

River Conservancy Act, 1884

Notification 1 - NOTIFICATION

The following statement of the reasons which have moved his Excellency the Governor to enact the Madras Rivers conservancy (Amendment) 1942, in exercise of the powers of the provincial Legislature assumed him under the proclamation issued under section 93 of the Government India Act 1933, is published for general information. STATEMENT 1) Section II and 13 of the Madras Rivers Conservancy Act 1884, both apply to plantation and construction of buildings on river-bed. The penalty laid down by the two sections for unauthorized plantations or permission for such plantation or construction are different. As it is obtain found difficulty to decide which of the two sections should be applied these sections so that plantation and constrictions on river " bed may be governed entirely by section 13. Section 2 and 3 of the amending Act give effect to this object. 2) Section 17 of the main Act empowers the Conservator of Rivers to do, in Connection with the conservancy of any river to which the Act has been applied, any act which appears to him to be necessary to prevent erosion, breach of embankments etc., Courts have taken the view that by doing such acts the Conservator cannot enter any private land adjoining the river. It is considered necessary to amend Section 17 so as to empower the conservator in any emergency to enter upon an adjoining public or private land and take earth or do any other act necessary for repairing erosion or other damage to embankments. Section 4 of the amending Act carries out this object. 3) A bill for making these amendments was published for criticism but no objection or suggestion was received. His Excellency the Governor has therefore enacted the Madras Rivers Conservancy (Amendment Act 1942) Kerala State Acts