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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	81	~~Press~~ / Mis.
Dated	10.9.1826.	196

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
28th August 1874.

Read the following papers:—

No. 697. From Major J. BEATTY, R.E., District Engineer, Godavery, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Dowlaishweram, 30th June 1874, No. 995.

As directed in G. O., No. 542, of 2nd March 1874, I have the honor to furnish herewith two plans of the Gopaulpore lunkas showing the position of the objectionable lunka grass plantations of the Zemindarni of that village and what it is proposed to do to remedy the evils complained of.

• 2 Plans (despatched by banghy).

2. The Zemindarni of Gopaulpore claims all the lunkas, sandy shoals, and river bed up to low water-mark on her side of the river, and, by promoting the growth of lunka grass upon them, she has considerably extended the boundaries of the cultivable land appertaining to her village. But this process has caused serious damage to the western bank of the river, and threatens to endanger the bank channel of the Western Delta near Mullaishweram.

3. In 1859-60, as appears by the Revenue Survey Maps, there was a deep channel of considerable size on the Gopaulpore side of the river's bed, which is now rapidly disappearing, and if steps be not taken at once to keep it free from lunka grass, it will in a few years be completely silted up.

What has hitherto been a large detached lunka will thus be joined to the eastern bank, and the increased volume of water thus forced down the western branch must find space for itself by further damage to the western berm. I have shown on the plan* the probable river boundaries of 1859-60, found by enlarging the survey of that period.

• See Plan No. 2.

4. Plan No. 1 shows the survey of that part of the river recently made by the Officer now in charge of the range, Lieutenant Dorward, R.E., and he has marked upon it in pencil a line to the west of which he proposes that all lunka grass should be rooted up. His proposal is that Government should purchase from the Zemindarni the right to uproot, and stop the planting of, all lunka grass to the west of that line.

5. On the other hand, should Government decide, as I understand from the orders already passed on the subject, that a margin of land is to be acquired along the existing lunkas, together with possession of the sandy shoals in the bed now claimed by the Zemindarni, plan No. 2 would show what will have to be done. My proposal, then, would be to purchase a margin of 100 feet along the eastern ank of the river and around the tached lunka, to fix this boundary by* masonry pillars, and to purchase the s dy shoals over which the Zemindarni now claims the right of planting lunka gr s.

* Or monoliths set in a foundation of concrete.

6. I roughly estimate that this wou cost as follows:—

		Rs.
40½ Acres on the eastern bank of the ri	at Rupees 300 per acre...	13,950
63½ Acres on the large detached lunka,	Rupees 300 per acre ...	19,050
440 Acres of sandy shoal, at Rupees 20	acre	8,800
Erecting twenty boundary pillars, at Ru	s 6 each	120
	Total...	41,920

But a more exact estimate may be framed, in communication with the Collector, as soon as Government has decided more definitely on the measures they approve of.

7. The question of river works for correcting the alignment of the Vassista Godavery must, I think, be left until the chart of the river now under construction has been completed, but there seems no reason why the question of lunka grass planting, as it affects the Zemindarni of Gopaulpore, should not be at once settled.

8. I may mention that my predecessor used his best endeavours before leaving the district to get the survey completed and submitted to Government, but he found that the lines of river embankment had not been shown on the plan, and the Surveyor had to be ordered out again.

The Surveyor immediately after fell sick; finally, when the plan reached my office, I found it necessary to send out the man once more for a little additional information.

No. 698.

Note by the Chief Engineer for Irrigation.

THERE are several points in connection with the subject of the conservancy of the deltaic rivers which it appears necessary should be authoritatively determined.

2. In the order of Government, in the Revenue Department, communicated with G. O., Public Works Department, No. 941, of the 30th March 1871, it is stated that accretions to the bank of a river are the property of the owner of the land to which they adhere, and that new insulated formations in mid-stream are in non-navigable rivers the property of the owner of the nearest bank of the stream, and in navigable rivers are the property of the Crown, to which in such cases the bed of the stream is assumed to belong. Also that accretions to old island formations follow the rule as to accretions to the river bank.

3. First, then, it would seem to be necessary to decide whether the deltaic rivers in the Godavery and in the Kistna as well are to be considered navigable. They are navigable I think both in the sense that they are capable of navigation and that they are navigated. There has probably been less traffic on them since the delta canals have afforded greater facilities for navigation by other routes, but there are still boats upon them, and Government vessels are occasionally taken up and down. Both the Godavery and the Kistna are navigated to a considerable extent above the anicuts, and there consequently it would seem that all mid-stream formations are the property of the Crown.

4. In the next place are the sand banks to be considered as the bed of the stream, or as part of the land beyond the bed of the stream with which they are connected, sometimes apparently, sometimes under water. These rivers in the hot weather are confined to narrow channels, but it seems to be contrary to common sense to suppose that these narrow channels constitute the whole bed proper of the rivers, which for many months of the year occupies the whole width from bank to bank. There is, it is true, a difficulty in defining the bed in terms of the water-spread, owing to freshes of different heights extending to greatly differing

Proceedings of the Madras Government, Public Works Department,
23th August 1874.

widths, and, of course, in all delta formations the whole delta is liable in high floods to be below river level, and but for the embankments would be submerged. Nevertheless it would seem to be practicable to establish a rational boundary at the level of ordinary freshes.

5. Again, whatever rights riparian landholders may have within the actual bed of the rivers, it would appear that they cannot have any claim to plant so as to reclaim land from such river beds. If they have such a right, river conservancy would be practically impossible. If they have not the right, it is very requisite that the practice, which is far too common, should be put a stop to. When the channel of a river takes a set away from any part of its banks—a matter of frequent occurrence—planting up at such places is very effectual in reclaiming ground, and the result is the steady and often rapid aggravation of the set. Strictly protective works it may be altogether proper for a landholder to have a right to carry out, though even those ought to be liable to the sanction of some authority.

6. In the present case there is the obliteration of one channel of the river going on, and a few years more of non-interference by Government, and planting by the Zemindarni will probably result in all the water going to the west of what is now an island, except perhaps in very high freshes. The atlas sheet shows a channel between the island and the left bank of the river of much larger dimensions than that indicated by the Revenue Survey of 1859-60, and again this shows a larger channel than the more recent survey. Now from a glance at the atlas sheet it will be seen that this channel is in the direct line of the river, and that the enlargement of the main channel on the west of the island is an evil. All this part of the river is in very bad order; within a few miles there are the Kakarapurru, the Ramchendrapuram, and the Khundavelly sets, difficult matters to deal with under any circumstances, and of course it will never do to have the work which the Government may undertake liable to be upset or washed away by the proceedings of individual landholders.

No. 94 Latitude 16°42½′
Longitude 81 51½

7. With regard to the District Engineer's letter, and to the information given on the two survey plans transmitted by him, it seems necessary to ask whether all planting beyond the boundary shown in the Revenue Survey of 1859-60, beyond also the proper alignment of the river bank, and therefore clearly injurious, should not be removed by the Zemindarni forthwith; secondly, whether all planting within the former, but beyond the latter line, should not be removed, compensation being given.

8. I do not recommend the acquisition of the land as shown on plan No. 2 in lake, at all events until it is decided whether the Zemindarni has a right to those portions which have been improperly acquired. It would not do to make irregular acts so profitable as would be the case were Government to pay for land the formation of which has been effected by means which are not only very objectionable, but which have resulted in the washing away of an equal or perhaps larger extent of land elsewhere. Moreover, to do any tangible good, the strip of land to be acquired must be that immediately beyond the proper alignment of the river, and much of that shown on the plan is clearly altogether within the river bed. However, the question as to what land should be taken up and paid for is depen-

dent upon the decision which may be arrived at on the points brought to n
in this note. Nothing effectual can be done to prevent the continuance of er
on the one side of the river, while reclamation and consequently action dir
tending to augment that erosion are going on upon the other bank.

OOTACAMUND, (Signed) JOHN MULLINS, Lieut.-Colonel, R.E.
13th July 1874. *Chief Engineer for Irrig*

No. 699. ORDER THEREON, 28th August 1874, No. 2,442.

IRRIGATION, No. 63.

great importance, not only as regar
conservancy of other navigable rive
transmit a copy of these proceedings
the opinion of the Advocate-General b
as the law stands at present, have a
individual proprietors of lands on t
forming accretions or rendering natur
as it does to alter the natural course
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His Excellency the Governo
Council deems the subject brou
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provide for their proper conservancy. Muc has been and is being done to this
end, and the growing importance of the int ts which require protection renders
it desirable that adequate powers for meetir this obligation should be available,
and that the legal position of the Governme hould be defined and clearly under-
stood; if this position be doubtful or am uous, such legislation as may be
necessary will have to be obtained.

(True Ex t.)

(Signed) J. M INS, Lieut.-Colonel, R.E.,
Joint Secretary to Government.

To the District Engineer, Godavery.
" Chief Engineer for Irrigation.
" Government Solicitor.
" Financial Department.
" Revenue "

Exd. E. C. Shunker.
Spare Copies

/True Copy/
A.H. Scott
Major R.E.
Under Secy. to Govt.
P.W.D.

Revenue Department

GOVT. OF MADRAS

PUBLIC WORKS.

To

THE CHIEF ENGINEER, GODAVERY.

&c, &c, &c.

Dated August 1873.

Read Letter dated 4th Instt.

Read G. O., 28th August 1871, No. 2,443.

AUGUST

Nos. 697-699

Correspondence of the Public Department of the Madras Presidency.—Passing orders on a note by the Chief Engineer for irrigation regarding the conservancy of the rivers, and forwarding a copy of the orders to the Government Solicitor with a view to the opinion of the Advocate-General being obtained on certain points.

No 81

Communicates to the Bd of Rev. &c.

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