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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	4240	Press.
B.P. No.		Mis.
Dated	30. 7. 1879.	197

Not to be folded or roughly handled.

4290
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GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

20th July 1877, No. 180 I.

Irrigation.

Account.

Read the following paper:—

No. 194. Endorsement of the Secretary to Government, Revenue Department, dated Fort St. George, 11th July 1877.

Proceedings of the Court of Wards, dated 20th June 1877, No. 2,899.

From W. S. FOSTER, Esq., Collector of the Godavery District, to H. E. STOKES, Esq., Secretary to the Court of Wards, dated Cocanada, 19th May 1877, No. 144.

The late proprietrix of Gopaulpore Estate sent a petition to me in 1873 complaining that lunkah grass from her lunkahs was cut and taken away by the Department of Public Works for Government purposes and a compensation was, therefore, to be granted to her.

2. I requested the District Engineer to let me know what amount of compensation he considers reasonable. In his letter, dated 4th instant, No. 332, he estimated that the amount of lunkah grass which was cut to be 9,400 bundles, the value of which is Rupees 752 at Rupees 8 per 100 bundles. I agree to this amount.

3. The proprietrix applied for this compensation before her death, and the estate has since come under the management of Court of Wards.

4. I request therefore that the Court of Wards will ask for the sanction of Government for this amount being paid to the estate.

5. The estate is certainly entitled to this compensation, and if it is not paid now we might be sued by the proprietor when he comes of age for negligence in not collecting the money due to his estate. In that case, he might put the damages at a higher figure, as he would possibly take in the loss of dignity caused to the late proprietrix by unlawful proceedings on the part of Government Officers. This we need not ask for, and I do not think that the late proprietrix really suffered by these proceedings.

6. This matter is that referred to in the Proceedings of the Board of Revenue, No. 298, dated 12th February 1874.

Submitted to Government with the request that sanction may be accorded to the payment to the Gopaulpore Estate of Rupees 752, the estimated value of lunkah grass cut by the Department of Public Works.

2. The order on Board's Proceedings, dated 12th February 1874, No. 298, does not appear to have been communicated to the Board.

(A true Copy and Extract.)

(Signed)

C. A. GALTON,

Sub-Secretary.

PUBLIC WORKS DEPARTMENT, 20th JULY 1877, No. 180 I.

TRANSFERRED to the Public Works Department in continuation of Board's Proceedings, dated 12th February 1874, No. 298.

(Signed) C. G. MASTER,
Secy. to Govt., R.D.

No. 105. ORDER THEREON, 20th July 1877, No. 180 I.

THE Superintending Engineer, Godavery, will adjust the sum due for lunkah grass taken in 1873 from the Gopaulpore Estate, charging the amount Rupees 752 to the service for which the grass was required.

(True Extract.)

Colonel R.E.
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Superintending Engineer, Godavery.
" Revenue Department, with copy of G.O., No. 1,262, dated 11th May 1874.
" Examiner of Public Works Accounts.

" B^d of Revenue.

Encl. E. C. Shunker.
Spare Copies

Proceedings of the Madras Government, Public Works Department,
11th May 1874.

Read the following papers:—

No. 243. Endorsement of the Revenue Department, dated Fort St. George, 20th February 1874.

Proceedings of the Board of Revenue, dated 12th February 1874, No. 298.

Read again Board's Proceedings, dated 25th April and 19th September 1873, Nos. 649 and 1,878.

Read also the following letters:—

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cocanada, 29th November 1873, No. 391.

As directed in the Proceedings of the Board of Revenue, No. 1,878, of the 19th September 1873, I have the honour to forward copies of all the papers connected with the planting of lunkah grass on an Island in the Godavery river, with a report on all that has gone before.

2. I do not, however, think that the actual state of the dispute has much to do with the question of the terms used by the District Engineer in one of his letters on the subject (No. 1,578 of 16th August), which is the paper I object to. But I proceed to give a full analysis of the dispute in the hope that it may lead to some good result.

3. All the letters, of which copies are enclosed, refer to an Island in the Godavery river belonging to the Zemindari of Gopaulpuram. Lunkah grass is growing (whether spontaneously, or planted by the ryots, or the Zemindari, or both is not known) on the banks of this Island, and the result has been damage to the river, danger to certain public works on the opposite (the west) bank of the river, and expense to Government. The Public Works Department have repeatedly cut this grass. The Zemindari demands payment, and the Engineering Department refuse to pay. The latter wish to compel the Zemindari to refrain from planting, and the Zemindari wishes to sue the Department Public Works for the value of the grass cut.

4. The law with regard to *Government* Islands compels the cultivators to allow the officers of the Department Public Works to cut grass whenever they think fit without compensation. But in this case the Island is a *proprietary* estate; there is no dispute whatever as to that point. The law gives to the proprietor all the land above low water-mark, and this grass stands within that limit. At the same time the law gives, I conceive, the right of civil action on the part of the Government against the Zemindari for such an extension of her Island as may injure the Government land or works on the opposite bank of the river. There might be grounds for prosecuting the planters of the grass criminally for mischief if it could be found who did it, but the chances of conviction are very remote, and the officers of the Department Public Works are themselves averse to such a course, as they are not prepared with sufficient proof. On the other hand the Zemindari has, I should imagine, clear grounds of complaint against the Department Public Works, not for their cutting the grass, as she has signified her consent to their doing so on previous notice being given, but for their refusing to pay her the smallest compensation for the grass they cut.

5. The case under consideration at present is one which has given rise to the correspondence enclosed between the District Engineer and his executive officers, and the Sub-Collector. It is very similar to a previous case which was conducted principally between the Collector and the Department Public Works, and which, the Board of Revenue will remember, was the cause of the issue of their Proceedings, No. 686, dated 30th April 1873, and G. O., thereon, No. 707, dated 22nd July 1873.

6. The following are the facts of the present case.

7. On 8th June 1872 Mr. Walsh, the Executive Engineer in charge of No. 3 or Western Delta Range, requested* the Superintending Engineer to inform him of the actual boundaries of the Gopaulpuram lunkah, as much damage was being done to Government works by the extension of that Island. The Superintending Engineer addressed the Sub-Collector,† asking for the requisite information.

I beg to point out that in this letter the Superintending Engineer uses language calculated to irritate the Sub-Collector as implying a sort of threat of reference to the Collector in case the Sub-Collector does not do what the Superintending Engineer imagines to be his duty to do.

8. The Sub-Collector then wrote* to Mr. Walsh, suggesting that if clear evidence was procurable as to who planted the grass which caused the damage those persons might be prosecuted, and asking for a report on the facts and a list of witnesses to prove, 1st, who planted the grass; 2ndly, whether the Zemindarni abetted the planters; 3rdly, what evidence is forthcoming that the planters know of the damage they were causing; and, 4thly, what damage had actually been done. The Sub-Collector also called on the proprietrix to explain.

9. The proprietrix replied† that she had not planted any grass, but had actually sustained loss by refusing permission to her ryots to plant on their lands which lay on the margin and had been washed away, and that what grass there was was self-sown, germinating from seeds blown there by the wind and roots washed down by floods. She also stated that she had given permission to the Circar to remove the grass, and that she herself had actually removed some. Further, that the Department Public Works officers had been cutting grass whenever it suited their convenience, but had uniformly refused to pay compensation. She courted full investigation.

10. Meanwhile Mr. Walsh had replied,‡ stating that no good evidence was forthcoming, and that in his opinion Judicial proceedings were undesirable. He states that the injury done by the extension of the Island ("by self-sown grass if not by manual planting") [sic] is extensive erosion of the right bank of the river, rendering costly works necessary. All that he wants is, he says, that his department should be informed of "the exact boundaries of that portion of existing

lunkah over which the Zemindarni has rights," so that it may be decided how much of her property it might be necessary to acquire under Act X. of 1870.

11. On 13th July 1872 the Superintending Engineer again addressed the Sub-Collector on another matter, a branch of the same subject. Mr. Walsh, in his notes to the Inspection Report for June 1872, stated that the work on a groyne on the right bank of the river had been stopped by the Gopaulpuram Zemindarni's refusal to allow lunkah grass to be cut on her Island. The Superintending Engineer commenting on this urges a speedy defining of the limits of the lunkah.

12. In reply the Sub-Collector wrote, that he was waiting till he had opportunity to inspect the Island referred to before attempting to define its limits, and to satisfy the Superintending Engineer that he had not neglected the subject he sent him copies of the correspondence between himself and Mr. Walsh.

13. On 27th July Mr. Walsh wrote a demi-official to Mr. Stuart, Sub-Collector, in reply to which Mr. Stuart, on September 30th, wrote as requested an official letter, No. 129, (Enclosure 8), sending his opinion on the matter, which shortly comes to this—that by law the proprietor has a right to all land appearing at low water; that low water-mark, therefore, is the only boundary that can be laid down; and that if the Department Public Works want any land to be taken up under Act X. of 1870, Mr. Stuart would recommend "them to take such a strip of the lunkah or river bed as may be considered necessary." It appears, however, that no notice was taken of this by the Department Public Works, who thus seem to be themselves solely responsible for the delay. They never sent in any list of lands they wanted.

14. In reply to a letter of the Sub-Collector the proprietrix wrote to the Sub-Collector,* reiterating her former statements and complaining that, though the Department Public Works had cut as much grass as they wanted, and though she had suffered loss of revenue, they never paid her for the grass taken.

15. Mr. Pearse, then Acting Sub-Collector, wrote to the Superintending Engineer,† forwarding this petition, and stating that the proprietrix had no objection to the grass being cut if she was paid for it.

16. The Superintending Engineer replied‡ very curtly on December 7th, simply sending copy of a letter addressed by him the previous day to the Collector, apparently after receipt of Mr. Pearse's letter. I can see no reason for this irritating tone, unless he wished Mr. Pearse to understand that the Superintending Engineer declined further correspondence with him, and had gone to his superior on the matter, as if in fact Mr. Pearse had been doing something wrong.

17. This enclosed letter was dated 6th December 1872, (Enclosure 12), and states that great injury had been done by the planting of grass; that it is impor-

sible to prove who plants the grass, and therefore (!) the Zemindars are not entitled to any consideration or compensation. He states that "the same excuse" is made by the Tahsildars, namely, that it is impossible to prove who planted the grass, and he accuses the Tahsildars of wilful neglect of their duty, and wilful withholding of complaints as to injury, however large, done to Government works. This is bad enough. Colonel Fischer must surely be aware that Tahsildars are powerless to punish when there is no evidence to show who the offenders are, and he knew well when he wrote that the Sub-Collector had been taking all possible pains to put the matter right, and had told him two or three days before that he had obtained the consent of the Zemindarni for the Department Public Works to cut the grass whenever they thought fit if they only paid her its proper value. He also refuses to pay for what he takes, though he admits that there are no grounds for supposing the Zemindars responsible. But even worse remains. In his 2nd paragraph Colonel Fischer again proceeds to threats, and implications that the Revenue officers do not do their duty. Writing to the Chief Revenue officer of the district he tells him that no doubt the Government will call for an explanation of the whole matter, and that he has repeatedly pointed out the injury done, implying that the injury is therefore the result of the Collector's neglect of his duty.

18. Similar language was used a few days later, (December 20th), and that letter being sent to the Board of Revenue they in their Proceedings, No. 649, dated 25th April 1873, condemned Colonel Fischer's tone.

19. The correspondence then passed into my hands and led to the issue of G. O., No. 767, dated 27th July 1873, approving of my proposals for securing the safety of the river and the works by the taking up of a strip of land all along the edge under Act X. of 1870.

20. On 25th June 1873, (Enclosure 13), the proprietrix again complained of large quantities of lunkah grass having been cut by the subordinates of the Department Public Works and payment being withheld. Mr. Snaith, Sub-Collector, sent

* No. 123, 10th July 1873, Enclosure 14. this complaint with a covering letter" to the District Engineer, and his reply† was received on 7th August.

21. This letter simply referred Mr. Snaith to the Superintending Engineer's letter of the 7th December 1872, which itself merely enclosed his letter of 9th December 1872 to the Collector, and concluded with the following paragraph, the extremely offensive tone of which will, I think, speak for itself:—"It has been ruled by the authorities that the Government have reserved all rights to cut lunkah grass in the bed of the river for its proper conservancy, and this fact is well known in your office; but at every change of officers this office is troubled with the same complaints and references."

† No. 163, 14th August 1873, Enclosure 16. 22. "Mr. Snaith pointed out in reply* that the only order extant referred to Government not proprietary lunkahs, and concluded with a remonstrance against the tone of Colonel Fischer's letter.

23. Colonel Fischer immediately on receipt of the letter replied by letter, No. 1,578, dated 16th August 1873, (Enclosure 17), the tone of which is, I contend, most offensive and annoying, and such as no officer should for a moment be permitted to use to another. It would be waste of time to comment on the language used, as that speaks very plainly for itself; but I think it necessary to point out how extremely inaccurate Colonel Fischer is in his comments on this case, and how utterly untalied for are his remarks.

24. He says, "I have only to observe that the complaint of the proprietrix referred to was of a vague and general nature, and no officer was specified against whom her charges were preferred." This then Colonel Fischer considers to be a sufficient ground for deliberately refusing to take any notice of her complaint, though he perfectly well knows that his subordinates are cutting this grass, and he himself defends the practice! I think the Government will not support him in his endeavour to ignore all complaints made against his officers of things done by them which he knows them to have done.

25. Colonel Fischer says, "She (the proprietrix) fails to show the limits of her lunkah." The foregoing outline of this case will show that the Department Public Works were invited by the Sub-Collector more than a year previously to point out what land they wanted to acquire of this lunkah, and were informed that no limits except low water-mark could be defined. The Department Public Works are alone responsible for the delay. They never replied to the Sub-Collector's invitation.

26. Colonel Fischer then argues that he has a right to cut the Zemindarni's grass because the Zemindarni has not taken any notice of a complaint made against her by the Superintending Engineer. I can scarcely believe that Colonel Fischer is so ignorant of common law as really to hold this view seriously.

27. He then argues that the Zemindarni's proprietary rights do not confer on her any right to injure her neighbour as much as she likes. It is perfectly true that she may be suable in the Civil Courts, but it is plain that this right of action can confer upon the District Engineer no right to injure the Zemindarni as much as *he* likes.

28. In paragraph 3 Colonel Fischer says that he had before suggested to former Sub-Collectors to see for themselves how much the property of Government had been injured by the planting of lunkah grass, and that his suggestion was never noticed by them. How much truth there is in that allegation will appear from the history of the case as given above. What the meaning of his next remark, "I had hoped the matter was at rest," is I leave it to the Board to determine. I am at a loss to understand it.

29. Colonel Fischer proceeds, without a word of apology, to reiterate *verbatim* the irritating words which Mr. Snaith objected to in his letter under reply. I cannot conceive a much more positively insulting course of action.

30. He then deliberately writes that, "after several minute and careful inspections of the locality," he regrets to say that the Revenue Department have "entirely neglected" their duty to "see that the Government they serve have their interests faithfully attended to." I leave the Board to dispose of this very serious charge, merely remarking that had Colonel Fischer done as he was asked by the Sub-Collector to do fourteen months before, viz., point out the

land he wanted to take up under Act X. of 1870 to preserve the river, the transaction could have been completed, and all the injury done to the Government works this year would have been avoided. Instead of which he has remained inactive, contenting himself with invading proprietary rights, carrying off property without paying for it, and writing offensively worded letters to the Collector and Sub-Collector.

31. He concludes with accusing the Sub-Collector of declaring the proprietrix to have legitimately a right to "do as much injury as she likes to her neighbours"—a position never of course for one moment assumed—and winds up with a threat of going to Government for redress, and for an extension of his powers to enable him to "defend their rights and property."

32. Now I hold that this style of correspondence should not be permitted between one officer and another. If it were allowed every district would be, officially, in flames, and the work of the Government would be neglected in the excitement and irritation of constant squabbles. The Board of Revenue have already had occasion to notice the irritating tone of Colonel Fischer's correspondence, and I think that the letter now before the Board calls for very serious notice.

33. I, therefore, request the Board to ask the Government to put a stop to the issue of letters of this kind from Colonel Fischer's office. I trust that the above narrative will show that the Revenue Department are in no way to blame in the matter of the injury to the Government works, and that if anybody is to blame it is the District Engineer himself for not having marked out the limits of the lands he requires to preserve. I also ask the Board to request the Government to direct Colonel Fischer at once to pay for whatever grass his subordinates have cut on this estate during the past year and a half, and to continue so to pay in future. If he thinks the Zemindar to blame he can sue her in the Courts for the injury.

ENCLOSURES Nos. 1 to 18.—Copies of Correspondence.

From the same Officer, dated Cocanada, 8th December 1873, No. 461.

In my letter, No. 391, dated 29th November, reporting on all the circumstances

leading to the issue from the District Engineer's office of a letter* to the Acting Sub-Collector of this district, which I consider contains language which should not be allowed. I stated that the District Engineer had never applied to the Revenue authorities to take up the Gopaulpore lunkah for public purposes, though requested to do so should he so desire, and that in my opinion the injury he complained of to the river works was due simply to this neglect, and not to any carelessness on the part of the Revenue Department.

3. I have the honour now to mention that my statement has reference to circumstances occurring before 21st August 1873, on which date the Acting Sub-Collector wrote to me complaining of the tone of the District Engineer's letter. I do this to prevent any misunderstanding, as since that date, namely on 11th September 1873, Colonel Fischer has written to me requesting that the Island may be taken up under Act X. of 1870, and the matter is now under consideration.

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Submitted for the orders of Government.

2. The Collector of the Godavery District submits a letter from Colonel Fischer, the District Engineer, to the Sub-Collector, dated the 16th August 1873, No. 1,678, and requests that Government may be asked to prevent Colonel Fischer from writing in a manner so insulting and irritating.

3. The correspondence, which is very fully summarized by the Collector, bears reference to the injury done to the western bank of the Godavery by the planting of lunkah grass on the eastern bank and the lunkahs near it, and more especially to such planting on the border of the Gopaulpore lunkah.

4. The general question of the injury thus done, and of the measures which are to be adopted in order to remedy it, is disposed of in G. O., dated 22nd July 1873, No. 767, and in their Proceedings of the 23rd January 1874, No. 145, the Board have submitted to Government an application for taking up the whole of the Gopaulpore lunkah, as a piece of land from which "more immediate danger is apprehended" under the Land Acquisition Act.

5. It appears that on the 16th July 1873 the Sub-Collector forwarded to the District Engineer a complaint from the proprietrix of the Gopaulpore lunkah, to the effect that officials of the Public Works Department had cut 5,000 bundles of lunkah grass without her permission at places chosen by themselves, and had not paid for it. The District Engineer replied in a somewhat irritating manner. The Sub-Collector remonstrated, and the District Engineer then wrote the letter which is complained of.

6. The letter incorrectly accuses the Sub-Collector of ignorance of orders on the subject of the planting of lunkah grass in the bed of the river, and advises him to consult the Collector before he commits himself on the subject. It implies that the Sub-Collector had stated that the proprietary rights of the Gopaulpore proprietrix justified her in injuring her neighbours as much as she likes, whereas the Sub-Collector had said nothing of the kind. It states a mistaken view of the law as to the right of the proprietrix in the lunkah ceasing when it became attached to the left bank of the river. It groundlessly insinuates that the injury done by the proprietrix had been represented to the Sub-Collector's predecessor and no notice taken of it, and that a question previously at rest had been revived simply because there had been a change of Sub-Collectors. It informs the Sub-Collector that it is the bounden duty of Revenue officers to protect the interests of Government faithfully, and that this duty has been entirely neglected in the locality of the Gopaulpore lunkah. Finally, he states that if any attempt is made to enforce what the Sub-Collector has declared to be "a legitimate" claim he "will report the matter at once to Government and ask for further powers to defend their rights and property;" this amounts to the repetition of a threat to report the Revenue officer for neglect and incapacity which had been previously made to the Collector under similar circumstances, and pronounced quite uncalled for in Board's Proceedings, dated 25th April 1873, No. 649.

7. As this is not the first time the Board have had to notice the irritating manner in which Colonel Fischer writes, and as it seems likely to cause difficulties in the administration of the district, the Board resolve to lay the matter before Government, and request that Colonel Fischer may be peremptorily required to write more courteously and more reasonably.

*Proceedings of the Madras Government, Public Works Department,
11th May 1874.*

8. They think also that Colonel Fischer should be required to investigate the claims of the proprietrix of the lunkah, and pay what is really due to her for grass cut by officials of the Public Works Department.

(True Copies and Extract.)

(Signed) J. GROSE,
Secretary.

TRANSFERRED to the Department Public Works for disposal.

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

No. 244. Proceedings of the Madras Government in the Revenue Department,
dated 26th February 1874, No. 261.

Proceedings of the Board of Revenue, dated 3rd February 1874, No. 206.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to
J. GROSE, Esq., Secretary to the Board of Revenue, dated Cocanada,
7th January 1874, No. 4.

In forwarding, herewith, copy of a letter, dated the 2nd instant, No. 2,890,
from the District Engineer, asking me to compel the Curnams of Mokhasa villages
to render Returns of Irrigation, I have the honour to observe that Colonel Fischer
threatens to stop the water-supply to the lands of the village.

2. I do not know if Colonel Fischer means to carry out his threat if the
Curnams neglect to furnish returns. It is objectionable to stop the supply of water
to ryots if the Curnam omits to do his duty.

3. I may remark that I have not the means of compelling a Zemindari
Curnam to render an account of irrigated areas, though I have asked the landlord
to induce the Curnam to do this.

4. Certainly there would be loss from the absence of correct statistics, but
the loss of Government revenue, if water is not supplied, would far exceed it.
The matter, therefore, deserves sufficient timely attention.

5. It would be far better to have the Engineering Department keep to their
proper business. The Collector certainly could get the accounts from the Curnams
with less trouble than the District Engineer.

Enclosure No. 1.

From Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, to W. S. FOSTER, Esq.,
Acting Collector of the Godavery District, dated Dowlaishweram, 2nd January 1874,
No. 2,890.

In forwarding, herewith, copy of a letter from the Executive Engineer in charge of the
Western Delta Range, and its enclosure, (to be returned,) relative to the difficulty experienced by
that officer's subordinates in getting Statements of Irrigation from a Zemindari or Mokhasa Village.

*Proceedings of the Madras Government, Public Works Department,
11th May 1874.*

I have the honour to request you will be good enough to take steps to compel the Curnams, etc.,
of these villages to send in proper returns, as otherwise I will have to stop the water-supply to
their lands.

Submitted for the orders of Government.

2. The Board are of opinion that the District Engineer would not be justified
in withholding water from the lands of a Zemindar on the ground that his Curnam
had neglected to furnish accounts; the Collector will do all he can to arrange with
the proprietors for the submission of the required returns.

Irrigation, No. 1.

The Government concur with the
Board. The District Engineer's threat-
ened proceedings will be noticed in the
Department Public Works.

(True Extract.)

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

No. 245. Endorsement of the Chief Engineer for Irrigation, dated Camp at
Tanjore, 7th March 1874, No. 247.

From Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, Godavery, to
Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation,
dated Dowlaishweram, 13th March 1874, No. 3,799.

Answering to your memorandum of the 25th ultimo, No. 181, I have the
honour to inform you that funds were not appropriated or reserved for the work
to be done at the Baharapuram set, as the plans were received late after the inti-
mation that no funds for Agricultural Repairs were available as the whole allotment
for the District was appropriated, and besides it was presumed that this work
would have been taken up in the same manner as the Pillanka groyne work and
funds sanctioned from the Reserve at the disposal of Government. The work has
anyhow been in progress ever since the plans were returned to this Office, I
believe.

Submitted for the information of Government in continuation of the corres-
pondence forwarded with this Office endorsement No. 180 of the 25th ultimo.

2. The explanations given by Colonel Fischer are somewhat contradictory,
and if the Pillanka groyne had been a precedent, the work would, as in that case,
have been authorized so far as was necessary in anticipation of sanction. No esti-
mate, moreover, has been submitted for sanction, and it is presumed that such would
have been forwarded had it been supposed that the sanction of Government was
necessary. Time was of very great consequence, much of the work consisting of
a manual or grass revetment, which, unless well-grown by the time the freshes came
down, will be of little use.

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

No. 246. Endorsement of the Chief Engineer for Irrigation, dated Camp at Kallakoorchi, 25th February 1874, No. 180.

No. 13.

MEMORANDUM

THE undersigned has the honour to acknowledge the receipt of the letters, Nos. A-1 of the 22nd ultimo and Vasista Godavery—Kakarapurra set.

Enclosures three Maps.

to remark that paragraph 2 of the former letter is not an exact description of what is intended to be done at the Kakarapurra set, and the opinion which was expressed regarding the best remedy for the state of affairs when the lunka had been almost entirely cut away to the embankment, was given when the District Engineer was present and he dissented therefrom. It was left until the detailed circumstances of the site were put on paper to determine generally what should be done, and the instructions were at the time confined to the comparatively short length which was in a really dangerous state, and which, therefore, demanded immediate attention. In the enclosure to the District Engineer's later letter the description given by Mr. Walsh indicates correctly what was proposed to be done.

2. The Survey in three sheets, now forwarded, enables the present circumstances of this set to be appreciated, and the following remarks will, it is hoped, render clear the way in which this part of the right bank of the river should be treated. It will be well to notice here that the detailed maps on a large scale require to be accompanied by, or examined in connection with, the charts of the river showing both banks, and that it is hoped these latter will very soon be completed and forwarded, so that they may be copied, when it will be much more easy to discuss questions relating to river conservancy. Without these charts the proper width and course of the river throughout cannot be determined, neither can the record of operations and their results be made, and, as was pointed out three years ago, no satisfactory management is possible without such continuous records. In the next place, it will be convenient to have the mileage of the river embankments laid down on all maps in miles and furlongs in order to facilitate reference to particular localities.

3. First, with regard to the part of the river margin from the 2nd to the 5th stop bank on the maps, dated 21st December 1873, the undersigned considers that the action of the river current has been much aggravated by some of the defensive works which have been constructed during the last two or three years, and that what is now urgently required is the elimination of the projections which cause powerful return currents, and the formation of a regular outline along which the current may glide without any special obstruction. An approximate outline

* In blue pencil.

for the top of the bank has been laid down* on the map herewith returned.

and below this a uniform slope, the toe of which and the slope up to 3 or 4 feet above the water-level of this season, that is the present water-level, should be protected by stone pitching about 1 yard in thickness, and the slope above this by lunka grass revetment; the grass used should be long, and the ends should be laid well into the earthwork, and consolidated as far as possible. As the season is

advanced, and the grass can hardly be expected, even with all the attention to watering, etc., which can be given, to be well-grown by the time the river rises in July, it will be well if bamboo there can be obtained to protect it by batties of this material laid on the slope and secured by long bamboo pegs. Mr. Walsh will understand the construction of these batties, which are commonly used in Tanjore. This emergent work can be gone on with at once in anticipation of the sanction of the estimate which should be prepared and submitted as soon as possible. The total length of river bank to be thus treated is about 300 yards. It is probable that as the slope at different points will vary in the compactness of the soil, owing to some parts being cut back and others more or less made up to line, slight slips and settlements will occur, and these must be watched and repaired as occasion may require.

4. Turning next to the state of the river generally in the part shown on these maps, it may be noticed that the set has manifestly worked down from north to south gradually, and it seems probable, taking the direction of the current on to the left bank above Ramachandrapuram into account, that it has nearly reached its limit. It is necessary, in the first instance, to lay down an approximate line for each bank of the river, from the ascent downwards, allowing a sufficient but not excessive mean width, and securing the best general direction available. The boundaries thus laid down will then need to be worked up to progressively, and it must be borne in mind steadily that all sets to be effectually controlled must be acted upon from above rather than at the points where they occur. Although in the absence of the charts, and of the information which they will give as to the proper course of the river in the reaches above Kakarapurra, the exact arrangements cannot be determined, it may be noticed that the great sand bank in the northern part of the maps occupies a considerable part of what should be the deep bed of the river, and that it will be requisite to operate upon this by works on the left bank higher up, which will doubtless have their commencement beyond the northern limit of these sheets. No serious difficulty in obtaining ultimately a proper alignment for the right bank above the set is anticipated if the sand bank be worked from downwards. It is not understood what is meant by the lunka grass revetment shown to the north-east of Mr. Walsh's signature on the map; but this would seem to be part of the plantation which was aligned by the undersigned in November last, and provided this be continued to the north-west on a proper line, and prevented from being turned by water entering at the head of the old set, and if it be continued to the south-east as circumstances will permit, the current will be gradually formed out, and the correct alignment year by year worked out to. What that correct alignment may be is, as before noticed, not at present capable of determination owing to the absence of the charts.

5. As far as the undersigned can judge, the first or upper groyne marked on the Survey maps may remain as it is.

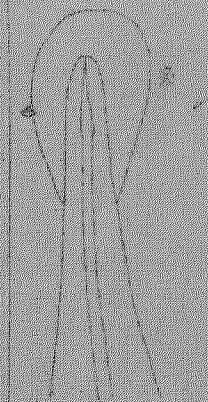
A, in blue pencil.

The second, B, the District Engineer proposes to make more oblique and to lengthen; the still greater obliquity shown by the blue pencil line, which is intended to represent its axis, will be advisable, and the length has been made 90 yards. Groyne C has done harm, and as its direction cannot be improved without difficulty, and D groyne is but a few yards

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11th May 1874.*

lower down, the latter may be improved in direction and length, as shown by the blue pencil line, and C should be removed. Lastly, E should be extended as shown by the blue pencil line. Below this down to the 5th stop back no groynes or projections should be left. All the groynes should start from ordinary high or fresh level at the bank, and be sloped down to present water-level, which is approximately the high water L. of the range datum, in one uniform slope of in these cases about $\frac{20 \text{ or } 25}{270}$ or, say, 1 in 10. Below water-level the noses may

* On the line of the axis.



have a slope of 3 to 1.* The noses should be protected by stone aprons of splayed form,* so as to prevent undermining. The outer 50 feet of the groynes may be of stone entirely, the rest a core of earth revetted with bank grass, and covered with rough stone, which latter may even be packed, while the nose need only be of stone thrown in loosely so as to settle without difficulty; one estimate for these alterations should be submitted, with working designs for the groynes, as soon as possible, the latter will be returned after approval.

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

7th January 1874.

From Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, Godavary, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Dowlaiswaram, 13th February 1874, No. 3,404.

ADVERSE to your memorandum of the 7th January 1874, No. 13, I have the honour to inform you that I have this day only received the plans referred to therein, and as no funds are available from Repairs, Agricultural, it is now impossible for me to put the work in hand till next official year, unless some funds can be allotted from the amounts given up from the Loan Funds to be repaid in April next.

2. I would take this opportunity of observing, with reference to paragraph 3 of your memorandum, that I pointed out on the spot that the gullies which it was supposed were made by the river current, were really due to the rainfall of October last; that I had examined the place after the last heavy fresh of September 1873 with Lieutenant A. Derward, who quite agreed in this, as I had pointed out to him then how much less the action of the current was, and in this opinion Mr. Walch also concurred. I regret I cannot admit that the works we had constructed in

* G. O. No. 1,756, dated 26th July 1872.

the last two or three years had created this state of affairs, and such was also the opinion* of Major Oakes after personal inspection of the locality.

3. I do not think it is the wish of the Government or of the local head of a department should have his opinion set aside without any consideration by orders given directly to his subordinates; in the matter of these river protective works, I have not only had to remedy what Major Oakes characterized as the grossest neglect of years, but I have also had to take steps after my

* G. O. No. 2,502, dated 18th October 1873, with my letter therein.

plans had been openly set aside to remedy the total* loss of a whole season's work and all the many and the additional damage done by this measure; under these circumstances, I beg you will be good enough to submit these explanations to

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Government for their orders and consideration, as it is hardly fair to their interests to be told by an officer that we had been fully alive to this kind of work and now find the whole set aside on a wrong supposition that I did not know what was due to the river current and what had been caused by ordinary rainfall.

No. 181.

MEMORANDUM.

The undersigned has the honour, with reference to paragraph 1 of the letter No. 3,404 of the 13th instant, from the District Engineer, Godavary, to request explanation as to how it has occurred that no funds were appropriated or reserved for the work to be done at the Kakrapurru set, the whole of the Budget grant for Agricultural Repairs having been placed at Colonel Fischer's disposal, and it being well known to him that certain work was deemed to be emergently required to prevent the washing away of the small margin of berm between the river bank and the embankment. It is to be noticed also that all, or nearly all, the stone required had been collected before the undersigned visited the place, and that some additional material was available from the groynes which were to be removed, so that the farther outlay necessary could have been but very small.

Camp at Kallamowan,
25th February 1874.

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

From Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, Godavary, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, dated Camp at Nursapur, 22nd December 1873, No. A 1.

I have the honour to request you will be good enough to give me full instructions, in writing, as to the measures you wish carried out near Kakrapurru to prevent the river breaching in and destroying the Bank Canal in the Western Delta of this district.

2. Mr. Walch informs me you had ordered the removal of the whole of the groynes and the sloping down of the bank, and that stone pitching is to be placed thereon; but unfortunately I was not present when these orders were given to the Executive Engineer, and as I am of opinion the result of them will be a great loss in arresting the progress of the river set and of valuable material at a site where every cubic foot of earth is of the greatest importance, I am anxious to be able to place on record the measures ordered to be adopted, as very great responsibility attaches to all engaged in these works.

3. As the Executive Engineer is prepared to carry out your instructions, I beg you will be good enough to let us have these as soon as possible, as our working season has fairly opened and gangs of work people are being collected everywhere as to complete all the works put in hand for the season.

From the same Officer, dated Dowlaiswaram, 24th December 1873, No. 2,882.

In continuation of my letter No. A 1, dated 22nd instant, I have the honour to forward copy of a docket from the Executive Engineer in charge

1 Copy of letter No. 282, of 21st December 1873, from the
Officer in charge of No. 3 Range.
2 Maps, deposited by "Bangar"

of No. 3 Range, No. 482, dated the 21st instant, and the Survey maps he refers to, and to request you will be good enough to return these with

full detailed instructions to enable me to put the work in hand at once as Mr. Walch shows that whatever is to be tried this year must be done soon, and I have very grave doubts if any of the material thereabouts ought to be cut away at all, and have had no orders to do so.

From G. WALCH, Esq., Officer in charge of No. 3 or Western Delta Range, Godavary, to Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, Godavary, dated Camp at Nursapur, 21st December 1873, No. 482.

In accordance with your wish I have the honour to forward herewith Plans (3) of Godavary Western Bank in connection with the Kakrapurru "Set."

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2. The verbal instructions of the Chief Engineer for Irrigation to me were to remove all projections between Nos. 2 and 4 stop banks, and to slope back in as easy a curve or curves as possible, and then face with lunka grass revetment where not already well protected by lunka grass above a stone toe.

3. The estimate forwarded with my No. 445, of 9th instant, and returned by you with your No. 2,845, provides for this work. The working season is short, and I trust I may receive orders to push on with this work, or instructions what to do in its place, at an early date. I would mention that in order to hasten the matter I forward the plans unchecked as to plotting.

SUBMITTED to Government in accordance with the request of the District Engineer, Godavery.

2. Colonel Fischer's supposition that any orders were given directly to his subordinates is without foundation. He was present with me when I examined into the circumstances of this set, and decided that it was necessary to remove all obstruction to the direction of the current at the place where the river bank had been swept away nearly up to the embankment; and as has been already stated in the memorandum No. 13 of the 7th ultimo, paragraph 1, the District Engineer was not only present but dissented. The further remark that Colonel Fischer's opinions had been set aside without any consideration requires no notice from me, it being clearly contrary to fact.

3. The District Engineer's postponement of work which was emergently required is, it appears to me, very improper. He had ample funds at his disposal, at any rate up to the end of December, and probably for sometime afterwards, and the whole of the Budget grant for Agricultural Repairs has been placed at his disposal. A memorandum of this date, No. 181, has been sent to him asking for explanation on this point.

4. The District Engineer's proceedings in connection with river defensive works have for the last three years been very far from satisfactory. He has persistently acted in opposition to the orders he has received, and has omitted to provide the means of enabling the subject,

G. O. Nos. 377, dated 7th Feb. 1871.

" 1,786 " 26th July 1872.

" 2,411 " 14th Oct "

" 1,862 " 22nd July 1873.

" 2,502 " 13th Oct "

contrary to orders, there is no record. My inspection report, which is nearly ready for submission to Government, contains remarks on the works of this kind.

CAMP AT KAILACOOCH, (Signed) J. MULLINS, Lieut.-Colonel, R.E.,
25th February 1874. Chief Engineer for Irrigation.

No. 247. ORDER THEREON, 11th May 1874, No. 1,262.

ESTABLISHMENT, No. 13.

His Excellency the Governor in Council having had under consideration the correspondence submitted by the Board of Revenue, and the numerous instances in which Lieutenant-Colonel Fischer has manifested a disregard, not only of the instructions of the Chief Engineer for Irrigation, but also of the orders of Government, considers it necessary to direct the removal of this officer from the charge of the Godavery District, and His Excellency trusts that this measure will suffice to convince Colonel Fischer that

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the Government are resolved to require from him that willing and ready attention to orders, and that courtesy in his intercourse with the officers of other departments without which it is impracticable to carry on the work of the department satisfactorily. In order that Colonel Fischer may be allowed a further opportunity of correcting the objectionable conduct, which has at length necessitated this marked disapproval, his transfer to the Madura District has been ordered, and His Excellency has refrained in the present instance from directing the withdrawal of the special and personal allowance which this officer now enjoys. Should however the leniency now shown not have its desired effect, and should Colonel Fischer's behaviour in his new district be such as to call for further unfavourable notice, the Government will feel it to be their duty to restrict his salary to that of his departmental rank of Executive Engineer, 1st grade.

(True Extract.)

(Signed) J. MULLINS, Lieut.-Colonel, R.E.,

Joint Secretary to Government.

To the Chief Engineer for Irrigation.

" District Engineer, Godavery.

" Officiating Controller of Public Works Accounts.

Rd. S. T. Austin.

Spare Copies

Revenue Department
No 3470

✓
Genl. of Public Works
PUBLIC WORKS.

30 July

JULY

Nos. 104-105

Capital for Public Works
The Superintendent Engineer is requested to
adjust the sum due for the year 1872 from the
to 1872 from the

Rs. 4240

Lodged

31/6 July/73