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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1180 Press
~~B.P. No.~~ ~~Mis.~~

Dated 16.9.1874 ~~196~~

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
16th September 1874.

No. 152. Read the following Endorsement on Note by the Chief Engineer for Irrigation, dated 7th September 1874 :—

Read the following :—

No. 716D.

MEMORANDUM.

The undersigned has the honor to inform the District Engineer, Vizagapatam, that, having inspected the Kopaka anicut on the Varahanuddi and the arrangements at present in force for the supply of the Kopaka channel belonging to the Mokasidar of that place, having heard also what the Mokasidar has advanced as to his right to maintain the dam or kuttu which diverts the river-water to his channel, and what the Munsifs and Peddanadars of Kopaka and Pulupurti have stated as to the way in which water was turned into the Kopaka and Pulupurti channels before the anicut was built, having seen, moreover, the positions occupied by the kuttus of the two channels prior to the construction of the anicut, he thinks the Collector should be requested to endeavor to make satisfactory arrangements with the Mokasidar based upon the acknowledged claims of the two channels to receive water when the river is low in the proportion of one-third to the Kopaka and two-thirds to the Pulupurti.

2. It is evident that, as the Mokasidar of Kopaka fully admits his right to only one-third of the supply at such times, he is not entitled to bar the whole channel of the river, except with the explicit consent of competent authority given upon the approval of satisfactory arrangements made by him for passing on the other two-thirds of the water. Such would be the conclusion even could it have been shown that the kuttu occupies exactly the same position as was the case before the anicut was built; and, if changes in the river-bed, as for instance the extension of the shoal on the right bank, made it necessary, he would have been bound to shorten the kuttu to let two-thirds of the supply pass, just as he would have been entitled to lengthen it under other circumstances to secure his one-third share.

3. It is, however, clear that the present arrangements are not those of the time prior to the construction of the anicut. Then, from the head of the Pulupurti channel to the right bank of the river, about 450 yards above the anicut, a kuttu existed, and above this there was a separate kuttu for the Kopaka channel, having its head about 100 yards lower down the river and nearer to the left than to the right bank. When the anicut was built the Pulupurti kuttu was no longer required for that channel, and it was brought into use for the Kopaka channel in supersession of the dam belonging to the latter.

4. The rights of the Mokasidar are to take one-third, leaving two-thirds of the water, and, in some way or another, he must arrange to do this; until he makes satisfactory arrangements to that end, the undersigned is of opinion that the closing of the breaches at the [illegible]ter end of the kuttu should not be allowed. It is advisedly said that the Mokasidar must arrange to pass on the two-thirds, because it is manifestly his business to avoid interfering with them; and if he does for his own convenience so

interfere, he must apply a satisfactory and sufficient remedy. Some time since it is understood that a sluice was sanctioned by the local officers for construction at the lower end of the kuttu, in order that two-thirds of the diverted water might here be allowed to escape, and it was arranged that Government should pay two-thirds of its cost, and the Mokasidar one-third. The arrangement appears to have been made under a mistaken notion of the circumstances, and it seems plain that it was hardly fair that the State should pay anything towards, much less two-thirds of, the cost of a work the only object of which was to provide a remedy for the improper proceedings of the Mokasidar. Ultimately, the Mokasidar declined to pay his contribution and the arrangement fell through.

5. The undersigned thinks that in the Mokasidar's interest it is not advisable that the old Pulupurti dam should be maintained right across the river: it will always be very liable to be breached, and it does more than it should do, and then a part of this work has, in some way or another, to be undone. Were it practicable to lower the Kopaka channel, so as to bring it within the influence of the anicut, that would be the best way of solving the difficulty; but it is understood that the lands to be irrigated are on too high a level to admit of the head of that channel being materially lowered. The next best plan would be to carry the kuttu or dam up the river parallel to the left bank for such a distance as would give a depth of a couple of feet at the head of the channel, while allowing a moderate surface fall: the circumstances of the river are peculiarly favorable to this arrangement, as the stream hugs the left bank and consequently, whenever there might be water in the river, a supply would be diverted by the kuttu to the channel, and the dam would be far less liable to injury than is the case at present. The work would cost but little as materials are available from the old Pulupurti kuttu. Some silting between the dam and the left bank would, of course, take place, but the labor of removing this would be but slight compared with that of repairing the present dam, and this tendency to silt might be obviated by putting a small scouring sluice into the dam near the point where it would join the right bank of the Kopaka channel. The Mokasidar appeared to consider that such an arrangement would not be efficient, and it is, of course, open to him to adopt it or not as he pleases; and, if he prefers to make use of the old Pulupurti dam, there can be no objection to his doing so, provided the position of its head or upper end is so regulated as to allow two-thirds of the supply of water to pass, thus restricting the diversion to the Kopaka channel to one-third.

6. The Kopaka anicut is in need of thorough repair, and it should receive early attention. Its appearance appears to indicate that it has not been repaired for a long time. The crest may either be pointed or covered with a thin layer of concrete composed of rather fine material. Similar concrete would probably prove a better material than plaster for covering the first apron; the second apron has lost much of the rough stone of which it was composed, and care should be taken to pack this material closely; the outer apron has in places almost disappeared.

7. Gauges are required above and below the weir, as also below the head sluice of the Pulupurti channel.

8. The under sluice-shutters are inefficient. The lascar in charge here and elsewhere should be furnished with written instructions for the management of the regulating works, and, with regard to the under-sluices here, his instructions might be

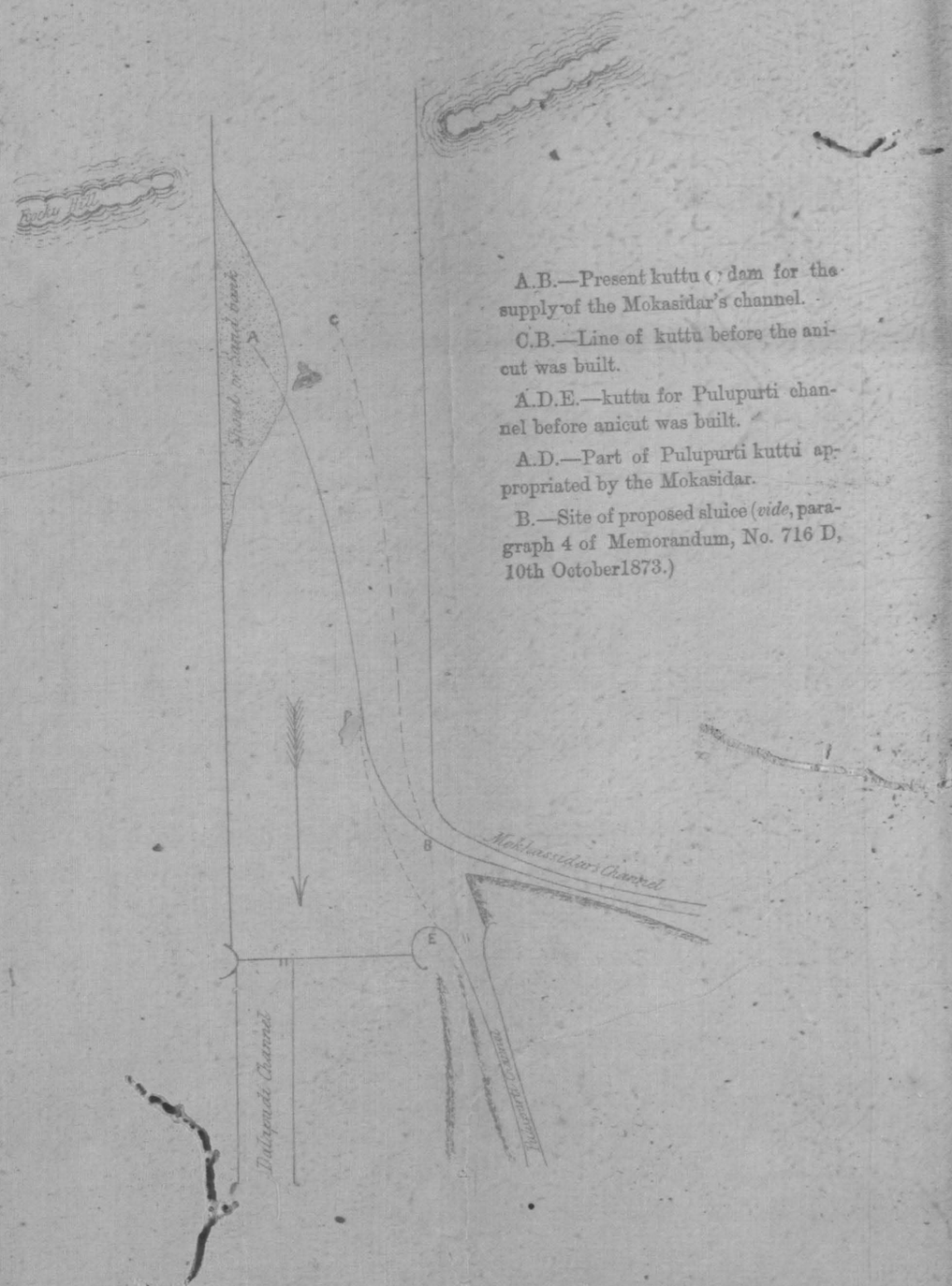
that the shutters should be raised whenever the water is higher than the crest of the anicut sufficiently to reduce it to the level of, but not below, the crest.

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

10*th October* 1874.

To the District Engineer of Vizagapatam.

Sketch of Varahanuddi at Kopaka Anicut.



A.B.—Present kuttu or dam for the supply of the Mokasidar's channel.

C.B.—Line of kuttu before the anicut was built.

A.D.E.—kuttu for Pulupurti channel before anicut was built.

A.D.—Part of Pulupurti kuttu appropriated by the Mokasidar.

B.—Site of proposed sluice (*vide*, paragraph 4 of Memorandum, No. 716 D, 10th October1873.)

From Captain J. W. HINDLE, Officiating District Engineer, Vizagapatam, to the Chief Engineer for Irrigation, Madras, dated Waltair, 18th August 1874, No. 949.

With reference to your memorandum, No. 716D, of 28th October 1873, making certain remarks on the condition of the Kopaka anicut and of the Kopaka and Pulupurti channels, I have the honor to submit herewith, for your information and orders, copies of correspondence as per margin that has taken place between my predecessor and the Collector of Vizagapatam regarding the erection of a regulating sluice at the head of the Kopaka channel.

1 Letter, No. 2,129, of 17th March 1874, from Major Beatty to Collector.
1 Letter, No. 476, of 1st April 1874, from Collector to Major Beatty.
1 Letter, No. 152, of 25th April 1874, from Major Beatty to Collector.
1 Letter, No. 995, of 10th July 1874, with an enclosure from Collector to District Engineer.

2. The Collector states in paragraph 2 of his letter, No. 995, of 10th July 1874, that the Government should execute the work, and that the Mokasidar of Kopaka cannot be called on to pay more than one-third of the cost; whereas I observe from Major Beatty's letter (copy enclosed) that you gave a decided opinion that whatever work is done for remedying the present state of things with regard to distribution of water from the Kopaka and Pulupurti channels should be done by the Mokasidar.

Enclosure No. 1.

From Major J. BEATTY, R.E., District Engineer, Vizagapatam, to the Collector of Vizagapatam, dated Waltair, 17th March 1874, No. 2,129.

I have the honor to forward herewith, for your information, copy of a memorandum by the Chief Engineer for Irrigation on the Kopaka Mokasidar's kuttu or bund of rough stone and brushwood in the bed of the Varahanuddi above the Kopaka anicut.

2. Some two years since a regulating sluice was sanctioned in order that the two-thirds of the water in the river when it is low, to which the Government ryots and those of the Darlapudi proprietor are entitled, might escape to them.

3. When the estimate was sanctioned, it was understood that the Mokasidar would pay a share of the expense which he has not done; and while the construction of the sluice was suspended, partly by this difficulty, and partly on account of the freshes, the Chief Engineer visited the place and wrote the opinion given in the accompanying memorandum.

4. The Mokasidar acknowledges that he is only entitled to one-third of the water, and he is responsible for the existing unsatisfactory state of things by which he ordinarily takes nine-tenths of the supply instead of one-third when water is most precious to the cultivators.

5. The Chief Engineer considers that the best way of solving the difficulty would be to lower the head of the Mokasidar's channel so as to bring it within the influence of the anicut. I have ascertained that this could be done. If it be required only to carry off one-third of the supply when the depth in the river is 16½ inches, the cost would be about 2,645 Rs., and for a depth of two feet, Rupees 6,220.

6. The next best plan, the Chief Engineer states, would be to carry the kuttu up the river parallel to the left bank for such a distance as would give a depth of a couple of feet at the head of the channel, while allowing a moderate surface fall. Allowing for a surface fall of six inches, the kuttu would have to be carried up the river to 3,050 feet above the head of the channel, and the cost of constructing a new kuttu in the manner proposed by the Chief Engineer would be about 820* Rupees.

7. The objection to a regulating dam or escape in the kuttu, which would be much the least expensive method of settling the matter is, that it would be the least satisfactory; because there is little doubt the Mokasidar's people would take every opportunity of bunding it up.

8. I have delayed sending you this memorandum until I had the levels taken that were necessary to determine the cost of the proposed works.

* *P.S.*—This would be the cost of an entirely new kuttu of the description proposed by the Chief Engineer, but the materials of the old Pulupurti kuttu now used by the Mokasidar would reduce the cost to Rs. 695.

Enclosure No. 2.*

From J. R. DANIEL, Esq., Acting Collector of Vizagapatam, to the District Engineer, Vizagapatam, dated 1st April 1874, No. 476.

I have the honor to reply to your letter of March 17th, forwarding a memorandum from the Chief Engineer regarding the Kopaka channel.

2. The Chief Engineer says: "The Collector should be requested to make satisfactory arrangements with the Mokasidar based upon the acknowledged claims of the two channels to receive water in proportion of one-third to Kopaka and two-thirds to Pulupurti." (There is also a third Dadapudi).

3. I think I shall be able to show that it is impossible to make any such arrangements, and that any work necessary to ensure the equal distribution of the water must be done by Government and at Government expense in the first instance. Until the late visit of the Chief Engineer and yourself there was nothing to show how or when the objectionable dam of the proprietor originated. Every one reported that its origin was unknown. It now appears from the Chief Engineer's memorandum that since the construction of the anicut the proprietor has extended his old dam further into the river, and thereby appropriates more than his share when the water is low.

4. When this was done is not known; but this dam appears to have existed for many years without any objection being raised, possibly because irrigation matters were not looked after so carefully as they are now. At any rate the proprietor has now no interest in making a change; he admits the right of the other two channels to an equal share of water with his own; but he is not consequently willing to undertake the labor and expense of a work in order to make such an equal division independent of his will. Even allowing that he has invaded the rights of others by thus extending his dam, how is he to be compelled to execute a work to restore equality. In the case of the former work suggested by the late Executive Engineer, but now condemned, he refused to contribute even one-third share of the money, so that he is not likely to execute the whole work.

5. The work is necessary to ensure the rights of Government, and the work must be done by Government; the proprietor is satisfied with things as they are. If the work be one which he ought to execute, because *his* original wrong renders it necessary, the expense incurred must be recovered from him; he cannot be compelled to execute the work, and he has obstinately refused to contribute any money.

6. The Chief Engineer considers the best plan of remedying the present state of things is to lower the head of the Kopaka channel: unless there be strong professional grounds in its favor, I should much prefer the second plan of carrying the bund up the river, because it is the cheaper, and in executing the first work it would be necessary to enter upon the land and dig up the channel of the proprietor; this could not be done without his consent, and that he will not probably give.

7. Now what I propose to do is to send a notice to the proprietor telling him that unless within three months he makes some satisfactory arrangement for ensuring an equal division of the water, the Government will undertake the work.

8. As to whether the proprietor is liable for the expenses, that is another question which need not interfere with the execution of the work, because Government must pay the money in the first instance and recover it from the proprietor if he is held liable to pay. Supposing simple requisition failed, it would then have to be considered whether a suit was advisable or not.

ENCLOSURE No. 3.

From Major J. BEATTY, R.E., District Engineer, Vizagapatam, to the Collector of Vizagapatam, dated Waltair, 25th April 1874, No. 152.

WITH reference to the proposal made in your letter, No. 476, of 1st instant, paragraph 7, I have the honor to point out that as the Chief Engineer has given a decided opinion that whatever is done should be done by the Mokasidar, no work can be undertaken by this department for the purpose in question without the special sanction of Government.

2. My opinion, therefore, is that the notice to be given to the Mokasidar should be that if he does not make satisfactory arrangements within three months he will be prosecuted for depriving the Government ryots of Pulupurti and the proprietary village of Darlapudi of the two-thirds of the water which is their fair share.

3. As the irrigation season is approaching, it is desirable that the notice should be served as early as possible.

ENCLOSURE No. 4.

From A. McC. WEBSTER, Esq., Acting Collector of Vizagapatam, to the District Engineer, Vizagapatam, dated 10th July 1874. No. 995.

WITH reference to your letter, No. 152, dated 25th April last, I have the honor to forward, for your information, a petition (to be returned) from the Kopaka Mokasidar, in reference to the erection of a regulating sluice at the head of the Kopaka channel.

2. I consider that the Government should execute the work, and the Mokasidar cannot be called on to pay more than one-third of the cost.

Petition from CHINTALAPATI VENKATA SURIANARAINA RAUZ and CHINTALAPATI SUNDARANARASIA, joint Mokasidars of Yati Kopaka Village, in Survasiddy Taluq, to the Acting Collector and Magistrate of Vizagapatam, dated 8th July 1874.

MOST RESPECTFULLY SHEWETH,

IF a documentary order be given on behalf of Government, guaranteeing to continue to us our one-third share of the water as hitherto without any hindrance, we bind ourselves to pay the one-third share of the cost of any permanent work which the Government wish to construct, such as bunds and sluices, and of their future repairs either by retaining or removing away the present usual dam of Kopaka.

This condition will stand good on our successors also.

In October last, when on tour in the Vizagapatam District, I visited the Kopaka anicut on the Varahanuddi, and being surprised to find that there was immediately above this work an oblique dam entirely cutting off the supply of water from the channel (Pulupurti) taking off from its left flank, the circumstances were inquired into on the spot, those interested on both sides being present; and as a result of the investigation a memorandum was addressed to the District Engineer (Major Beatty) who accompanied me, with a view to the removal of the obstruction and to the establishment of arrangements whereby the rights of the cultivators under the Kopaka and Pulupurti channels, respectively, might be secured.

No. 716D, 10th October 1873.

2. Some rough measurements were taken at the time for the preparation of a sketch, but as the latter has not been transmitted by the Officiating District Engineer one from memory has been made, which will afford a sufficiently clear idea of the circumstances.

3. The subsequent correspondence between the District Engineer and the Collector of Vizagapatam will show how the matter stands. In this case, as in that of the Kondakirla Ava, the rights and interests of the Government and of the Government ryots have been sadly neglected; and, if the Collector's opinion that there is no remedy but the expenditure of more or less money on work, the necessity for which has arisen solely from the acts of the Mokasidar, with a possibility of its recovery by Civil Suit, be correct, it is not surprising that in the past encroachments have been common, and others in the future must be expected. The doctrine that a man may take possession of the water supply belonging to other people, and that then, he being satisfied (and not unnaturally so) with things as they are, the Government must do the work necessary to ensure their rights, would seem to be a remarkable one.

From District Engineer, No. 2,129, dated 17th March 1874.
To District Engineer, No. 476, dated 1st April 1874.
From District Engineer, No. 152, dated 25th April 1874.
To District Engineer, No. 995, dated 10th July 1874.

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

To the Secretary to Government, P. W. D.

No. 153. ORDER THEREON, 16th September 1874, No. 1,180.

Irrigation, No. 6A.

THE correspondence received with the Note recorded above will be forwarded to the Board of Revenue.

2. It is clear that the regulation of the water is within the competence of Government, and should be undertaken by them.

3. The best, though not the most inexpensive, method of regulating the supply is by bringing the whole distribution under the anicut. It appears from Major Beatty's letter of the 17th March 1874 that this can be done, and it is desirable to get rid of "kuttus" which are always a source of uncertainty and altercation.

4. The Mokasidars express their willingness to pay one-third of the cost of any permanent work which the Government may construct, on the condition that they are guaranteed one-third of the water of the river. As soon as regular plans and estimates have been framed a formal agreement to this effect will be taken from them by the Collector, specifying the sum which will be payable as their share. There will be a clause relative to future repairs.

5. The Land Acquisition Act can be brought into play should any difficulty be experienced in entering upon land other than Government property.

6. The Board will now instruct the Collector to call upon the District Engineer for the requisite plans, *etc.*

(True Extract.

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.
" the Public Works Department.

Exd. F. R. Bantleman.

f. 612 Murphy No 73 Misc

10-3-11

Govt. of India, 1874. Madras.

REVENUE.

To

The BOARD OF REVENUE,

&c., &c., &c.

Dated September 1874.

Read

Read;

G. O., 16½ September 1874, No. 1,180.

SEPTEMBER.
Nos. 152-153.

Kopika Anicut, Vanneyeri Division.—Forwarding to Revenue Board papers regarding the—received from Chief Engineer for Irrigation, through Public Works Department; observing that the regulation of the water should be undertaken by Government; that "kattus" should be got rid of; that an agreement should be taken from the Mokasidars for their share of the cost of any improvement work that may be constructed with a claim relative to future repairs; that the Land Acquisition Act should be enforced, if found necessary, in prosecuting the ; and that the Collector should be instructed to call on the District Engineer for resolution etc.

Fuller Cx 9096/79

V C A 2239/80

No. 716 D

Memorandum

1880

I the undersigned have the honour to inform the District Engineer, Vizagapatam that, having inspected the Kopikka Anicut with the Draftsman and the arrangements at present in force for the supply of the Kopikka Channel belonging to the Mokasidars of that place, having heard also what the Mokasidars have advanced as to their right to maintain the dams or Kattus which divert the river water to their channel, and what the Munsiffs of Peddapuram & Kothapatnam & Pulumpatti have stated as to the way in which water was turned into the Kopikka ~~channel~~ & Pulumpatti channels before the Anicut was built, having seen moreover the writings produced by the Kattus of the two [redacted] to the construction of the Anicut, he thinks the Collector should be requested to endeavour to make satisfactory arrangements with the Mokasidars based upon the acknowledged ~~claims~~ claims of the two channels to receive water when

Should

the river is low in the proportion of one third to the Kobuka and two thirds to the Pulukpuktí

2. It is evident that, as the Nukaridar of Kobuka fully admits his right to only one third of the supply at such times, he is not entitled to bar the whole channel of the river except with the explicit consent of the Competent authority, given when the abstraction of satisfactory arrangements under by him for keeping not less than two thirds of the water. Such would be the conclusion even could it have been shown that the kuttie occupies exactly the same position as was the case when the Ancient was built; and, if changes in the river bed, as for instance the extension of the shoal [illegible] it might [illegible] been deemed to shorten the kuttie to let two thirds of the supply pass, just as it would have been entitled to lengthen the kuttie under other circumstances to secure his one third share.

3. It is however clear that the present arrangements are not identical with those of the time prior to the construction of the Ancient. Then, from the end of the Pulukpuktí channel to the right bank of the river about 400 yards above the Ancient, there existed a kuttie and above this there was a separate kuttie for the Kobuka channel, having its head about 100 yards lower down the river and about midway across to the left from the right bank. When the Ancient was built the Pulukpuktí kuttie was no longer required for that channel, and it was brought into use for the Kobuka channel in conjunction with the dam belonging to the latter

4. The rights of the Nukaridar are to take one third, leaving two thirds, of the water and in some way or another he must arrange to do this; [illegible] to his satisfaction [illegible] to that end the undersigned is of opinion that the closing of the lower end of the kuttie should not be allowed. It is advisable, said that the Nukaridar must arrange to keep on the two thirds by some [illegible] to avoid litigation

with them and if he does for his own
convenience, or interest, he must afford
a satisfactory and sufficient remedy
Some time since this misunderstood that
a sluice was sanctioned by the local
officers for Coss to retain at the lower end
of the Kutter in order that two thirds
of the diverted water might be lumbo
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The arrangement appears to have been
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an remedy for the misfortune preceding
of the Mukaridar - Ultimately the Mukaridar declined to pay
his contribution and the arrangement fell through.
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be maintained right across the river:
it will always be very liable to be breached,
and it does more than it should do,
such than a part of this work has in
some way or another to be undone.
[redacted] Kutter to leave

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the left Kolaba channel, so as to
bring within the influence of the
current, that under the best way
of solving the difficulty, but it is under
stood that the bunds to be irrigated
are too high as bunds to admit
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materially lowered. The next best plan
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favourable to this arrangement, as
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consequently, whenever there might
be water in the river, a sufficient
would be diverted by the Kutter to
the channel, and the dam would
be far less liable to injury than is
the case at present - The work would
cost but little as materials are available
from the old Pulubpuri Kutter - Some
silting would take place between the dam and the left
bank mouth of Canal take place, but
the labour of removing this would

be but slight compared with that of
obtaining the lowest dam: and
that the difficulty to silt might be obviated
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into the dam near the point where
it would join the right bank of the
Kobáka Channel. The Inspector
is disposed to consider that such an
arrangement would not be efficient,
and it is of course open to him to
adopt it or not as he pleases; and,
if he proposes to make use of the
old Pulchowki dam there can
be no objection to his doing so,
provided the position of its back
or rubble embankment is regulated as
to allow two thirds of the supply
of water to pass, the remainder restricting the
diversion to the Kobáka channel
to one third.

6. The Kobáka Aqueduct is in need
of thorough repair and it should
receive early attention. Its appearance
appears to indicate that it has not
been repaired for a long time. The crest
may either be pointed or covered with
a thin layer of concrete composed of
better fine material: similar concrete
would probably prove a better material

transplanter
for covering the brick apron: the
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terial closely: the outer apron has in
places almost disappeared.

7 - Is gauges are required above and below
the weir, as also below the head sluices
of the Pulchowki channel

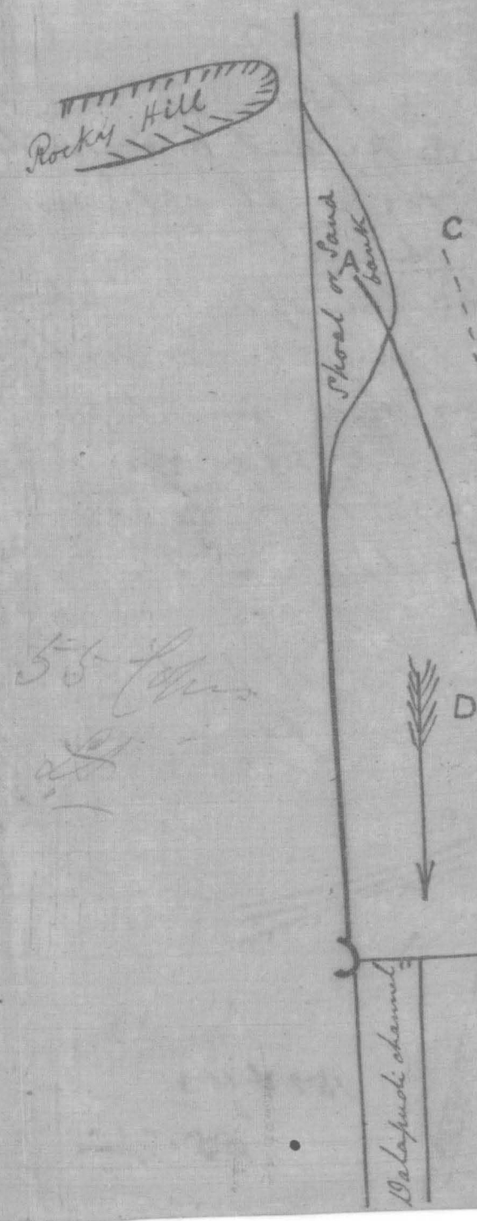
8. The under sluices should be sufficient
to be capable of changing the line of deepest
channel & should be furnished with written
instructions for the management of
the regulating works and, with
regard to the under sluices here, his instructions
might be that the sluices should be
raised, commencing with the centre sluice
to the outer crest of the Aqueduct, to be sufficient
to admit to the full supply, but not below,
the crest.

Lucy. 10/10/73

5

Sketch of Varahanuddi at Kopáka anicut.

1180/9



A.B. present kuttu or dam for the supply of the Mokhasidar channel.

C.B. line of kuttu before the anicut was built

A.D.E. kuttu for Palupurti channel before anicut was built

A.D. part of Palupurti kuttu appropriated by the Mokhasidar.

B. site of proposed sluice vide para 4 of memo N-716 D- 10 Oct 73-

Mr. 1/9/74

1180/10 Y

NO. 949

Vizagapatam District Engineer's Office.
WALTAIR 18th August 1874

From

THE DISTRICT ENGINEER
VIZAGAPATAM.

To

THE Chief Engineer for Irrigation
&
Madras

Sir,

With reference to your Memo No. 765 of 28th October 1873, making certain remarks on the condition of the Koppaka Anicut, and of the Koppaka and Pullapurty channels, I have the honor to submit herewith for your information and orders copies of correspondence as per margin that has taken place between my predecessor and the Collector of Vizagapatam regarding the erection of a regulating sluice at the Head of the Koppaka Channel.

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1. Letter No. 152 of 25th April 1874 from Major Beatty to Collector
1. Letter No. 995 of 10th July 1874 with an Enclosure from Collector to District Engineer.

2. The Collector states in para 2 of his letter No. 995 of 10th July 1874, that the Government should

should execute the work and that the Mokhassadar of Koppaka cannot be called on to pay more than 1/3 of the cost, whereas I observe from Major Beatty's letter, copy enclosed, that you gave a decided opinion that whatever work is done for remedying the present state of things with regard to distribution of water from the Koppaka and Pullapúrty Channels should be done by the Mokhassadar.

I have the honor to be
Sir
Your most Obdt. Servt.

M. B. Weedle Captain
Offg. District Engineer, Vizagapatam

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No 2129 District Engineers Office. 1180/17
Waltair 17th March 1874

From

The District Engineer Vizagapatam

To

The Collector of Vizagapatam

Sir,

I have the honor to forward herewith for your information copy of a Memorandum by the Chief Engineer for Irrigation on the Koppaka Mokhassadars Kattu, or bund of rough stone and brushwood in the bed of the Varahanuddy above the Koppaka sluice.

2. Some two years since a remedial work was sanctioned in order that the two-thirds of the water in the river when it is low, to which the Government ryots and those of the Darlapudi Proprietor are entitled, might escape to them.

3. When the estimate was sanctioned, it was understood that the Mokhassadar would pay a share of the expense, which he has not done; and while the construction of the sluice was suspended partly by this difficulty and partly on account of the freshes, the Chief Engineer visited the place, and wrote the opinion given in the accompanying Memorandum.

H

From
The Asst. District Engineer
Vizagapatam

To
"The Chief Engineer for Irrigation
Madras

Rec: 30587/74

Dated 18th August 1874
Read 24th August 1874

No 949

Submitting for information and orders, certain correspondence regarding the erection of regulating sluice at the head of the Koppaka channel.

4. The Mokhassadar acknowledges that he is only entitled to one-third of the water and he is responsible for the existing unsatisfactory state of things by which he ordinarily takes nine-tenths of the supply, instead of one-third, when water is most precious to the cultivators.

5. The Chief Engineer considers that the best way of solving the difficulty would be to lower the head of the Mokhassadar's channel so as to bring it within the influence of the annicut. I have ascertained that this could be done. If it be required only to carry off one-third of the supply when the depth in the river is 16½ inches, the cost would be about 2645 Rupees, and for a depth of 2 feet, Rs. 6220.

6. The next best plan the Chief Engineer states would be to carry the Kattu up the river parallel to the left bank for such a distance as would give a depth of a couple of feet at the head of the channel, while allowing a moderate surface fall. Allowing for a surface fall of 6 inches, the kattu would have to be carried up the river to 3050 feet above the head of the channel, and the cost of constructing a new kattu in the manner proposed by the Chief Engineer would be about 820* Rupees.

7. The objection to a regulating dam or escape

escape in the kattu, which would be much the least expensive method of settling the matter, is that it would be the least satisfactory; because there is little doubt the Mokhassadar's people would take every opportunity of bunding it up.

8. I have delayed sending you this Memorandum until I had the Levels taken that were necessary to determine the cost of the proposed works.

I have &c.

(Signed) J. Beatty Major R.E.
District Engineer Vizagapatam

* P.S. This would be the cost of an entirely new kattu of the description proposed by the Chief Engineer but the materials of the old Pullapurty kattu, now used by the Mokhassadar would reduce the cost to Rs. 695.

(True Copy)

W. Ruddle Captain
Offg. District Engineer Vizagapatam

Copy in R.E.'s
15 September 74 No 1180

1180/14 9

No. 476 Vizagapatam 1st April 1874.

To

The District Engineer, Vizagapatam.

Sir,

I have the honor to reply to your Letter of March 17, forwarding a memorandum from the Chief Engineer regarding the Kopaka Channel.

2. The Chief Engineer says "the Collector should "be requested to make satisfactory arrangements "with the Mokhasadar based upon the acknowledged "claims of the two Channels to receive water "in proportion of one third to Kopaka and 2/3rds "to Pulapurti." (There is also a third Dadapudi).

3. I think I shall be able to shew that it is impossible to make any such arrangements, and that any work necessary to ensure the equal distribution of the water must be done by Government and at Government expense in the first instance. until the late visit of the Chief Engineer and yourself, there was nothing to shew how or when the objectionable dam of the Proprietor originated. Every one reported that its origin was unknown. It now appears from the Chief Engineer's Memorandum that since the construction of the Anicut, the Proprietor has extended his old dam further into the river and thereby appropriates

Consd 1/2/74

Hereby so much abandoned his built & appropriated that which formerly belonged to Pulapurti

appropriates more than his share when the water is low.

5. When this was done is not known, but this dam appears to have existed for many years without any objection being raised, possibly because irrigation matters were not looked after so carefully as they are now. At any rate the Proprietor has now no interest in making a change; he admits the right of the other two channels to an equal share of water with his own, but he is not consequently willing to undertake the labor and expense of a work in order to make such an equal division independent of his will. Even allowing that he has invaded the rights of others by thus extending his dam, how is he to be compelled to execute a work to restore equality. In the case of the former work suggested by the late Executive Engineer, but now condemned he refused to contribute even ⅓ share of the money so that he is not likely to execute the whole work.

6. The work is necessary to ensure the rights of Government and the work must be done by Government. The proprietor is satisfied with things as they are. If the work be one which he ought to execute because his original wrong renders it necessary the expense incurred must be recovered from him: he cannot be compelled to execute the work, and he has obstinately refused to contribute any money.

6. The Chief Engineer considers the best plan of remedying the present state of things is to cover the head of the Kopaka Channel: unless there be strong professional grounds in its favor I should much prefer the 2nd plan of carrying the Canal up the river, because it is the cheaper, and in executing the first work it would be necessary to enter upon the land and dig up the Channel of the Proprietor; this could not be done without his consent and that he will not probably give.

7. Now what I propose to do is to send a notice to the Proprietor telling him that unless within 3 months he makes some satisfactory arrangement for ensuring an equal division of the water, the Government will undertake the work.

8. As to whether the Proprietor is liable for the expenses, that is another question which need not interfere with the execution of the work, because Government must pay the money in the first instance and recover it from the Proprietor if he is held liable to pay.

Supposing

Supposing simple requisition failed, it would then have to be considered whether a suit was advisable or not.

I have &c
(Sd) J. A. Daniel
Ag. Collector

(True Copy)

W. W. Bruce Captain
Offg. District Engineer
Vizagapatam.

No. 152 District Engineer's Office Waltair
25th April 1874.

From
The District Engineer Vizagapatam

To
The Collector of Vizagapatam

Sir

With reference to the proposal made in your letter No. 476 of 1st instant para 7: I have the honor to point out that as the Chief Engineer has given a decided opinion that whatever is done should be done by the Mokhassadar no work can be undertaken by this Department for the purpose in question without the special sanction of Government.

2. My opinion therefore is that the notice to be given the Mokhassadar should be that if he does not make satisfactory arrangements within 3 months he will be prosecuted for depriving the Government ryots of Pullapurty and the Proprietary village of Darlapudi of the two-thirds of the water which is their fair share.

3. As the irrigation season is approaching it is desirable that the notice should be served as early as possible.

I have &c
(Signed) J. Beatty Major R.E.
District Engineer, Vizagapatam

(True Copy)

W. W. Bruce Captain
Offg. Dist. Engr. Vizagapatam

No. 995. 1180/17 Vizagapatam 10th July 1874

To

The District Engineer
Vizagapatam

Sir,

With reference to your letter No. 152 dated 25th April last, I have the honor to forward for your information a petition from the Koppaka Mokasadar, in reference to the erection of a regulating sluice at the head of the Koppaka Channel.

2. I consider that the Government should execute the work, and the Mokhasadar cannot be called on to pay more than 1/3 of the cost.

I have &c.

(signed) A. McC. Webster
Acting Collector

(True Copy)

M. B. Rundle Captain
Offg. District Engineer, Vizagapatam

× To be returned

1180/18

To

The Acting Collector & Magistrate
of Vizagapatam

SP

Petition presented by Chintalapati Venkata Surianaraina razu and Ch. Sundaranarasia Joint Mokasadars of Yati Koppaka Village in Survasiddy Taluq.

Most respectfully Show:-

If a documentary Order be given on behalf of Government Guaranteeing to continue to us our $\frac{1}{3}$ share of the water as hitherto without any hinderance, we bind ourselves to pay the $\frac{1}{3}$ share of the cost of any permanent work which the Government wish to construct such as bunds and sluices and of their future repairs either by retaining or removing away the present usual dam of Koppaka.

This condition will stand good on our successors also.

/signed/ Ch. Venkatasurianaraina
Razu & Garu

8/7/74

(True Copy)

M. P. Ruddle Captain
Offg. District Engineer, Vizagapatam

No 1180 1906

Note by the Chief Engineer for Irrigation

In October last, when on tour in the Vizagapatam District, I visited the Kopàka Anicut on the Varahanadi, and being surprised to find that there was immediately above this work an oblique dam entirely cutting off the supply of water from the channel (Pulupurti) taking off from its left flank, the circumstances were enquired into on the spot, those interested on both sides being present, and as a result of the investigation a memorandum was addressed to the District Engineer, who accompanied me, with a view to the removal of the obstruction, and to the establishment of arrangements whereby the rights of the cultivators under the Kopàka and Pulupurti channels respectively might be secured.

2. Some rough measurements were

No 716 D 10 Oct 73. Major Beatty.

No 1/1220/73

were taken at the time for the preparation of a sketch, but as the latter has not been transmitted by the officiating District Engineer, one from memory has been made, which will afford a sufficiently clear idea of the circumstances.

3. The subsequent correspondence between the District Engineer & the Collector of Vizagapatam will show how the matter stands. In this case, as in that of the Kondakurla Ava, the rights and interests of the Government & of the Government ryots have been sadly neglected; and, if the Collector's opinion that there is no remedy but the expenditure of more or less money on work, the necessity for which has arisen solely from the acts of the Mokhasadar, with a possibility of its recovery by Civil suit, be correct, it is not surprising

From Dist Engr. No 2129-17 Mch 74
To — No 476-1st April 1874
From — No 152-25 April —
To — No 995-10 July —

1180 22

prising that in the past encroachments have been common, and others in the future must be expected. The doctrine that a man may take possession of the water supply belonging to other people, and that them, he being satisfied (and not unnaturally) with things as they are, the Government must do the work necessary to ensure their rights, would seem to be a remarkable one.

Rotacamund
1st September 1874.

Colin Lindsay Lt Colonel
Chief Engineer for Irrigation

To
The Secretary to Govt P.W.D.

Rev. 3058/74

Dominate by Honorable
Sr. Robinson C. S. I.

Asiatic Fuel Tax

1180
21

The proper work to be executed (though the more expensive at first) is to bring the whole distribution under regulation for the ancient works. Ruins are always a source of uncertainty and altercation.

The regulation is within the competence of Govt - there is a recent ruling of the High Court on the matter - & should be under Cochran. As to difficulty about entering on the Govt Khassadars' land, the Land act provides for the removal of that difficulty - And I would act under both powers.

I do not think that a contribution to the expenses can be enforced against the

Govt Khassadars

but that under- except under agree-
-ment. But this is a subsequent
consideration - the first expenses
must be incurred by Govt.

[signed] H. R.
4/9

Cr: 3058/74

Public Works Dept

Note from the Chief Engineer
for Irrigation, dated 1st Sept 1874.

The papers submitted
by the Chief Engineer for Irri-
-gation will be transferred
to the Revenue Department
for consideration and disposal

I am &c
Sd/ Lieut Colonel R.E.
Joint Secretary to Govt
P.W.D.

Secretariat
September
1874.

To,
The Revenue Department
with enclosures in original

1180/24/30

Revenue Department.

No 3158

Revenue 18th Department.

From
The Joint Secretary to Govt.
Public Works Department.

Dated 7th
Recd 9th } September 18th.

Enc: 5.

Transfers to the Revenue Dept. papers submitted by the Chf. Engineer for Irrigation relating to Kopáka Tauent Vizagapatam District

SO 16 September 74
No 1180

No 152

No 1180

Proceedings of the Madras Government.

Under date the 16th September 1874

Read the following Endorsement or Note by the Chief Engr. for Irrigation

Transferring to the Rev. Dept. papers submitted by the Chief Engr. for Irrigation relating to Kopáka Tauent Vizagapatam Dist. } H.C. 7th Sept. 1874

The correspondence received with the note recorded above will be forwarded to the Board of Revenue.

It is clear that the regulation of the water is within the competence of Government and should be undertaken by them.

1 Oct

1579

The best, though not the most inexpensive, method of regulating the supply is by bringing the whole distribution under the Ancut. It appears from Major Beatty's letter of the 17th March 1874 that this can be done, and it is desirable to get rid of "Kattus" which are always a source of uncertainty and altercation.

The Mukhasadars express their willingness to pay one third of the cost of any permanent work which the Govt may construct on the condition that they are guaranteed one third of the water of the river

As

1180
24th [illegible]

As soon as regular plans and estimates have been framed a formal agreement to this effect will be taken from them by the Collector specifying the sum which will be payable as their share. There will be a clause relative to future repairs

The Land Acquisition Act can be brought into play should any difficulty be experienced in entering upon land other than Govt property.

The Board will now instruct the Collector to call upon the District Engineer for the requisite plans &c

To 14 Bo[illegible]
21 W Deputation } 3rd October 74.