1311/7

M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 14

(2) Date of repair 2-2-67

(3) Initials of the Referencer

# MADRAS RECORD OFFICE

## GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1311 Press

~~B.P. No:~~ Mis.

Dated 12-10-1874 ~~196~~

*Not to be folded or roughly handled*

No. 136. Read the following Proceedings of the Court of Wards, dated 22nd September 1874, No. 2,720 :—

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Court of Wards, dated Cocanada, 18th August 1874, No. 297 :—

With reference to my letter of the 8th July 1874, No. 222, I have the honor to refer the Court to the Statement which accompanied my letter of the 30th June 1873, No. 208, from which it will be observed that out of the 11,298 acres of Proprietary land entered in the Board's Proceedings of the 2nd August 1873, No. 1,474, only 2,610 acres belong to the Kesanakurru Estate, and the remainder (8,688) to the Guttinadivi Proprietor. This did not strike me when I sent the statement. Since I sent that list, I have been to the Island, and I have noticed that Guttinadivi would benefit a great deal by the repairs proposed to be made to the embankment, and I see no reason why the Proprietor thereof should not pay his quota of the cost. I have not asked the Proprietor what he wishes to say about the matter, because it is not desirable that we should make a request which we cannot enforce. If the Proprietor of Guttinadivi will not pay, there is hardly reason for us to compel the Ward to pay. I therefore request that the Ward may not be charged at all, unless the Court or Government will induce the Guttinadivi Proprietor to pay.

2. I have lately visited the locality and h[illegible] found that the embankment near the Government villages was entirely in ruins. The one close to the villages of the Kesanakurru Estate and Guttinadivi is in ordinary repair, with breaks here and there, and if there were the embankment near the Government villages, which, there can be no question, that Government are bound to maintain in good order, the Estate would certainly have been saved from the river floods at a comparatively small expense. I must therefore repeat my opinion that the Kesanakurru Estate should not be charged at all for the [illegible]s from whatever reason.

3. I beg to send, herewith, a statement sho[illegible]he extent of the Government villages and Inams, the Proprietary Estates of Kesanakurru [illegible]uttinadivi separately. The whole extent of land is Acres 30,774, of which 19,476 belong to [illegible]rnment, 2,610 to Kesanakurru, and 8,688 to Guttinadivi, so that 63·3 per cent. are cha[illegible]le to Government as already decided, and 8·5 per cent. to Kesanakurru, and 28·2 per cent. [illegible]ttinadivi, if the Estates should be charged at all. The amount of the estimate sanctione[illegible] Government is Rupees 62,000. To this, should be added the amount of Rupees 1,312, [illegible]ferred to in Court's Proceedings of the 6th December 1872, No. 2,339, which was already exp[illegible]ded from the funds of the Kesanakurru Estate.

4. I will ask the Guttinadivi Proprietors [illegible]f they are willing to pay, as soon as I hear whether the Government are willing to sue the[illegible] for their share if they will not pay; otherwise, I do not think it right to ask them unless we [illegible]intend to enforce payment; and if we do not enforce payment on them, I do not think we should [illegible]enforce it on our own Wards.

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Submitted for the orders of Government, in continuation of Board's Proceedings, dated 10th August 1874, No. 2,174, disposed of in G. O., 21st August 1874, No. 1,066.

2. The Collector now reports that the st[illegible]ment of the extent of the Zemindari and Government interests involved in the Polaveram Is[illegible]d which was submitted to Government with Board's Proceedings of 2nd August 1873, No. [illegible]74, was incorrect and that of the total area only 2,610 acres belong to the Kesanakurru Estat[illegible]d 8,688 acres to the Guttinadivi Proprietor and that the latter should be called upon to be[illegible]his share of the expenditure involved in the repair of the embankment.

3. The Board are of opinion that the G[illegible]tinadivi Proprietor should be called upon to contribute his share, but they are doubtful whethe[illegible]he can be compelled to do so should he refuse. The Board cannot refrain from remarking that [illegible]the circumstance of their having been left in ignorance up to this time of the fact that the [illegible]terests of a third party were involved in the transaction, shows great negligence on the part [illegible]the Collector.

*Proceedings of the Madras ...overnment, Revenue Department,*
*12th C...ober 1874.*

No. 137. ORDER THEREON, ... October 1874, No. 1,311.

Miscellaneous.

THE Government concur with the Board. If the proprietor refuses to pay, the Board should take the advice of the ...Government Law Officers, as to his leg... liability.

(Tru... xtract.)

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

To the Court of Wards.

Exd G. A. Turton.

Govt. of 1874 [illegible]

REVENUE.

To

THE COURT OF WARDS.

Dated October 12th.

Rec'd.

G. O., 12th October 1874, No. 1,311.

*Polaveram Island Embankment, Godavery District.*—Concurring with the Board in thinking that the Guttinadivi Proprietor should be called upon to contribute his share of the expense in repairing the —, and directing that, in case he refuses to pay, the advice of the Government Law Officers be taken as to his legal liability.

13½/3

No. 2,720.

PROCEEDINGS OF THE COURT OF WARDS, dated 22nd September 1874.

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Court of Wards, dated Cocanada, 18th August 1874, No. 297 :—

WITH reference to my letter of the 8th July 1874, No. 222, I have the honor to refer the Court to the Statement which accompanied my letter of the 30th June 1873, No. 208, from which it will be observed that out of the 11,298 acres of Proprietary land entered in the Board's Proceedings of the 2nd August 1873, No. 1,474, only 2,610 acres belong to the Kesanakurru Estate, and the remainder (8,688) to the Guttinadivi Proprietor. This did not strike me when I sent the statement. Since I sent that list, I have been to the Island, and I have noticed that Guttinadivi would benefit a great deal by the repairs proposed to be made to the embankment, and I see no reason why the Proprietor thereof should not pay his quota of the cost. I have not asked the Proprietor what he wishes to say about the matter, because it is not desirable that we should make a request which we cannot enforce. If the Proprietor of Guttinadivi will not pay, there is hardly reason for us to compel the Ward to pay. I therefore request that the Ward may not be charged at all, unless the Court or Government will induce the Guttinadivi Proprietor to pay.

2. I have lately visited the locality and have found that the embankment near the Government villages was entirely in ruins. The one close to the villages of the Kesanakurru Estate and Guttinadivi is in ordinary repair with breaks here and there, and if there were the embankment near the Government villages, which, there can be no question, that Government are bound to maintain in good order, the Estate would certainly have been saved from the river floods at a comparatively small expense. I must therefore repeat my opinion that the Kesanakurru Estate should not be charged at all for the repairs from whatever reason.

3. I beg to send, herewith, a statement showing the extent of the Government villages and Inams, the Proprietary Estates of Kesanakurru and Guttinadivi separately. The whole extent of land is Acres 30,774, of which 19,476 belong to Government, 2,610 to Kesanakurru, and 8,688 to Guttinadivi, so that 63·3 per cent. are chargeable to Government as already decided, and 8·5 per cent. to Kesanakurru, and 28·2 per cent. to Guttinadivi, if the Estates should be charged at all. The amount of the estimate sanctioned by Government is Rupees 62,000. To this, should be added the amount of Rupees 1,312, referred to in Court's Proceedings of the 6th December 1872, No. 2,339, which was already expended from the funds of the Kesanakurru Estate.

4. I will ask the Guttinadivi Proprietors if they are willing to pay, as soon as I hear whether the Government are willing to sue them for their share if they will not pay; otherwise, I do not think it right to ask them unless we intend to enforce payment and if we do not enforce payment on them, I do not think we should enforce it against our own Wards.

SUBMITTED for the orders of Government, a continuation of Board's Proceedings, dated 10th August 1874, No. 2,174, disposed of in G. O., 24th August 1874, No. 1,066.

2. The Collector now reports that the statement of the extent of the Zemindari and Government interests involved in the Polaveram Island which was submitted to Government with Board's Proceedings of 2nd August 1873, No. 1,474, was incorrect and that of the total area only 2,610 acres belong to the Kesanakurru Estate and 8,688 acres to the Guttinadivi Proprietor and that the latter should be called upon to bear his share of the expenditure involved in the repair of the embankment.

3. The Board are of opinion that the Guttinadivi Proprietor should be called upon to contribute his share, but they are doubtful whether he can be compelled to do so should he refuse,

The Board cannot refrain from remarking that the circumstance of their having been left in ignorance up to this time of the fact that the interests of a third party were involved in the transaction, shows great negligence on the part of the Collector.

(A true Copy and Extract.)

Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department,
with one original Statement.

,, the Acting Collector of the Godavery District.

Rd. G. A. Turton.

No. 3435
Rev. 1874.
Court of Wards,
MADRAS.

PROCEEDINGS, 22ND SEPTEMBER 1874, No. 2,720:

Received 29 Oct 1874

SEPTEMBER.
No. 2,720.

*Polaveram Island Embankment*—in Godavery District.—Letter from Collector reporting that the statement of the extent of the Kesaraju Estate and Government interests involved in—which was submitted to Government with Board's Proceedings, 2nd August 1873, No. 1,474, was incorrect, and that of the total area only 2,610 acres belong to the Estate and 8,6 acres to the Guttinadivi Proprietor, submitting remark that the circumstance of the Board having been left in ignorance of the fact that the interests of a third party were involved in the transaction, shows great negligence on the part of the Collector. Opinion expressed that the Guttinadivi Proprietor should be called upon to contribute a share of the expenditure in repair of embankment.

REVENUE DEPARTMENT. 1311

C No. 3435

From Bd. Court of Wards
Dated 22nd Septr — 1874.

FOR ORDERS.

I concur in the letter of the Bd. of Wards herewith returned. The Bd. should take the advice of the Law Officers. as to their legal liability.

5. 10

FOR ORDERS.

Rd 10/10/74
C 3/10/74

Revenue Department.

No. 1311.

Proceedings of the Madras Government
Under date the 12th October 1874.

Read the following Rs.
of the Court of Wards.

Regarding repair of Polaveram Island Embankment in Godavery District.

} H.C. 22nd Sept. 1874 No. 2720.

The Government
concur with the Board.
If the proprietor refuses
to pay, the Board should
take the advice of the
Govt. Law Officers as
to his legal liability.

To The Court of Wards.