

In forming the Ch. and Council. Polacum
that, in the reference to the point raised regarding
the construction of — on private lands at
the factory, the Govt. does not consider it
necessary to consult the law officers on the
subject.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Local & Munl. (1897) Department.

CURRENT No. 3960h

From

Rise

Order no. 2694 mms of 4.12.97.

The municipal Council is informed that the Govt. does not consider it necessary to consult the law officers on the point raised.

/ From order/

V.R

2/12/97

H.T.
4 12 97

The Chairman,
Municipal Council,
Cotacamund.
17 NOV. 1897
No. 500
LOCAL & MUNICIPAL DEPARTMENT

Dated 13 November 1897.

Received 17-11-97

Registered 17-11-97

Enclosures one

Spare copies. Forwarded

SUBJECT.

Cotacamund Railway Station.

Submitting resolution of the Council dated 13 November 97, with copy of the letter from the Agent and Chief Engineer, The Nilgiri Railway Company, and requesting to be informed, whether the Municipal Council can decline to grant sanction for the erection of buildings on private land, till the boundaries of the _____, at Mettucherry, have been demarcated.

The Chairman, No. Cotacamund
this' the follo' of the Nilgiris

4/12/97

2/12/97

BACK PAPERS.

G.O.	No.	Department.	Date
to	1659	rel	23-7-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 3500.

Ootacamund Municipal Office,

13th November 1897.

LOCAL & MUNICIPAL DEPT.

CURRENT No. 3960 M

FROM

THE CHAIRMAN,

MUNICIPAL COUNCIL,

OOTACAMUND.

Enclosures one To

The Secretary to the Government
Local and Municipal Department
Post Office, Bangalore.
Thro' the Collector of the Nilgiris.

Sir,
I have the honor to transmit
copy of a letter from the Agent and Chief
Engineer Nilgiri Railway. of 14th inst dated
the 5th November, together with copy of the
resolution passed thereon by the Ootacamund
Municipal Council at the meeting held
on the 13th Idem, and to request that
you will be pleased to obtain and Commu-
-nicate the opinion of the Law Officers
of the Government, as to whether the
Municipal Council may decline to grant
sanction for the erection of buildings on
private land till the exact boundaries
off the Ootacamund Railway Station
have been demarcated.

I have the honor to be,

Sir,

Your most obed^t Serv^t,

W. H. H. H.
Chairman

* at Mettur.

No. 1724.

The Nilgiri Railway
Coonor. 5th November 1894.



To
The Chairman
Municipal Council
Ootacamund.

Sir,
Although H. E. the Governor in
Council has finally decided that the site
of the Coor Railway Station is to be at
Methuerry, the exact spot has not yet
be settled, nor is it certain exactly which
plots will be taken up.

I therefore have the honor to request
you will be good enough not to grant any
squations for buildings, till the exact bound-
aries have been demarcated.

I have &c. &c.

Sd. W. J. Wrightman
Agent and Chief Engineer.

Extract from the proceedings of a meeting
of the Ootacamund Municipal Council
held on Saturday the 13th November 1894.

Present.

The Chairman
J. H. A. Grommenthe ^{Esq.}
Messrs. C. Marthorichellam, Mudalyar Aiyar
J. K. Stevenson.
Dadabhai Edulji ^{Esq.}

J. Brown Esq.
 Archie Bin Mungel. Sail Sahib.
 N. M. Isol Mahomed Sail Sahib.
 L. W. Schmidt Esq.
 A. M. Jones Esq.
 W. E. Smith Esq.
 Mr. B. R. Raghopal Naidu gara

Subject. II.

Read letter dated 5th November 1904. from the Agent & Chief Engineer, Nilgiri Railway requesting not to grant sanction for the erection of buildings at Mettucherry till the exact boundaries for the Railway Station have been demarcated.

Resolution.

Resolved that copy of the letter be transmitted to the Government with the request that their Law Officers may be consulted as to whether the Municipal Council may decline to grant sanction for the erection of buildings on private land till the exact boundaries of the Cochinamund Railway Station have been demarcated.

One Copies.

[Signature]
 Chairman

39/10/1904

[G.]

MUNICIPAL DEPARTMENT.

INDIAN TELEGRAPHS. Monthly Number.

From *Telephone* (Office) *Messager*
 To *H.C. L of M Dept.* (Person)
 From *Asst. P.W.D. Railway Branch* (Person)

Words 26 Hour 16 Minute 43

No declaration has as yet been issued regarding the acquisition of land for City Station

[Signature]

64 Word Form.

26-11-97

Recd from I.N. Sent to I.N. At Hrs. Mts. by At Hrs. Mts. by Telegraph Master.

G.P.-No. 533 T.-7-2-97-2400000.

19/11/97 We can't prevent speculation building, but it will be as well to bring it to the notice of the Govt. 18/11/97 Has Govt (Railway) any remarks to offer? S.H. (18/11/97)

Dr. ...

TELEGRAPH

FROM

TO

[Faint handwritten text, mostly illegible]

E.C.T.

39/10/1897

Chairman

[G.]
250-47-4-97.

LOCAL AND MUNICIPAL DEPARTMENT.

SUBJECT.

lands for the Construction of the Botica-
mund railway station.

FOR ORDERS.

8 May 13

The sooner we get a
building Act on the small
the better
H.S.

No. not the Railway Company, but
Government, who will provide the
land.

F.H.S.

19/11/97
We can't prevent
speculation building, but
it will be as well to bring
the notice of people who do so
to D.W. no.

Under Section 180 of

Act IV of 1884, as amended by Act III
of 1897, the municipal Council has no
power to refuse sanction for the con-
struction of buildings on private
lands. The best course therefore seems
to be for the Public Works Department
to settle the locality for the construc-
tion of the Railway Station and
demarcate the lands required for
the purpose as early as possible.
In the meantime, owners of private
lands cannot be prevented from
building on them and if they do, the
Railway Company will have to pay
compensation for such buildings, in
addition to the lands.

128
18/11/97

Has D.W. (Railway) any
remarks to offer?

8/11/1897

I could advise Mr. Wightman to demur to the land which in his opinion to be required for a railway station. But as his demur would be merely part of the survey marking contemplated in Sect. 4 of the Land Act. and would be of no legal value, such demur would not enable the Municipality to refuse application.

Our chief safeguard is the uncertainty as to the precise location of the station. If I find the public speculating in running up jerry buildings I shall certainly stop them, or stop short of the and leave them out in the cold. The Chairman might advantageously make this point of intended buildings, as no building is likely just now to be intended as bona fide.

FWS

R.

17/11/97

NA.

Please see notes above

8/12 20.11.97

Of course this should be attended to as soon

BS

30/11/97

propose to build in
near Mettucheri the provisions
of S. 24, seventhly, of Act I of
1894. Some people are thinking
to enhance the value of their holdings
by running up odd buildings.
It will be well that they should
understand that they will lose
everything they build on them unless
the C.M. sanctions the expense.
I presume that notice duly issued
under S. 6. The C.M. should
keep a very sharp look out so
that no building, erected or improve-
ments effected after the notice without
his consent may be classed as having
been erected or before the notice so
set compensation.

BS

27/11/97

Note for H.M.

With reference to the portion of
H.M.'s note marked A, it is submitted
that no declaration has as yet issued
regarding the acquisition of land
for the station. vide telephonic message pub. p.

If it is not issued soon,
Cor. will have to pay for
the delay. Very naturally, building
operations are being vigorously
pushed on in Mettucheri in
good faith too, since no one knows
the precise site of the station. I
think this should be determined soon,
notice issued under S. 6.

To P. G. P.W.

Please state whether
action can be taken now
under S. 6. L.A.A.

H.T. 1.12.97

See L & M.

The draft G.O. below is going ahead too fast.

Am for order

We cannot possibly declare for railway purposes under Sect 6.
Under these circumstances L.A.A. until the sanction of the Railway has been
it would seem nothing can be
done. It doesn't seem ad-
-visable to spend a large sum
in buying a station site for a
Railway for which not even a money, or anything except a survey and title!
Concession has yet been granted. And so far from the sanction of the railway
from being yet authorized, there is not yet in existence even
a sanctioned scheme. Nor is there any company, or any
If the Local Govt. see their way to on their own
Suggested that the Council initiate taking up a plot in connection with a scheme
be informed that Govt. does for the general improvement and sanitation of Mettucheri
not consider it necessary to well and good. The railway will afterwards have to come
consult the Law officers as on the site is required, when the railway is sanctioned.
point raised.

H.T.
2.12.97

I neither
estimated nor
promised.
H.T.

pay as well as was promised, I think on the Mettucheri
estimate. Why should not the Local Govt. take action?

Meanwhile it is not in the power of the Railway Dept
to take any action at all.

7/12
2/12

Again G.O., No.

, dated

189

Current No. 3960 m

of 1897, dated 13th November 1897 from the Chairman, M. C. Bolaca-
-mund.

Current No.

of 189 , dated

from the

Imis Order.

The Government does not consider that under the provisions of the District Municipalities Act, the Municipal Council can decline to accord sanction for the construction of buildings on private land; nor would it, in the opinion of Government, be possible to exercise any effective check on the building operations in and near Mettucherry, unless the precise site of the Ootacamund railway station is decided upon and the necessary declaration is issued under Section 6 of the Land Acquisition Act I of 1894. The Public Works Department is accordingly requested to do this without delay.

2. The Collector of the Nilgiris is requested to bring to the notice of the people who propose to buy

last clause of Section 24 of Act I
of 1894 and to make them clearly under-
-stand that no claim for compensa-
-tion for outlay or improvements on
the lands made or effected after the
date of publication of the declara-
-tion under section 6, will be recog-
-nized, unless the expenditure is sanc-
-tioned by him. The collector should
also take care to see that no build-
-ings erected or improvements made or
effected after such notice without
his consent, are classed as having been
erected, made or effected before the
notice and thus get compensation.

(From orders)

V.S.
1/12/97

To
The Chairman, M.C. Pottacamund
through the collector of the Nilgiri
Public Works Department.

[G]
73
200-13-10-97.

Local and Municipal DEPARTMENT.

OFFICE NOTE No. 25

Dated 20th September 1898.

From

THE SECRETARY TO GOVERNMENT,
Local and Municipal Department.

To

Joint
THE SECRETARY Public Works DEPARTMENT. (Railway Branch)
Flag P

Your office note No. 109 R.M.,
dated 2nd September 1898

The reference to the Public
Works (Railway) Department about
preventing the erection of buildings
on the land at Mettucherry or
likely to be wanted for the
Nilgiri Railway, will be found
in G.O. No. 2694 M., dated 4th
December 1897, herewith sent for
reference and return.

H. W.
For Secretary to Govt.

Seen & returned with thanks

F. H.

1/12/97