

(1) Number of Pages 2.8(2) Date of repair 22-4-1967(3) Initials of the Referencer 22.7.68**MADRAS RECORD OFFICE****GOVERNMENT OF MADRAS**Revenue DEPARTMENTG.O. No.
B.P.—No:

115-3

Press
Mis.

Dated

30.7.1875 196- .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
30th July 1875.*

No. 336. Read the following Proceedings of the Court of Wards, dated 8th July 1875, No. 1,892:—

Read the following letter from J. KELSALL, Esq., Acting Sub-Collector in charge of the Godavery District, to H. E. STOKES, Esq., Acting Secretary to the Court of Wards, dated Cocanada, 19th June 1875, No. 273:—

I HAVE the honor to forward, for the orders of the Court, a letter* from the District Engineer stating that out of the Rupees 10,000 sanctioned† from the funds of the Kesanakurru Estate for the embankment of the Polaveram island only Rupees 6,040-1-1 could be spent in the past year. He requests that the balance, Rupees 3,959-14-11, may be placed at his disposal and an additional sum of Rupees 10,000 also from the estate funds.

2. The original estimate for the repair of the embankment of this island was Rupees 62,000, and before that Rs. 1,312 was spent;‡ and as the area of 30,774 acres was thus made at—

Government lands	8,485
Inams... ..	10,991
	19,476
Proprietary lands	11,298
Total...	30,774

§ G.O., 25th February 1874, No. 477, Public Works Department. It was decided that the Government would pay two-thirds, and the proprietary estates one-third, of the cost.

3. Mr. Foster subsequently reported|| that of the 11,298 acres of proprietary land 2,610 acres only belonged to Kesanakurru and 8,688 acres to Guttinadivi.

4. The proportions in which the cost of the work should be divided between the parties who will benefit thereby are—

	Rs.
Government, 63·3 per cent. =	40,068
Kesanakurru, 8·5 .. =	5,370
Guttinadivi, 28·2 .. =	17,874
Total...	63,312

5. The Guttinadivi proprietor was asked¶ if he would contribute his share, but has declined to do anything. I do not see how he can be compelled to do so, but perhaps the Board will, as suggested by Government,** obtain legal opinion as to his liability.

6. The Board have directed†† meanwhile that a statement shall be submitted showing the extent to which each of the estates will be benefited by the changes, and the area and assessment of the cultivated land which will be immediately affected. To get this question settled as soon as possible I have asked

* Court's Proceedings, 1st June 1875, No. 1,477.

† Court's Proceedings, 11th Feb. 1875, No. 306.

†† 1st June 1875, No. 1,477.

*Proceedings of the Madras Government, Revenue Department,
30th July 1875.*

Mr. Austin, Head Assistant Collector, to go down to Polaveram, and I have asked Major Beatty to depute some one of his department to meet him there. To give the information the Board wish for will require some professional knowledge.

7. I am afraid there must be delay, for we have had heavy rain, and the floods may come down the river any day.

8. "This is how the matter stands at present, and a very unsatisfactory situation it is. The Guttinadivi proprietor won't pay; "the Government of India have declined to sanction Imperial funds for the work pending further information." How can we make the Kesanakurru Estate pay just because it is at present under our management?

9. Mr. Foster has shown that only 8.5 per cent., or Rupees 5,370, is chargeable to the estate, and yet we have already spent Rupees 7,352, and Major Beatty asks for Rupees 3,959-14-11 more from the same source.

10. The Accountant-General has not communicated to me that the Rupees 10,000 sanctioned by the Court in their Proceedings of the 11th February 1875, No. 306, has been placed at the disposal of the District Engineer, but it appears it has. The balance in favor of the estate up to May 1875 is Rupees 10,378, from which must be deducted Rupees 6,040-1-1 spent by the District Engineer, which leaves Rupees 4,338. Rupees 5,000 have been provided in the current year's budget.

11. The estate has paid more than its fair share, and when the other parties decline to contribute their quota, I do not see how we can with justice make the estate pay more.

12. At the same time the amount already laid out must not be wasted as it probably will be if the work is not completed. Major Beatty says, "it is of much importance and does not admit of delay." The only thing I can suggest is that the Board should, if they please, ask Government for a grant. The sum spent can be adjusted afterwards.

ENCLOSURE No. 1.—Copy of District Engineer's letter.

SUBMITTED for the orders of Government.

2. In their Order of the 25th February 1874, No. 477, Government approved an estimate, amounting to Rupees 62,000, for the embankment of the Polaveram Island, and decided that the cost was to be distributed between Government and the Proprietary Estates concerned in the proportion of two-thirds and one-third respectively with reference to the relative areas that will benefit by the works.

3. The Government having in their Order of the 17th November 1874, No. 3,247, stated that no funds were available from the ordinary agricultural grant, the Court allotted Rs. 10,000 from the funds of the Kapileswarapuram and Kesanakurru Estates, of which Rupees 6,040-1-1 has been expended, making, with a sum of Rupees 1,312 previously contributed from the same source, a total of Rs. 7,352-1-1. The District Engineer now applies for the balance of the allotment of Rs. 10,000 and for a further allotment of the same amount; but, as the quota payable by the estate has already been exceeded, the Court are not prepared to comply with the application, and resolve to request that funds may be allotted by Government with

*Proceedings of the Madras Government, Revenue Department,
30th July 1875.*

reference to G.O., dated 1st May 1875, No. 1,227, paragraph 3, if the work is to be proceeded with immediately, as appears very desirable. Adjustment of the expenditure between Government and the Proprietary Estates can be made hereafter.

4. With regard to the Guttinadivi proprietor's refusal to bear his share of the outlay, the Court have called for a statement of the area and assessment under cultivation in each estate which will be immediately affected by the work. Meanwhile, with reference to G.O., dated 12th October 1874, No. 1,311, they resolve to furnish the Government Pleader with copies of the correspondence which has taken place in regard to the project, and to request his opinion as to the Guttinadivi proprietor's legal liability to payment of the contribution claimed.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 337. ORDER THEREON, 30th July 1875, No. 1,153.

Irrigation No. 6.

It is observed that G.O., Public Works Department, 1st May 1875, expressly authorizes the District Engineer to proceed with the work first from contribution money available, and on its exhaustion from Imperial funds.

2. The Kesanakurru Estate has already contributed all, and more than, it ought to give, and at present funds cannot be obtained from the Guttinadivi proprietor.

3. The Collector should now call on the District Engineer to proceed with the work under the sanction already accorded.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Public Works Department.
,, Court of Wards.

Exd. J. W. Fischer.

GOVT. OF INDIA
 REVENUE
 THE PUBLIC WORKS DEPARTMENT
 No. 200-21/1875 No. 1133
 JULY
 Nov. 200-21-17
 Reference to the following
 The following is the Collector to call on the
 District Engineer to grant with the— and the
 amount of Rs. 100,000 to be paid to the
 District Engineer 1875.

Revenue Department
 Proceedings of the Court of Wards
 Dated 8th July 1875
 No. 273
 Read the following

From John Kelsall Esquire
 By Sub-Collector in Charge
 H. C. Stokes Esquire
 By Secretary to the Court of Wards
 Madras.

Sir,
 I have the honor to forward for
 the orders of the Court a letter from the
 District Engineer stating that out of the Rs.
 10000 sanctioned from the funds of the
 Kesonahur estate, for the embank-
 ment of the Polanaram island, only
 Rupees 6040-1-1 could be spent in the
 past year. He requests that the balance
 Rupees 3959-14-11 may be placed at his
 disposal

4 June 1875
 1802 Copy

Court's No.
 11 July 75 1306

disposal and an additional sum of
Rupees 10000 also from the estate funds.

2. The original estimate for the repair
of the embankment of this island was
Rupees 62000 and before that Rupees 1312
was spent, and as the area of 8077 1/4 acres was
thus made at

* Collis letter
18 Aug 1874
No 297. Para 3

Government lands	—	8485
Simms	—	10991
Proprietary lands	—	11298
		<u>30774</u>

it was decided that the Government would
pay 2/3 and the Proprietary estates 1/3 of
the cost.

3. Mr Foster subsequently reported
that of the 11298 acres of Proprietary land,
2610 acres only belonged to Kesanaikurru
and acres 8688 to Guttinadivi.

4. The proportions in which the cost

of the work should be divided between the
parties who will benefit thereby are

Government	—	63.3 % Cent.	Rs 40068
Kesanaikurru	—	8.5 % Cent.	Rs 5370
Guttinadivi	—	28.2 % Cent.	Rs 17814
			<u>63312</u>

* Court's Pro.
1st June 1875
No 1477

5. The Guttinadivi Proprietor was
asked if he would contribute his share,
but has declined to do any thing. I do
not see how he can be compelled to do so,
but perhaps the Board will, as suggested
by Government obtain legal opinions
as to his liability.

6. The Board have directed mean-
while that a statement shall be
submitted showing the extent to which
each of the estates will be benefited
by the changes, and the area and assess-
ment of the cultivated land which will be

be immediately effected. To get this question settled as soon as possible, I have asked Mr. Austin, Deputy Assistant Collector to go down to Polavaram, and I have asked Major Beatty to depute some one of his Department to meet him there. To give the information the Board wish for will require some professional knowledge.

7. I am afraid there must be delay for we have had heavy rain, and the flood may come down the river any day.

8. This is how the matter stands at present and a very unsatisfactory situation it is. The Gutturadiwari proprietor would pay; the Government of India have declined to sanction Imperial funds

115/3
funds for the work pending further information. How can we make the Kesanaikurum estate pay; just because it is at present under our management.

9. Mr. Foster has shown that only 8.5 per cent or Rupees 5378 is chargeable to the estate, and yet we have already spent Rupees 7352 and Major Beatty asks for Rupees 3959-14-11 more from the same source.

10. The Accountant General has not communicated to me that the Rs. 10,000 sanctioned by the Court in their Proceedings of the 11th February 1875 No. 306 has been placed at the disposal of the District Engineer, but it appears it has. The balance in favor of the estate up to May 1875 is Rupees 10378 from which must

must be deducted Rupees 1040-1-12 spent
by the District Engineer which leaves
Rupees 4338. Rupees 5000 have been
provided in the Current year Budget.

11. The estate has paid more than its
fair share and when the ^{other} parties decline
to contribute their quota, I do not see
how we can with justice make the estate
pay more.

12. At the same time the amount
already laid out must not be wasted as
it probably will be if the work is not
completed. Major Beatty says "it is
of much importance and does not
admit of delay." The only thing I
can suggest is that the Board should,
if they please, ask Government for a
grant

1152/3
grant. The sum spent can be adjusted
afterwards.

Godavery District. I have &c.
Collectors office } Mr John Kehall
Goanada. } Sd Sub-Collector
19 June 1875. } in charge.

Submitted for the orders of
Government.

2. In their order of the 25 Febru-
ary 1874, No 477, Government approve
an estimate amounting to Rupees 6200
for the embankment of the Polavaram
Island and decided that the cost was
to be distributed between Government
and the Proprietary Estates concerned
in the proportion of two thirds and
one third respectively with reference to
the relative areas that will benefit
by the works.

The

3. The Government having in their order of the 17th November 1874, No 3247, stated that no funds were available from the ordinary agricultural grant the Court allotted Rupees 10000 from the funds of the Kapilewarapuram and Kesanaikurru Estates, of which Rupees 6040 has been expended making with a sum of Rupees 1312 previously contributed from the same source a total of Rs 352-1-1.

The District Engineer now applies for the balance of the allotment of Rupees 10000 and for a further allotment of the same amount but as the quota payable by the estate has already been exceeded the Court are not prepared to comply with

1153
with the application and resolve to request that funds may be allotted by Government with reference to Government Order, 1st May 1875, No 1227, para 3, if the work is to be proceeded with immediately, as appears very desirable. Adjustment of the expenditure between Government and the Proprietary estates, can be made hereafter.

4. With regard to the Guttinaidivi proprietors refusal to bear his share of the outlay the Court have called for a statement of the area and assessment under cultivation in each estate which will be immediately affected by the work. Meanwhile with reference to Government Order, 12 October 1874, No 1311, they resolve to furnish the Government Pleader

Reader with copies of correspondence
which has taken place in regard to the
project and to request his opinion as to the
Guttinadivi proprietor's legal liability
to payment of the contribution claimed.

(Enclosed Copy & Extract)

W. L. Cotton
Acting Sub-Secretary

To The Secretary to Government
Revenue Department
with copy of Board's Proceedings
dated 1st June 1875, 1877 and
original letter from District Engineer
to be returned.

W. L. Cotton
Cop 7/10

1153
9

No. 306.

PROCEEDINGS OF THE COURT OF WARDS, dated 11th February 1875.
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 Rajahmundry, 17th December 1874, No. 464 :—

I HAVE the honor to acknowledge the receipt of the G. O., No. 3,247, dated 17th ultimo, communicated with Court's Proceedings of the 7th instant, Miscellaneous No. 8,494, regarding the Polaveram Island Embankment.

2. I have requested the Acting Sub-Collector to ascertain the wishes of the Guttinadivi proprietor about paying the share of expenditure to be borne by him on the proposed repairs of the embankment proportionate to the extent of land belonging to him, as directed by the Court in their endorsement on the G. O. of the 12th October 1874, No. 1,311, Revenue Department. In my letter of the 8th July last, No. 222, embodied in Court's Proceedings of the 10th August 1874, No. 2,174, I reported that a sum of Rupees 17,000 is available from the Kapileswarapuram and Kesanakurru Estate Funds, and I have no objection to pay the amount of 10,000 Rupees allotted in the budget for the current year, provided the estates are not called upon to bear more than what is fairly chargeable to them with reference to the extent of land to be benefited by the repairs of the embankment in question.

3. The District Engineer requests that a sum of Rupees 5,000 may be allotted for the work already done from the share of the two estates referred to above. I have, therefore, the honor to request the Court's instructions on the subject.

4. From the District Engineer's letter it appears that a sum of Rupees 11,328-1-1 has been expended, and the payments already made have amounted to Rupees 6,686. The remainder (Rupees 4,642-1-1) should now be paid.

5. I beg to send copy of my letter of the 28th September 1874, No. 128, to the District Engineer, referred to in the Proceedings under reply, for the perusal of the Court.

ENCLOSURE No. 1.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to the District Engineer, Godavery District, dated Cocanada, 28th September 1874, No. 128.

WITH reference to your letter, No. 1,865 of the 12th September, I have the honor to inform you that as many of the Government villages are to be benefited by the construction of the embankment of Polaveram Island, I think the cost of constructing the same may be first paid by the Government, and then recovered from the funds of the proprietor.

2. A sum of Rupees 10,000 has been provided for the works in question in the budget of the estate of Kesanakurru.

3. It appears that the Guttinadivi proprietor will be benefited by the work, and I have written to the Board to know if he should not be asked to bear a portion of the cost. Till this is decided, the amount payable by the Kesanakurru Estate cannot be exactly known, and it is absurd to advance the money from the funds of the estate which has, according to present orders of Government, to pay only one-third of the cost of the embankment. I therefore think that the Government who have to pay two-thirds should pay the money in advance.

(True Copy.)

(Signed) W. S. FOSTER,
Acting Collector.

10/10/74 No. 40
12/10/74 136-137
23/10/74 158
17/11/74 1023

Recd: 1875-2-11
11/2/80
No. 128
Court of Wards

Dated 8th July 1875.
Supd: 11/2/80
10/10/74
Polaveram Island Embankment

in Godavery Dist. - letter from the
proprietor of the Polaveram Island
Embankment for further sum of
money for - submitted to Court
with request to allot from the
funds, leaving the expenditure
to be apportioned afterwards.
Certain papers on the subject
forwarded to the District
Engineer for his opinion as to legal
liability of future
proprietor to pay his share of
the outlay and the work.

3-336
10/10/74 No. 40

THE Court sanction an advance of Rupees 10,000 to enable the District Engineer to proceed with the work, and request the Accountant-General to place that sum at the disposal of the Department Public Works, from the funds of the Kesanakurru Estate, in the Collector's hands. The exact amount of the expenditure chargeable to the above estate is not ascertainable at present, but an adjustment can be made hereafter.

2. The Collector should lose no further time in communicating with the Guttinadivi proprietor.

(True Copies and Extract.)

(Signed)

C. A. GALTON,
Acting Sub-Secretary.

To the Acting Collector of the Godavery District,
.. the Accountant-General.

*Copy to the District Engineer
to the Controller of Public Works Accounts*

Exd. W. H. French.

Polavaram Island Embankment—In Godavery District.—Advance of Rupees 10,000 to enable District Engineer to proceed with repairs of —, sanctioned, and Accountant-General requested to place the sum at the disposal of Department Public Works, from funds of the Kesanakurru Estate, in the Collector's hands. Collector to lose no further time in communicating with the Guttinadivi proprietor in regard to the contribution of his share of the expenditure on the repairs of the embankment.

No. 306.

FEBRUARY.

Received

Encl.

PROCEEDINGS, 11TH FEBRUARY 1875, No. 306.

Court of Directors,
MADRAS.

1875.

No. 1,477.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st June 1875.

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Kesanakurru, 19th April 1875, No. 142:—

REFERRING to the Board's Proceedings of the 6th November last, No. 3,193, I have the honor to forward, herewith, copy of the Sub-Collector's letter of the 22nd January last, No. 36. It will be observed that the Guttinadivi proprietor has no intention of paying anything towards the repairs of the Polavaram embankment if he can help it.

2. The Government have decided that the cost of repairs should be borne with reference to the proportion of the area of the villages. The proprietor says that only about 1,000 acres of his land can possibly receive any benefit from the work, but I do not see why the extent to be benefited need be taken into consideration in the matter. The proprietor says that he is willing to pay two-thirds of what has now been fixed as his share of the cost if an aqueduct is built, and this work would cost much more, so that in effect he refuses to pay anything.

ENCLOSURE No. 1.

From J. KELSALL, Esq., Acting Sub-Collector, to W. S. FOSTER, Esq., Acting Collector, of the Godavery District, dated Rajahmundry, 22nd January 1875, No. 36.

I HAVE the honor to forward, for your information, the reply of the Guttinadivi proprietor to the question asked in G. O. of 12th October 1874, No. 1,311.

2. He denies that 8,688 acres of his estate will be benefited by the proposed embankment. He says that only about 1,000 acres can possibly receive any benefit, and for the rest he would rather they remained as they are, liable to be covered annually with the rich Godavery silt.

3. He finally gives a reluctant consent to pay two-thirds of the sum which has been fixed on as his contribution, on condition that Government will build an aqueduct to bring fresh water on to the island. As the lunka is close to the sea, the Godavery water which surrounds it is brackish.

4. This aqueduct has nothing to do with the proposed embankment, and would cost much more than the share of expense asked from the proprietor. I consider that his reply means that he has no intention of paying anything.

5. I have not discussed his arguments as I have never seen the island, and you spent so much time there last year on this very business that you will fully understand his position without any explanation of mine.

(True Copy.)

(Signed)

W. S. FOSTER,
Acting Collector.

THE Collector will report to what extent each of the estates concerned will benefit by the embankment, stating the area and assessment of the lands under cultivation which will be immediately affected by the work.

(True Copies and Extract.)

(Signed)

C. A. GALTON,
Acting Sub-Secretary.

To the Acting Collector of the Godavery District.

Exd. W. H. French.

REVENUE DEPARTMENT.

No. 2804

From *Secy. to Govt.* Dated *8 July* 1875.

FOR ORDERS.

*I observe that the GO
of 1. May 75. P.O. 1227.
expressly authorises the
S. Secy to proceed with
the work. "first from
contribution money avail-
able - & only to draw there-
from imp. funds".
The Khasanah is stated
to have given all more than
it ought to contribute
to the other purposes
of the work & is evidently
not to be covered in*

1875.
Board of Revenue,
MADRAS.

PROCEEDINGS, 1ST JUNE 1875, No. 1,477.

Encl.

Received *Rev 1*
2804/75
JUNE.
No. 1,477.

Polavaram Island Embankment—in Goda-
very District.—Letter from Collector, forward-
ing one from Sub-Collector reporting that
Gutindivi proprietor has no intention of
paying anything towards repair of—.Collector
directed to report to what extent each of the
estates concerned will benefit by the embank-
ment.

before we take any
help from him - under
the circumstances the D.
Engl. shd. act on the G.O. question
as is understood
the latest on the subject
from Engl. friends.

Otherwise I think the
boards could put the
Gov. in pt. B. is undesirable
A Gov. of the above effect
and better be with the
pt. of D. & D. & W.

Certainly we must not be surprised by the trouble
connected with the proposed
from the various details which must be adopted

I think the course

20th
28th
29th
30th
31st
1st
2nd
3rd
4th
5th
6th
7th
8th
9th
10th
11th
12th
13th
14th
15th
16th
17th
18th
19th
20th
21st
22nd
23rd
24th
25th
26th
27th
28th
29th
30th
31st

FOR ORDERS.

*1. Given in full and
paid to the order of the
11.*

No 1153

20 July 1875

Read *W. C. C. C. C.*
Rev. Comt of Wards
pro: 8 July 1875. No
273. 1892

It is observed that
P.W. 1
of O. 1 May 1875 suggests
authorising the St. Sep.
to proceed with the
work first from Contingent
money available &
an is exhausted
from Imperial fund.
The Kesaukum Estate
has already contributed
all more than it
ought to give & at
present funds cannot
be obtained from the

latter in property

Order are therefore

the issue in the P.W.D.
for the ~~unwarranted~~ property
of the work by the
distinct right from
Imperial fund
as already sanctioned
in the order given
above.

Alu

Copy

To The P.W.D. Secy. 21 July 1884. Received Copy on 9 August

(sent of W. 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100)

Despatch -
from [unclear]