should be executed at the public cost. Under these circumstances, I beg to recommend that not only should the present demand be withdrawn, but that in general the river embankments should be considered entirely as Government works, executed for the protection of the whole of the delta lands, and that every possible encouragement should be given to the inhabitants of villages situated on them to preserve them."

5. It does not appear that the amount demanded from the proprietor was collected; the Collector agreed with Major Cotton, and directed the Tahsildars to "take care of the bank along the whole line of the Godavery, showing equal regard to the Zemindari as to the Circar villages, to adopt immediate measures wherever a breach may occur, and to spend such sums under the head of "emergency" as they may find necessary."

6. In a letter written in January 1850, the Collector in reply to a letter from the Sub-Collector, asking whether a part of the embankment was to be repaired by Government or by the Zemindar, said that "the embankments of the Godavery are now kept up exclusively at the cost of Government."

7. There are instances in which other parts of the embankment have been repaired at the expense of Government.

8. Certainly all this was done by the district authorities; and as I have before said, I can find no order of Government on the subject; but it must be remembered that at the time I have been referring to, the public works were under the charge of the Collector, and therefore whether he was right or wrong in considering Government liable to the expense of these repairs, he would be considered to be speaking with sufficient authority when he gave these orders, and I think it would not be good policy, just at this time, when the repairs are urgently needed, to say that the Collector was wrong.

9. Polaveram island is not entirely Zemindari; there are several Government villages on it; the embankment is a protection to them as well as to the Zemindari lands.

10. Thus, then, referring to paragraph 5 of the Chief Engineer's memorandum, I must remark that Mr. Happell's statement does not rest on his own authority; the Polaveram island is not all Zemindari, and that there is record to show that expenditure would have been incurred if it had been required. I therefore came to the conclusion that Government ought not only to pay a share of the cost, but to pay the whole cost.

11. But whether Government pays anything or nothing towards the repairs, they must be carried out, unless the island be allowed to be washed away, and as the estate is at present under the management of the Court of Wards, I think that Government might be asked to direct the Public Works Department to undertake these repairs, without waiting for the question of payment to be settled first. I think that such works in Zemindari estates under the Court of Wards should be executed by the Public Works Department, as much as works on which

Government spends its own money; at all events, the officers of that department might be required to give what assistance they can, instead of declining to have anything to do with it.

12. There is another point that I would remark on: it seems that the fact of the work requiring very careful investigation is considered sufficient reason for its being indefinitely postponed. The estimate was framed, and it was rejected, not because the work was considered unnecessary, but because it had not been properly prepared.

13. Under those circumstances, I should have thought that the Superintending Engineer might have taken speedy measures for having a proper estimate prepared, but I am not aware that anything has been done at all.

14. I would ask the Board to get Government to have these repairs carried out as soon as possible. The estate requires them, and as it is now only under management, it may have to be given up before these repairs are done, unless they are done quickly. I do not know of an estate that has not improved during the time of its being under management, and it would be a pity to allow this single instance to remain as a blot on our administration.

15. I will send shortly the account of the expense incurred by Mr. Stuart.

16. I should mention that on the date of the Court's Proceedings, No. 1,825, September 13th, the Godavery freshes were not at an end.

This letter will be submitted to Government, and as the correspondence is of considerable standing, the facts of the case may be conveniently recapitulated at the present stage.

2. Two permanently settled estates in the Godavery District, Kapileswarapur and Kesanakurru, being the property of a Minor, are under the management of the Board of Revenue, as Court of Wards. The rent-roll of each estate is about 15,000 Rupees. In the Court's Proceedings No. 1,622 of 19th April 1871, reviewing the condition of all the estates under their charge, it was observed that "about Rupees 11,000 were due from the Kesanakurru ryots, and that the poverty of these defaulters was occasioned by the repeated loss of their crops owing to the non-repair of the neighbouring Godavery embankment." Further information being called for, the Head Assistant Collector, in temporary charge of the district, reported that "the embankment was repairable at the cost of Government, and that he had been informed by the Executive Engineer that an estimate of Rupees 22,000 had been made for the work and that the same would be put in hand this season." The Court being satisfied, ordered this report to be recorded.

3. Some six months elapsed, when on a representation from the Collector that nothing was being done by the Department Public Works in the matter, the case was again brought to the notice of Government with a further expression of the Court's hope that funds might be provided for the work at an early date. No action however was taken, and as the season was drawing to a close and the

freshes of the river would prove highly disastrous to the estate in its present unsecured condition, the Collector at his own earnest request was authorized by the Court to commence the repairs with the funds of the Minor. This Order, dated 27th June last, No. 1,125, was duly communicated to Government, who desired

G. O., No. 1,032, dated 4th July 1872. to Government, so soon as they were in a position to do so.

4. Matters being at this stage, an Order of Government was received, forwarding a Memorandum by the Chief Engineer. He stated on the authority of departmental reports from the Superintending Engineer and other officers, that the promise held out to the Collector by the Executive Engineer was not that the work would be carried out *this* season, but *another* season; that the estimate of Rupees 22,000 specified by the Collector had been at once rejected by the Superintending Engineer, as proceeding from an incompetent subordinate and based on insufficient data; finally, that the lands and villages in danger formed portion of a *lanka* or island in the river which was entirely Zemindari; and that "it did not therefore appear how any portion of the charge to be incurred would fall on Government," especially as no record could be found of any public expenditure in the official accounts of the Executive Engineer of the Range on these embankments.

5. In view of these statements, the Government awaited further explanation. Meanwhile the Court of Wards had advanced the Collector as much as Rupees 10,000 from the funds of the estate, in expectation of a reimbursement from Government, and on the understanding that the work would be carried out under professional supervision. The Collector subsequently reporting that the Superintending Engineer would have nothing to do with it in the absence of proper surveys and levels, the Court directed him to stop the works without delay. This was in the middle of September, a period by which the Godavery freshes are nearly at an end, and when therefore no pressing need for completing the work could exist.

6. This brings the correspondence down to the Collector's letter recorded at the head of these Proceedings. In the opinion of the Court of Wards, it conclusively disposes of the greater part of the objections started by the Chief Engineer in his letter referred to above. The island of Polaram is by no means all Zemindari; the Government has extensive ryotwari lands adjacent to the Zemindari villages, and they will prosper or decay according as the embankment is maintained in good order or the reverse. The obligation of the Government to repair—putting aside all tradition that the work was originally constructed by Government—is contended for: firstly, because "it was built by the Government—(as it were) converted into a huge squirt for the destruction of the Polaveram islanders;" secondly, because upwards of a quarter of a century ago it was decided by Major, now Sir Arthur Cotton, (the extract from whose letter deserves attentive consideration,) that the outlay is a just demand on the public purse, and that it would be most

*Proceedings of the Madras Government, Public Works Department,
27th January 1873.*

impolitic to press any other view of the case; and lastly, because it can be shown that this doctrine has been universally recognized by the district authorities from its enunciation by Major Arthur Cotton to very recent times.

7. In these circumstances, the Court of Wards trust that the Superintending Engineer may be directed to make a careful survey and estimate, and that the work may be sanctioned with the least practicable delay. If the work executed by the Collector shall be pronounced by the Superintending Engineer useless with reference to the plan of operations he may ultimately decide upon, the Court of Wards will not of course ask for any refund of the expenses they have incurred at the cost of the estate.

Miscellaneous.

Works for early consideration and orders.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

No. 521. From the Acting Superintending Engineer, 1st Division, to the Acting Chief Engineer for Irrigation and Joint Secretary to Government, Public Works Department, dated Dowlaiswaram, 3rd July 1872, No. 1,271.

ADVERTING to your letter of the 13th June 1872, No. 103, I have the honour

1 Copy of letter No. 212, dated 26th June 1872, from Executive Engineer, No. 1 Range, Godavery.

1 Copy of letter No. 103, dated 10th June 1872, from the Collector, and Captain Hasted's reply.

Executive Engineer so much in favour of the work as Mr. Happell declares him to have been; in fact, as Captain Hasted had never found it necessary to visit Polaveram island, he could only hope it might be done in some other season.

2. There is nothing to show that the Government had ever incurred any expenditure in protecting this island. This island is a Zemindari, and as a matter of course an attempt is made to saddle the Government with the expenses of preserving it, a very common practice in this district, where the Zemindars are notorious for their waste and negligence.

3. I am sorry to find you consider I have not entered into the matter as fully as the Executive Engineer might have done, but as he was only six months in charge and had many other duties to attend to, and as far as I am aware, never visited the locality, which I had done, and observed the strong set of the river on the island, cutting off large portions every year in its floods, and finding it was all Zemindari, I gave up all idea of protecting the place as the Government could obtain no advantages.

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27th January 1873.*

4. If the villages you mention are to be protected at Government expense, I will have the estimates prepared after the necessary levels have been taken.

5. As regards the estimate of Rupees 22,000, mentioned in paragraph 2 of Captain Mead's letter, No. 212 of the 26th June last, I have only to observe this estimate has not been approved of or countersigned by me, and when sent to me, I rejected it at once, as I know it had been prepared on insufficient data and by an incompetent man.

From the Executive Engineer in charge No. 1 or Eastern Delta Range, Godavery District, to the Superintending Engineer, 1st Division, dated Dowlaiswaram, 26th June 1872, No. 212.

IN reply to your memorandum, No. 1,120, forwarding Captain Oakes' letter* regarding the question of embanking Polaveram island, I have

* 1 Copy of Proceedings of the Court of Wards, No. 4,111, dated 25th September 1871, returned.

the honour to forward copy of letter, No. 103, dated 10th June 1871, from the Collector, and Captain Hasted's reply, and excepting the opinion that partial repairs were useless and that the only thing to do was to thoroughly embank the island he does not express any views at all.

2. The estimate for Rupees 22,000 was made by a Delta Superintendent without survey or levels.

3. From the above I think I may say that Captain Hasted did not, as supposed by Captain Oakes, go "carefully into the matter," and that Mr. Happell in his letter No. 308, dated 30th August, is wrong in considering (as he appears to have done) that Captain Hasted expressed an opinion that the Godavery bank here "has to be repaired exclusively by Government."

4. With regard to the 3rd paragraph, I beg to report that the north bank of the Gontamy Godavery and south bank of the stream which forms the Polaveram island are both embanked, and also that I am informed that the Gontamy Godavery has in places a small bank, which I believe* has been thrown up by the people and not done at Government cost. I beg also to

* On the south side.

remark that in my office records I can find no record of any expenditure of Government money on these banks.

From the Collector of the Godavery District, to the Executive Engineer, No. 1 Range, Godavery, dated Cocanada, 10th June 1872, No. 103.

I HAVE the honour to forward copy of an Arzi from the Tahsildar of Amalapoor regarding certain breaches caused to the river bank at certain villages in Kesevakurroo Estate, and request that you will order the necessary repairs to be made to them so as to protect the villages at an early date.

From the Executive Engineer, No. 1 Range, Godavery, to the Collector of the Godavery District, dated Dowlaiswaram, 17th June 1872, No. 60.

WITH reference to your letter No. 103, dated 10th instant, forwarding copy of an Arzi from the Tahsildar of Amalapoor, I have the honour to inform you that partial repairs to the river bank appear to be useless, as the river water can turn any short bank. An estimate for Rupees 22,000 has been prepared for completing the bank on the Polaveram Island, and it is hoped that this may be put in hand another season.

No. 8.

No. 521A.

Note by the Chief Engineer for Irrigation.

THERE appear to me to be several points connected with the embankment and protection of the Polaveram Island, near the mouth of the Godavery, which should

be determined before the Government finally decide either what should be done, or how the expense should be met.

1st.—It should be ascertained what works are required in order to prevent in the future the injury which the island appears to have sustained from inundation, and from the erosive action of the Godavery freshes on its banks. The District Engineer should arrange for this being done at once, and, if necessary, such temporary assistance as may be required to complete the surveys and levels without delay can be sanctioned on application. Care must be taken that the embankments are placed where they will not be liable to be undermined; and protective works to the island banks must be designed so as not to set up reflex action on the opposite banks of these branches of the Godavery.

2ndly.—It seems requisite that the areas of the Zemindari and Government ryotwari lands, respectively, of the island, with the revenues or peishcush therefrom derived should be distinctly stated.

G. O., Revenue Department, 11th December 1872, No. 1,663.

Nothing definite is given in Mr. Foster's letter of the 25th October last, and the information given in Mr. Stuart's letter, No. 182, 4th June 1872, G. O., Revenue Department, 17th August 1872, No. 1,212, appears to relate to only one estate, and does not give particulars for the portions on the main land and island respectively, but on this will depend, if not the decision of Government as to who is to bear the charge, at any rate the funds from which, if the Government provide for the outlay, the expenditure is to be provided for. Under all the circumstances, when these come to be fully understood, the Government may decide to carry out the works from State funds, but it by no means necessarily follows that the cost would be debitable to the Agricultural Ordinary grant.

2. It may be noticed that some of the particulars noticed in Mr. Foster's letter already referred to seem to require further elucidation. Nothing appears to have been done to the embankments of the Polaveram Island since the Godavery anicut was built, and if these embankments were constructed, as Mr. Stuart thinks was the case, under a Collector, whose name is well known but not given, it may be possible to find out when they were carried out, at what cost, under what circumstances, and from what funds. It is quite possible that the Zemindari estates may have paid for them, though the Collector may have been the moving power in the matter.

3. The sketch given in paragraph 4 of Mr. Stuart's letter to Mr. Foster gives hardly a correct notion of the circumstances of the island. It may very possibly be the case that the embanking of the higher part of the Godavery has appreciably injured Polaveram, but the latter is so near the mouth of the river that, in all likelihood, the increase in the height of the freshes is but small, and the condition of its inhabitants but little, if at all, worse than in former years. The Godavery anicut has, among other things, acted as a regulator on the distribution of the freshes. I am not aware whether it has passed more, or less, water down this branch than before, but it has certainly prevented the discharge of the several branches being dependent, as much as formerly, upon the sand banks at and above Dowlaishweram.

4. If the latter part of paragraph 2 of Mr. Foster's letter be correct, there should be no difficulty in producing evidence of its correctness. The Collector of Mr. Stuart's paragraph 1, when his name and the time of his Collectorate are stated, will possibly show whether Polaveram was embanked before or since the upper parts of the delta were protected.

5. The circumstances under which the embankments, referred to in the extracts given in paragraph 4 of the Acting Collector's letter, were constructed at the public expense were, it appears to me, almost exactly the opposite to those of Polaveram; but on this point a more definite idea will be practicable when the areas of Zemindari and Government lands in the island are known. It may further be remarked that, until the deltas were intersected in all directions by artificial irrigation canals, the overflow of the river was of less consequence. For the protection of Government property embankments became necessary and were properly paid for out of public money, although, in so doing, Zemindars derived some benefit. In Polaveram the case is altogether different; it is unconnected with the anicut irrigation, and, as I have been informed, though on this point definite information from the Revenue Officers would be valuable, there is not a sufficient demand for water to warrant the expense of taking a channel across by an aqueduct from the central delta.

6. The history of the estimate of Rupees 22,000 is as follows:—On the 10th June 1871, in letter No. 103, the Collector, Mr. Fraser, wrote to the Executive Engineer, Captain Hasted, forwarding a copy of an Arzi from the Tahsildar of Amlapore "regarding certain breaches caused to the river bank at certain villages in Kesevakurroo estate," and requesting him "to order the necessary repairs to be made to them," and, in reply, Captain Hasted intimated "that partial repairs to the river bank" appeared "to be useless as the river water can turn any short bank. An estimate for Rupees 22,000 has been prepared for completing the bank on the Polaveram Island, and it is hoped that this may be put in hand another season." The Superintending Engineer very properly declined to approve of a large estimate which had been prepared without levels by a subordinate who had been sent down in connection with a supposed trifling work, and who found that a great deal must be spent if any good were to result. It is to be regretted that a reliable estimate could not have been substituted at once by the Executive Engineer, but that officer has had more than enough on his hands, and the work to be done in Polaveram was not apparently emergent, however desirable in itself. Polaveram would seem to be situated somewhat similarly to Divi in the Kistna; there to shut out flood waters entirely would be injurious, while to admit them to just the desired extent, and no more, is not an easy matter to arrange. If all Polaveram would use anicut water, floods might be shut out entirely, but probably on the average the people find, or think, they are better off without a reliable supply coupled with a water-rate.

FORT ST. GEORGE,
7th January 1873.

(Signed) J. MULLINS, Lieut.-Colonel, R.E.,
Chief Engineer for Irrigation.

No. 522.

ORDER THEREON, 27th January 1873, No. 254.

IRRIGATION, No. 47.

G. O., Revenue Department, No. 1,663, of the 11th December 1872, and the Note by the Chief Engineer for Irrigation.

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gation will be communicated to the District Engineer, Godavery, who will at once arrange to ascertain what can be done for the effectual protection of Polaveram, and at what cost, submitting plans and estimates.

2. The Board of Revenue will also be requested to obtain definite information as to the extent of Zemindari and Government interests involved; and, if possible, as to the history of the embankments, such as they are, which are to be found now on the island. The name of the Collector referred to by Mr. Stuart, and the date of his employment in the district, may possibly lead to discoveries which will be of use in enabling the Government to decide from what funds the expense of carrying out such work, as may be shown to be necessary, should be met, but the actual execution of the work need not be delayed thereby.

(True Extract.)

C. Stuart.

Captain, R.E.,
Government.

To the District Engineer, Godavery.
,, Chief Engineer for Irrigation.
,, Revenue Department.

Ed. E. C. Shunker.

Revenue Dept.

321.

Govt. of (1873) Madras.

PUBLIC WORKS.

To

THE DISTRICT ENGINEER, GODAVERY.

cc. cc. cc.

Dated January 27th.

Recd.

July 1/2

Encl.

G. O., 27th January 1873, No. 254.

JANUARY,

Nos. 520 522

1/2 to the District Engineer, Godavery District

Polavaram Island. - Passing orders on papers relating to the protection of the Polavaram Island in the Godavery District.

15

Comm. to the Revenue

according to - 1/2 - 1/2

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