& M.
-29-3-99.]

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1410 Ma.

DATED 12-8-98.

[Despatch Abstract.]

Water-tax

Ordering with remarks the issue of a notification exempting the buildings belonging to the S. I. Ry. Company at Trichinopoly from payment of — to the Municipality.

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 and Municipal Department.

ion of Railway buildings
the water tax — Trichinopoly.

Misc.

Order No. 1410 M mis 8/12/8/98

In the letters forwarded by the Public Works (Railway) Department with the office note read above, the Agent of the South Indian Railway Company protests against the imposition by the Trichinopoly Municipality of the water tax on the Company's buildings in that town. The Agent contends that the Company agreed to co-operate with the Municipality [illegible] carrying out the joint water supply scheme, in preference to starting a separate scheme of its own, only on the understanding that its share of the capital cost and the annual working expenses should not exceed the cost of the separate scheme. As this condition has not been fulfilled, the Company having actually paid ₨ 60225 to the Municipality towards the cost of the scheme, or ₨ 2,479 more than the estimated cost of the separate scheme, the Agent ~~agrees~~ argues that unless the Government exempts its buildings from payment of the water tax, the Company should be allowed to retire from participating in the joint scheme. He also states that when the company agreed to join the municipal Council in carrying out the general scheme, it was not contemplated

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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 and Municipal Department.

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contemplated

contemplated that the Council should charge water tax on the Company's buildings and that if the claim had been anticipated, it would have removed all inducements to the Company participating in the ~~scheme~~ project.

2. The Municipal Council of Trichinopoly, to whom these papers were referred for remarks, considers that in view of the fact that the South Indian Railway Company was a participator in the original cost of the works, it is hardly equitable to impose the water tax on its buildings, but states that the Company should bear a proportionate share in the cost of repairs to, and extension of, the original works and that it should be restricted to the supply of 100,000 gallons of water a day according to the original arrangement, any excess above this quantity being liable to taxation. The Agent of the Railway Company, however, states that the company has no objection to bear its share of the cost of repairs due to fair wear and tear, and not of repairs manifestly caused by inefficient control, but is strongly opposed to its being made to pay any portion of the cost of future extension of original works. He is however willing to recommend the acceptance of a fair scale of payment for water taken by the Company in excess of 100,000 gallons per diem.

Vide Resolution of 10-3-98. Flag. N.

O.

3. The increase of ₨ 2479 in the cost of the joint water supply scheme debitable to the Railway Company over the estimated cost of a separate scheme for the Railway ~~above~~ alone, referred to by the Agent, was due chiefly to a severe flood in the Cauvery, which

swamped

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swamped the head works and necessit their removal to a point higher up river. Had the Railway Company carr out the separate scheme, it is ~~far from im~~probable that it would have a suffered similarly and with similar results. Moreover, the annual expenditure on account of the joint scheme, payable by the Company, inclusive of the water tax on its buildings, is only ₨ 7,663, while the separate scheme was estimated to involve an expenditure of ₨ 8080 annually, apparently leaving the water tax out of account. The Railway Company does not therefore appear to have any reason to regret having joined in the execution of the general scheme of water supply, and for the reason assign by the Collector in para 2 of his endorsement on the budget estimate of the Municipality for 1897-98, the claim of the Railway Company for the exemption of its buildings from the water-tax seems to be groundless. As however, the Municipal Council is unwilling to impose the tax on these buildings and as it appears to have been one of the implied terms of the agreement between the Railway Company and the Municipality that the water tax should not be charg on the buildings of the Company, His Excellency the Governor in Council is pleased, under sec. 75 (2) of the Madras District Municipalities Act, as amended, to exempt them from payment of the water t[illegible]d the follo[illegible] notif

7663
1452
6211

[illegible]

in G.O. No. 714 M / 27-3-97. Flag. J. p. 10

X

N.

contemplated that the Council should charge water tax on the Company's buildings and

otification will be published in the Fort St. George and the Trichinopoly District Gazettes:-

P.

Notification.

Under section 75 (2) of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, His Excellency the Governor in Council is pleased to exempt, from and after the date of this notification, the buildings belonging to the South Indian Railway Company at Trichinopoly, from payment of the water tax.

A

4. The Government agrees with the Collector in considering that the Railway Company should not be called upon to pay any portion of the cost of future extension of the water works, but that it should bear the proportionate cost of all repairs due to fair wear and tear and not to insufficient supervision or faulty design or construction, any dispute as to the propriety of debiting the Railway Company with the cost of any particular item of repair being decided by Government.

5. The proposal of the Municipal Council that the Railway Company should be restricted to the supply of 100,000 gallons of water a day according to the original arrangement, and that any excess above this quantity should be liable to taxation is approved, on the understanding that the charge for extra water is not levied for each day on which the quantity is exceeded, but that it is ~~charged~~ levied at the end of a year, if it is found that the Railway Company had taken

Vide Mr. Spring's note — Flag. X.

it is entitled at the rate of 100,000 gallons a day. The Municipal Council is requested to settle with the Agent the rate at which the charge for extra water is to be levied, and report the result to Government.

V.A.
4/8/98

H.T.
8.8.98

Note

X

In his note dated 16th July 1898, the Secretary to Government, Public Works Department, Railway Branch, says that the rate at which the extra water taken by the Railway Company is to be charged might be settled before Govt. passes an order. It does not however seem to be necessary to delay the issue of the order until the point is settled. Please see the last portion of para. 5 of the draft.

To

The Chairman, Municipal Council, Trichinopoly,
thro' the Collector.
,, Public Works Department (Railway Branch).

Gazetted 16/8/98.
11/8/98

Outw. 15/8/98

Desp.

Please return this to me after despatch
C.R.
11/8/98

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5. The proposal of the Municipal Council that the Railway Company should be restricted to the supply of 100000 gallons of water a day according to the original arrangement, and that any excess above this quantity should be liable to taxation is approved, on the understanding that the charge for extra water is not levied for each day on which the quantity is exceeded, but that it is ~~charged~~ levied at the end of a year, if it is found that the Railway Company had taken

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C. No. 1383. M. of 98

Gazette – Part I. A.

Gazetted 16/5/98

Office note No. 28 & C. no. 1383. M.

Water Tax on Railway Buildings in the Trichinopoly municipality.

FOR ORDERS.

in G.O. no 372 M. / 18-4-88 A.

G.O. no. 899 M. / 13-8-88 B.

G.

Vide G.O. 531. R / 14-3-93 in G.O. no 475 M / 7-4-93 C.

x Total cost – R 69,000
Deduct cost of iron storage reservoir 11,256
57,744

Vide para. 4 of G.O. no 423 R / 24-2-93 in G.O. no. 373 M. / 18-3-93. D.

In 1888 the South Indian Railway Company had under contemplation a scheme for getting its supply of water for the Trichinopoly station from the Cauvery, through piping laid on its own bank, as its usual supply was constantly failing. But the Municipal Council of Trichinopoly proposed that the Railway should carry out a complete scheme for both the town and the Railway, the Municipality paying a fair sum annually as compensation for its share of the work. Subsequently, however, the Municipal Council brought forward a scheme for supplying the town with water from the Cauvery at a cost of 2½ lakhs of Rupees and proposed that the Railway should contribute towards the cost and working expenses in proportion to its requirements. This scheme underwent further revision and in G.O. No. 1923 M, dated 21st November 1892 it was decided, with the approval of the Government of India, that the Railway should pay Rs. 49,573 out of the total cost of Rs. 4,26,600 instead of undertaking a separate scheme of its own at a cost of Rs. 57,744.x It was explained to the Government of India that as it was estimated that to share in the joint supply would entail a smaller expenditure by the Railway Company than to carry out a separate project, the Railway authorities abandoned the idea of the latter, having received an assurance overnment that sanction would be given to its participating in the joint scheme provided that its share of the capital cost and the annual cost of working did not exceed that of the separate estimate. The works in progress however were washed away by a big flood in 1893 and necessitated the preparation of a revised estimate costing Rs.5,02,050 and the Railway was accordingly debited with an additional contribution of Rs.8,770. Yet another revised estimate for Rs.518,235 was sanctioned by Government and the Railway share was raised by Rs.1880, raising the total cost to the Railway Company to Rs.60,223 against Rs.57,744, the estimated cost of a separate project of its own.

G.O. No. 384 M / 28-3-94. E.

Vide office note No. 28. F.

G.O. No. 1731. M. / 10-10-96. H.

2. The works having been completed, the Chairman of the Municipal Council, in submitting the revised estimate of the Municipal receipts and charges for 1897-98, solicited the opinion of Government as to whether the Railway Company was liable to pay water-tax on its buildings within the Municipal limits. He said that the Company was a party to the joint water supply scheme and paid a contribution to the Municipality towards the maintenance charges of the works, but that the contract on the part of the Municipality was to supply water to the junction station only and not to the Fort station. Upon this, the Collector remarked that in his opinion, the Railway Company could no more claim exemption for its buildings on the ground of having contributed towards the cost in respect of its buildings in the town. With the exception of the jail and Military lines and a few other buildings which were exempt from the payment of Municipal taxes, either on the ground of being outside the Municipal limits or of being situated within the limits of the Cantonment and specially exempted from taxation the Government was paying water tax on all its other buildings on which it was hitherto paying the housetax and it was but proper, in the Collector's opinion, that the Company should do the same. He remarked further that the Company joined in the scheme as it stood in need of a special supply of water for its engines &c and would have had to make its own arrangements if the Municipality had confined itself to the requirements of the town alone in which case, the Company would have had to pay a water tax all the same. The Government concurred in the remarks of the Collector vide G.O.No.1573 M, dated 9th July 1897.

Vide para. 6 of his letter in G.O. No. 714 M / 27-3-97. I.

Vide para. 2 of his endorsement. J.

K.

3. With the Office note read above, the Public Works Department (Railway Branch) forwards with its support, three letters from the Agent of the South Indian Railway Company, protesting against the imposition of the water tax on the Company's buildings. He states that the Company agreed to cooperate with the Municipality instead of starting a separate scheme of its own, only on the understanding that its share of the capital cost and annual working expenses was not to exceed the cost of its own separate scheme. This condition, the Agent

given to its participating in the joint scheme provided that its share of the capital cost and the annual cost of working did not exceed that of the separate estimate. The works in progress however were washed away by a big flood in 1893 and necessitated the preparation of a revised estimate costing Rs.5,02,050 and the Railway was accordingly debited with an additional contribution of Rs.8,770. Yet another revised estimate for Rs.5,18,235 was sanctioned by Government and the Railway share was raised by Rs.1,880, raising the total cost to the Railway Company to Rs.60,223 against Rs.57,744, the estimated cost of a separate project of its own.

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Agent

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Agent ~~agrees~~ argues, has not been fulfilled, the capital cost of the separate scheme being only Rs.57,744 against Rs.60,223 actually contributed by the Company, and he therefore contends that unless the Government is pleased to exempt the Company's buildings from the water tax, the Company should be allowed to retire from participating in the joint scheme, such money as has been paid to the Municipality being refunded with accrued interest at 5 per cent. In favour of the contention that the Railway buildings should be exempted from water-tax, the Agent states that it was never anticipated that the claim would ever be made, seeing that the imposition of the tax would obviously have removed all inducements to Railway participation in the scheme. The conditions under which the Railway Company joined the scheme are nowhere precisely defined, but the Agent invites attention to the Collector's letter No.451 dated 13th May 1889, in which it was stated that it was not contemplated to charge the Company with water-tax on its buildings.

Vide-para. 3 of the Agent's letter flagged L.

M. This flag seems wrong.
25/6.98

Submitted that it is right

4. The papers having been referred to the Municipal Council for remarks, the Chairman forwards with the second letter read above, the following resolution of the Council:-

N.

"The Council recognising the fact that the South Indian Railway Company were participators in the original cost of the water works, is of opinion that it is hardly equitable to impose water rate taxes on them; but considers that the Railway should bear a proportionate share in the repairs to, and extensions of, original works, and that they should be restricted to the supply of 100,000 gallons of water per day according to the original arrangement, any excess above this amount being liable to taxation".

This resolution having been referred by the Collector to the Agent of the South Indian Railway Company for remarks, the latter states, that without more precise details than are given in the Council's resolution, he is unable to give any opinion on the Council's suggestions. He considers that the Railway should bear its share of repairs due to fair wear and tear but not of expenditure on repairs manifestly caused by inefficient control. He is also strongly opposed to the Railway sharing in any expenditure connected with the future extension of the original project, but is willing to recommend the acceptance of any fair scale of payment for water in excess of the 100,000 gallons per diem originally arranged for. In his endorsement forwarding the Council's resolution, the Collector states that he agrees with the Agent of the South Indian Railway Company in considering that it will be unfair to saddle the Company with charges on account of repairs rendered necessary, either by insufficient supervision or faulty design or construction. He is also of opinion that the Company should not be called upon to pay any portion of the cost of the proposed extensi

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P.

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5. The fact that the share (Rs.60223) of the capital cost debited to the Railway Company exceeded the cost (Rs.57,744) of a separate scheme for the Railway by Rs.2,479 was due mainly to the enhanced cost of the works caused by a severe flood which swamped the head works and necessitated their removal to a point higher up the river and it is therefore probable that if the Railway Company had had its separate scheme it would have suffered in the same way. The amount of annual working expenses payable by the Company is stated to be Rs.7,663, as shown in the margin*, while the cost of working a separate scheme is given as Rs.8,080, as detailed in the margin⊗. It is presumed that the working charges in the latter case also include water tax. If not the total charges will be raised to Rs.9,552. The Railway Company does not therefore appear to have much room to regret having joined the municipality in the general scheme of water supply and for the reason stated by the Collector in his endorsement on the revised budget estimate of the Municipality for 1897-98, referred to in para.2 supra, there appears to be no ground for exempting the Railway buildings from water tax. As however, the Municipal Council is itself unwilling to impose the tax, it is submitted that the Company's buildings may now be formally exempted from payment of the tax and that the Municipal Council's other suggestions may be approved, subject to the remarks of the Collector, any dispute as to whether whether a particular item of repair was rendered necessary either by insufficient supervision or faulty design or construction being left for the decision of Government.

J.

*

	Rs.
Municipal claim	3,200
Water tax	1,452
Interest at 5% on Rs.60,223	3,011
	7,663

⊗

Working charges	Rs.3,750
Interest at 7½% on Rs.57,744	Rs.4,330
	8,080

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15 of 1898.

13
7

2/10/98.

V.R.
10/6/98

To P.W. Railway Branch for favour of remarks.

3/10/98.

To L. & M. Dept.

To prevent future disputes it would be as well before orders are issued to make one or two points clear. 1st What is the meaning of 100,000 gallons per day? It would be fair as well as convenient to let it be understood that the extra charge for extra water will not be levied for each single day on which this quantity is exceeded. It might be made clear that the railway have a right to take up to this daily quantity each ~~[illegible]~~ year, without extra charge. Then the fixed charge would be for 36,500,000 gallons in one year. But if in the year it was found that they had taken more they would be charged for it. There is no good, and no money gain, in multiplying possible sources of dispute.

Then the extra charge per extra thousand gallons in the year ought to be settled now. It could easily be agreed to between the parties before Government passes an order.

I agree that any dispute as to the equity debiting the Railway with the cost of any particular item of repair should be left to Government to decide. Subject to this clause I concur.

5. The fact that the share (Rs.60223) of the capital cost debited to the Railway Company exceeded the cost (Rs.57,744) of a separate scheme for the Railway by Rs.2,479 was due mainly to the enhanced cost of the works caused by a severe flood which swamped the head works and necessitated their removal to a point higher up the river and it is therefore probable that if the Railway Company had had its separate scheme it would have suffered in the same way. The amount of annual working expenses payable by the Company is stated to be Rs.7,663, as shown in the margin, while the cost of working a separate scheme is given as Rs.8,080, as detailed in the margin. It is presumed that the working charges in the latter case also include water tax. If not, the total charges will be raised to Rs.9,532. The Railway Company does not therefore appear to have much room to regret having joined the municipality in the general scheme of water supply and for the reason stated by the Collector in his endorsement on the revised budget estimate of the Municipality for 1897-98, referred to in para.2 supra, there appears to be no ground for exempting the Railway buildings from water tax. As however, the Municipal Council is itself unwilling to impose the tax, it is submitted that the Company's buildings may now be formally exempted from payment of the tax and that the Municipal Council's other suggestions may be approved, subject to the remarks of the Collector, any dispute as to whether whether a particular item of repair was rendered necessary either by insufficient

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J.

7
13

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29/10/98.

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Current No. $\frac{15}{B.G.}$ of 1898.

l & Munl. (1897) Department.

Office Note

~~CURRENT~~ No. 28

Meeting 11/1/98

626

No. 14 ~~Order~~ 6-1-98

TO BE RETURNED WITH REPLY.

From The P. W. Department
Railway Branch.

No. 28 R.W.

Referred to the Munici-
pal Council of Trichinopoly for
early remarks which should be sub-
mitted through the Collector

J. Trevenhill (?)
Ag. Secretary to Govt.

I. R.
26/12/97

COLLECTOR'S OFFICE, TRICHINOPOLY. 7 JAN 98

Dated 23rd November 1897.

Received 23-11-97

Registered 24-11-97

Enclosures 6

Spare copies

Ref. in Cur. No. $\frac{15}{B.G.}$ /98

Forwarded

T. Anandarao (?)
For Ag. Collector
$\frac{8}{1}$.1.98

To
The Chairman M.C. Trichinopoly
thro' the Collector.

SUBJECT.

Forwarding letters from the Agent with their accompaniments, re the question of a demand by the Trichinopoly Municipality for water rates from the South Indian Railway.

MUNICIPAL DEPARTMENT, SECRETARY TO GOVERNMENT 24 NOV. 1897

29/11

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Public Works Department.
Railway Branch.

OFFICE NOTE. No. 28 R.M.
Dated 23rd November 1897.

From

The Joint Secretary to Government, P.W.D. (Railway Branch)

To

The Secretary to Government,
Local and Municipal Department.

This is a question of a demand by the Trichinopoly Municipality for water rates from the South Indian Railway. The latter argue that when agreeing to contribute to the capital cost of the town water supply scheme and also to the cost of its working, they never understood that they would in addition be taxed like the general public.

The accompanying precis and note by the Deputy ~~Executive~~ Consulting Engineer explains what exactly happened.

It seems to me that had the omission during the negotiation, of all reference to a water rate, been a mere oversight on both sides, the municipality might perhaps now be ~~be~~ within their legal rights in trying to tax the railway. Also the Railway would perhaps be justified in getting out of the bargain and getting their money back because, up to date, the municipality have, it is said, failed to supply them satisfactorily.

But the underlined ~~point~~ portion of the Trichinopoly Collector's letter No. 451,

dated

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

15

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Railway Branch.

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But the underlined ~~point~~ portion of the Trichinopoly Collector's letter No. 451,

dated

dated 13th May 1889 seems to me to make it perfectly clear that it was " of the essence of the contract" that water rate was not to be charged.

No specific reference was apparently after May 1889, during the negociations made by the Railway to this condition of the mutual agreement, but that would be simply because nobody concerned ever dreamed of the possibility of such a thing as this municipality putting forward such a claim.

It will be seen that before joining the municipality as a partner in the scheme, the Railway and this Government and the Government of India and the Sanitary authorities and all concerned, carefully weighed all the financial pros and cons, and balancing one against the other came to certain conclusions, viz that it would pay, but only just pay the railway to join in the scheme.

It is unquestionable that had municipal taxation been thrown into the Con scale, the Railway would have preferred their original scheme of building their own water supply arrangements. The Collector's letter of 89 to my mind clearly proves that it was specially intended by all parties from the very first that the Railway as a large partner in the scheme was not to be liable to water tax.

(Initialled) F.J.E.S.

Documents accompanying:-

1. Letters from the Agent. S.I.R. Nos. 1013, 1014.d/12-10-97 and 1062d/1-11-97, with enclosures.
2. Precis and note by the Deputy Executive Engineer d/5-11-97.
3. Original papers belonging to the Local & Municipal Department (returned).

Office Note No 28

Public Works Department,
Railway Branch.

OFFICE NOTE No. 28 R.M.

Dated 23rd November 1897.

From

THE JOINT SECRETARY TO GOVERNMENT, P. W. D. (RAILWAY BRANCH),

To

THE Secretary. Local & Municipal Dept.

This is a question of a demand by the Trichinopoly Municipality for water rates from the South Indian Railway. The latter argue that when agreeing to contribute to the capital cost of the town water supply scheme ~~[illegible]~~ and also to the cost of its working, they never understood that they would in addition be taxed like the general public.

The accompanying precis and note by the Dy. Con. Eng. explain what exactly happened.

It seems to me that had this omission during the negociations of all reference to a water rate been a mere oversight on both sides, the Municipality might perhaps now be within their legal rights in trying to tax the railway. Also the Railway would perhaps be justified in getting out of the bargain and getting their money back because up to date the Municipality have, it is said, failed to supply them satisfactorily.

But the underlined part of the Trichi Collector's letter No. 451. dated 13th May 89 seems to me to make it perfectly clear that it was "of the essence of the contract" that water rate was not to be changed.

No specific reference was apparently, after May 89, during the negociation, made by the Railway to this condition of the mutual agreement, but that would be simply because nobody concerned ever dreamed of the possibility of such a thing as the Municipality putting forward such a claim.

It will be seen that before joining the Municipality as a partner in the scheme, the Railway and this Govt. and the Govt. of India and the Sanitary Authorities, and all concerned, carefully weighed all the financial pros and cons, and balancing one against the other came to certain conclusions, viz that it would pay, but only just pay, the Railway to join in the scheme.

It is unquestionable that had municipal taxation been thrown into the con scale, the Railway would have preferred their original scheme of building their own water supply arrangements. The Collector's letter of 89 to my mind clearly proves that it was specially intended by all parties from the very first that the Railway, as a large partner in the scheme, were not to be liable to water tax.

FRS

23/11/97

Documents accompanying:—

1 Letters from the agent, S. I. Ry Nos. 1013, 1014, of 12 Oct. 1897 and 1062 of 1st Nov 1897 with enclosures
2. Précis and note by the [illegible] of 5.11.97.
3. Original papers belonging Local & Municipal Dept.

S No 7 Part I case G.O. 885 R of 3/9/85

S No 10 Part I case Agents 215 of 17/3/87

S No 19 Part I * subsequently reduced to R 57.742 vide letter to Board 654 of 24/1/88

No. 700 of 2/3/88

S No 20 Part I

S No 21 Part I G.O. 372 M of 18/4/88

S No 23 Part I G.O. 899 M of 13/5/88

Trichinopoly water-supply précis.

In 1885 the Consulting Engineer remarked in his inspection report that the so-called reservoir at Trichi Junction had proved a failure and said that a new scheme for pumping water from the Cauvery would come up soon.

In 1887 the Chief Engineer submitted alternative projects

(1) for improving the existing supply from the Uyyacondan channel

Cap. cost	working	Total annual cost of working including int. @ 7½
R 91.000	2,500	9,325

(2) for pumping from the Cauvery

Cap. cost	working	Total annual cost of working including int. @ 7½
* R 73,000	3,750	9,225

The Board of Directors while approving of scheme (2) suggested that by enlarging the proposed scheme & supplying the town also expenses might be materially reduced if the Municipality would agree to share expenses.

The Municipality proposed that the Railway should carry out a complete scheme for the town & the railway and ~~for~~ that the Municipality should pay a fixed sum annually as compensation for their share of the work.

In 1888 the Municipality brought forward a scheme for supplying the town with water at a cost of 2½ lakhs from the Cauvery and proposed that the Railway should contribute towards the cost of the wells pumping station and main as far as the Fort station in proportion to their requirements, working expenses to be divided in fair proportions. The proposal was approved generally by Govt. The seems to me to make it perfectly clear that it was "of the essence of the contract" that water rate was not to be changed.

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The Sanitary Engineer forwarded a revised scheme for supplying 15 gals a head instead of 10. The total cost was 4,56000 of which the railway share was ₹ 65,000. Working charges total ₹ 34,500 – railway share ₹ 9000. The revised proposals were approved and referred to the Railway Dept.

G.O. 671 M of 4/5/91

8 No 33
Part I

x Exclusive of int. on cap
14000

The revised scheme for ₹ 4,56,000 was sanctioned –

G.O. 1151 M. 24/7/91 8 No 36 Part I

The Agent replied that the railway requirements are 100,000 gals a day and their own scheme for supplying this amount was est. at ₹ 58,000: that Mr. Oldham's original 2½ lakh scheme was accepted by the Railway as being cheaper than their own but that now Mr. Jones has increased the est. to 4½ lakhs, the company's scheme had better be carried out

G.O. 2113 M. of 30/11/91 8 No 44 Part I

8 No 42 Part I

A suggestion was made by E.E. that the company should make its own arrangements to pump the town water the extra 50 ft. and pay to the Municipality the cost of consumption pure & simple.

1376 of 23/9/91
~~1685 of 25/10/91~~ G.O. 2113 M 8 No 44 Part I

The Chief Engr. S.I.R. reported that the original railway scheme was under estimated & should be ₹ 65,000 instead of ₹ 57,742 and the annual cost would be

Pumping for Cauvery – 3,750
int. at 7½ % on 65,000 – 4,975
Total. 8725

1685 of 25/10/91 in G.O. 2113 M 8 No 44 Part I

To join the Municipal scheme the Company would pay ₹ 5000 in excess of their own scheme.

working int
5000 = 14000
Rt. scheme 8725
× 5,275

The consulting Engineer's suggestion cannot

is known

The Sec. Rys. contrasted the different schemes that had been put forward

1		2		3		4	
Town scheme 15 gals.		Town scheme 10 gals		Ry. scheme		E.E. proposal	
Cap	annual cost	Cap	annual cost	Cap.	annual cost	Cap	annual cost
65,000	14,175	57,500	11,312	65000	8,925	55,000	9025

remarked that 3 and 4 were about the same and much less than 1 or 2 & recommended the railway to withdraw from the joint scheme –

On this the Sanitary Engineer modified his scheme in the direction suggested by the Consulting Engineer. The revised scheme as far as concerned the railway worked out to

Cap. cost – ₹ 51,623
Int. at 7½ % 3,871
Working charges 3853
Total cost working = ₹ 7,764

8 No 46 Part I G.O. 624 R. of 9/3/92

The ~~[illegible]~~ S.I.R. accepted the modified scheme the cap cost of which was less and the annual cost of pumping the same as their own.

Govt. approved their decision provided the actual cost to the railway does not exceed the amount now stated by the Sanitary Engineer.

8 No 47 Part I G.O. 1279 R. 19/5/92

The Sanitary Engineer was told to start work at once, current expenditure being met from Provincial funds.

The company's share of ₹ 51,623 was reduced to ₹ 49,573 by saving in cost of pipes: this reduced the annual cost to ₹ 7,611

8 No 63 Part I G.O. 423 R. of 24/2/93

An est. for ₹ 49,553 was sent to India for sanction. It was explained that Trichi Fort and Junction Stations were dependent on a channel which is liable to run dry and that sanction had been given to their joining the joint scheme provided their share of cap. cost & annual working did not exceed that of their separate scheme

This was sanctioned by India.

G.O. 531 of 14/3/83 SNo 71 Part I
G.O. 37 M. of 16/1/84 SNo 82

In Nov. 1883 a big flood washed away the works in progress causing damage of Rs 5000 and necessitated removal to another site ½ mile further up stream

Govt. considered that the contribution of the department concerned & of the Railway should be raised to meet the loss

G.O. 228 M of 28/2/84 SNo 84

This was estimated at Rs 8770

A revised scheme costing Rs 5,02,050 was sanctioned in 1884

SNo 93
G.O. 273 M of 22/2/85
G.O. 384 M of 28/3/84 SNo 87

A supplementary estimate for cast iron reservoir was sanctioned in 1885 Rs 11,600.

G.O. 834 R 7/12/85 SNo 102

India sanctioned the supplementary est for Rs 8770 additional contribution to town supply ~~[illegible]~~ necessitated by the damage caused by floods

G.O. 410 R. 2/5/86 SNo 9 of Part II

This brought up the total cost of scheme to Rs 58,343 or including the ~~[illegible]~~ cast iron reservoir Rs 69,943.

× 49,573
8770
58,343

Yet another revised est for Rs 5,18,235 was sanctioned by Local Govt. the S.I.R. portion of which was Rs 1880.

G.O. 1731 M of 10/10/96 SNo 15 of Part II

The additional est for Rs 1880 was sanctioned bringing up the total cost to Rs 60,223.

~~Sanctn~~ G.O. 233 R 6/4/97 SNo 17 Part II

Ell

Trichinopoly Water Supply

The Agent S.I.R. is appealing against against a water-rate which the Municipality of Trichinopoly have levied on the Ry. under the authority of G.O. L. M. 1573 of 5/7/97.

Flag P

The précis perhaps gives the references to the more important letters and G.Os in the case.

The different estimates that have been drawn up from time to time are as under.

Railway "Separate" Scheme

1.	Cap. cost	Rs 73,000	original rough est
	working	3.750	
	Total annual cost	9.225	
2.	Cap. cost	Rs 57.742.	Est sanctioned by Bd. of Directors
3.	Cap. cost	Rs 69.000	Chief Engineer's revised est. of 28/10/91 letter No. 1685
	working	3.750	
	7½ % on Cap.	5.175	
	Total cost of working	8,925	

57,744
3,750
4330
8,080

The Agent has explained that all these estimates include a provision of Rs 11.256 for the cost of a cast iron storage reservoir at Trichi junction: ~~but~~ this cannot be traced from the papers in the case, ~~but~~ no details having been given in any of the three estimates but the fact was accepted as correct in G.O. 834 R of 7/12/85 ~~and it seems to be so for deducting the cost of tank 11256 from the total 69,000 we get Rs 57,744 which is practically the amount of the est~~

Serial 102. Part I of Case

For the purposes of comparison between the two schemes the cost of the tanks may therefore be deducted, making the cap. cost of estimates 2 and 3 # 46,486 and # 57,744 respectively and annual cost of working in latter case # 8,080.

Ry. Share of Town-supply estimates

1. Mr. Oldham's scheme 2½ lakhs no distribution of cost given

2. Mr. Jones scheme No. 1

	#
Cap. cost	69000
working	9000
Int. on Cap.	5175
Total annual cost	14,175

3. Mr. Jones revised scheme

	#
Cap. cost	51623
working	3893
Int. on cap.	3872
Total annual cost	7765

4. Revised est. due to fall in price of pipes

	#
Cap. cost	49,573
Int. on Cap.	3718
working	3893
Total ann. cost	7,611

5. Revised est. due to damages caused by a flood Ry. share of which was put down at # 8770

	#
Cap. cost	58,343
Int. on Cap.	4376
working	3893
Total ann. cost	8269

6. Final revised est. in which railway share is assessed at # 1880.

	#
Cap. cost	60,223
working	3893
Int. on Cap.	4516
Total annual cost	8409.

The Railway agreed to co-operate with the municipality instead of starting a separate scheme of their own somewhat unwillingly and only this Govt. recommended India to consent to their doing so on the understanding that their share of the cap. cost & annual working expenses of the Town scheme was not to exceed that the cost of their own separate scheme.

The Agent argues that these promises have not been fulfilled, the cap. cost and working expenses of the separate scheme being less than what they are assessed at in the last revised Est. No. 6 (Town scheme)

	Ry. separate scheme	Ry. share of Town scheme
Cap. cost	57,744	60,223
Annual working	8,080	8,409.

and contends that he can now withdraw from the joint scheme and have ~~their~~ his portion of the cap. which he ~~they have~~ has paid refunded to ~~them~~ him

It must be remembered that the enhanced cost of the town scheme was caused by a severe flood which swamped the head works & necessitated their removal to a point higher up the river. It is probable that if the railway had had their separate scheme it would have suffered in the same way.

In any case the Agent is using the proposal as a ~~[illegible]~~ counter-blast only to the proposal to levy water ta

The conditions under which the Railway joined the Town scheme are nowhere precisely defined – They are foreshadowed on p. 5 of the Collector's report of July 1888 in G.O. 899 M. in which it is important to notice that the Fort station is mentioned –

The Agent says that no contract or agreement can be found and that says he derives the conditions of the agreement from G.O. 2113 M. of 1891. but there is nothing very definite in the letter that he refers to – only an enunciation of the principle that each party is to pay a proportion of the cost based on the no of gals estimated supply and the height to which they are raised –

It is evident from the Collector's letter $\frac{503}{18}$ of 28/5/85 that it was intended to draw up a ~~very~~ regular contract or agreement but apparently this was never done.

In the absence of any agreement we may rely on the Collector's letter which form an accompaniment to the Agent's last letter and which show very plainly that when the railway agreed to enter into the ~~scheme~~ Town scheme it was understood between the parties that no water-rate should be levied.

Serial 23

Serial 44

Flag Y

Serial 23

the case that the Railway looked on the Town scheme with suspicion and that the Municipality were willing to make considerable sacrifices to get their co-operation – If the imposition of a water-rate had been suggested at the inception of the scheme the Railway would have sheered off, as it is the Railway lamb has been enticed into the Municipal fold where it seems likely to get an indifferent supply of water and to lose its fleece in the bargain –

If the case is put before the L. & M. Dept. supported by the Collector's letters forwarded with the Agent's last letter and by a ref. to p. 5 of G.O. 899 M. it ~~seems~~ is to be hoped that the G.O. in question may be cancelled. At the same time it would be well if a regular agreement were drawn up to prevent difficulties arising in the future

5/7/

6 Note No 28 of 1897

SERIAL No. 29

C. No. 4491
Recd. 13/10/97

No. 1013

South Indian Railway Co., Ld.
AGENT'S OFFICE,

TRICHINOPOLY, 12th October 1897

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
1 OCT. 1897
MADRAS.

From

THE AGENT.
SOUTH INDIAN RAILWAY,

To

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

Sir,

With reference to the decision embodied in G. O. No. 1573 M. Mis: dated 9th July 1897 and communicated to me with G. O. No. 766 R. dated 1st October 1897, I have the honor to request, that as I have not yet been afforded an opportunity of representing the railway side of this question, you will kindly lay the following contentions before Government.

2. It will simplify consideration of the question if I briefly recapitulate the general conditions under which the South Indian Railway participated in the joint water supply scheme of Trichinopoly. These were:-

(a) That the railway share of the first cost, and annual working expenses should not exceed those of the separate project. Government in G. O. No. 624 R. Public Works, dated 9th March 1893, approved of the railway sharing in the joint scheme on the conditions recommended by the Consulting Engineer for Railways which were that "the actual cost to the railway does not exceed the amount now stated by the Sanitary Engineer". Further in para 4 of your endorsement No. 95 dated 18th February 1893 the following occurs. "As it was estimated that to share in the joint supply would entail a smaller expenditure by the Railway Company than to carry out a separate project, the Railway Authorities abandoned the idea of the latter, having received an assurance from Government that sanction would be

in G.O. 373 M 18/3/93

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te No 28 of 1897

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Recd. 13/10/97

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AGENT'S OFFICE,

TRICHINOPOLY, 12th October 1897

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RECEIVED
15 OCT. 1897
MADRAS.

From

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SOUTH INDIAN RAILWAY,

To

THE CONSULTING ENGINEER
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in G.O. 373 M / 18/3/93

29

be given to their participating in the joint scheme, provided that their share of the Capital cost, and the annual cost of working did not exceed those of the separate estimate." It was I believe on these conditions that the Government of India sanctioned the diversion of imperial funds for the purpose of assisting a local project.

(b) That the railway share of the first cost, and working expenses of the joint scheme were to be calculated as under:

(i) Initial Cost.

Infiltration works, main piping, and valves were to be paid for in proportion to its estimated consumption of water, and engine power, pumps, and boiler houses in proportion to the quantity of water raised at each pumping station for railway use.

(ii) Working Expenses.

The annual cost of working to be charged to the railway was to be proportionate to the quantity of water raised for its use at each of the pumping stations.

3. As the imposition of this Water-tax would so obviously remove all inducement to railway participation in the Scheme, it was never anticipated the claim would be raised. This anticipation was further justified from the fact that Government failed to correct the comparative estimates of Working expense, which all excluded the taxation in question, thus leading to the presumption that there was no intention to impose the tax. However as the Railway Company failed to obtain an assurance of exemption from Government, the tax appears legally due. At the same time I have to point out that the conditions enumerated in para 2 (a) under which the South Indian Railway was permitted to share in the joint scheme have not been fulfilled, and that therefore the railway can retire from participation, and have refunded both the capital with interest thereon and the working expenses it has paid. The total amount paid to the Trichinopoly Municipality as contribution to the first cost of the scheme is Rs 60,223/- against Rs 47,700/-* the estimated cost of a separate supply. As regards the working annual charge o

Rs 64,8[illegible]

+ 69000 [illegible] Rs 1685 [illegible] Rs 11256 [illegible] deducting Rs 5774 [illegible] this figure please see [illegible]

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the

Rs 64,000

+ 69,000 vide letter [illegible] G.O. No 1138 [illegible] of 1891 [illegible]
No 1685 [illegible] or deducting Rs 11256 [illegible] Rs 57744 - As regards [illegible] figure [illegible]

the scheme to the railway, it is difficult to give exact figures, in consequence of the actual consumptions of the different participating parties being unknown. It is probable, considering the insufficient supply delivered to the railway on many occasions during the past Official year, and the great waste of water which must occur with the large service pipes laid on to houses in the town of Trichinopoly, that the railway has not received its proper share. A claim for Rs 3,200/- has been made for the current Official year and adapting this figure the working cost to the railway is:

Municipal Claim	Rs 3,200
Water tax	" 1,452
Interest @ 5% on Rs 60,223 =	" 3011.
	Rs 7,663

The cost of working a separate scheme would be annually

Working charges	Rs 3750
Interest @ 7½ per cent on Rs 47,700 -	" 3353
	Rs 7,103

4. With reference to para 2 (2) of the endorsement of the Collector of Trichinopoly Dis: No. 229. Rev: dated 8th February 1897 embodied in G. O. No. 714 M. dated 27th March 1897 and referred to in G. O. No. 1573 M. Mis: dated 9th July 1897 I beg to offer the following remarks. The Company has no further claim to be relieved of water tax than what was understood to be the tacit approval of Government to exemption. It can hardly be considered the legitimate duty of a railway administration to make free contributions to the initial cost and working expenses of a Municipal water supply when even the

the Local Government charges interest on a portion of the funds it has supplied. It has also to be remembered that a portion of the money paid by this railway to the Trichinopoly water scheme belongs to the Government of India, so that the transaction really constitutes a diversion of imperial funds for local purposes. A large number of the railway buildings are situated within the limits of the Trichinopoly Cantonment and therefore the Collector's arguments regarding the exemption of the military lines applies with equal force to these buildings. If the Company had not shared in the joint scheme it would undoubtedly have had to make its own arrangements for the water it required, but assuming the existence of a Municipal supply, such arrangements would have been limited to the provision of the quantity of water needed over and above that delivered by the Municipality in return for the taxation. The argument of the Chairman of the Municipal Council that the Municipality contracted to supply water to the junction station only is not understood, and nothing to this effect can be traced in the papers with which I have been furnished.

5. I trust on further consideration Government will be pleased either to sanction exemption ~~of~~ from water taxation or to allow the railway to retire from participation in the Joint Scheme, such money as has been paid to the Municipality being refunded with accrued interest at 5 per cent.

I have the honor to be,
Sir
Your most obedient Servant
A. V. G. Shelley.
Captn R.E.,
Agent

From
The Agent,
South Indian Railway,
Trichin

To
The Consulting Engineer for
Railways,
M

Dated }
Received }

No.
189
Enclosure.

1

Office Note No 28 [illegible] 1897

A.D.G. Shelley

From
The Agent,
South Indian Railway,
Trichinopoly.
To
The Consulting Engineer for
Railways,
Madras.
Dated
Received
189
No.
Enclosure.

32

SERIAL
29(a)

C. No. 4490
Recd. 13/10/97

No. 1014

South Indian Railway Co., Ld.
AGENT'S OFFICE,
Trichinopoly, 12th October 1897.

From
THE AGENT,
SOUTH INDIAN RAILWAY,

To
THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
13 OCT. 1897
MADRAS.

On [illegible] No. 1971 M. of 13-9-97

Sir,

With reference to your memorandum No. 3145 dated 5th October 1897, I have the honor to inform you that as no means exist for determining accurately the railway share of the working expenses of the Trichinopoly Water Supply, it is necessary pending the provision of meters to adopt some empirical method of determination. I am inclined to think the amount of Rs ~~2,8[illegible]3~~ 3,200 quoted by the Chairman, Municipal Council, Trichinopoly, excessive, and consider Rs 3,000 would be a fairer figure. I do not think too much reliance should be placed on the quantity of water which the Chairman estimates as representing the Municipal consumption. With the present large size of service pipes laid in the house connections the low consumption of 6 or 7 gallons per head per diem seems impossible. In connection with this question of paying a contribution to the Municipal supply, I beg to refer you to my letter No. 1013 dated 12th October 1897, and to suggest that the payment may lie over until the reference regarding water taxation has been disp[illegible]d of by Government and my Board.

I have the honor to be
Sir
Your most obedient Servant
A.D.G. Shelley
Captn, R.E.
Agent

[illegible]

From
THE AGENT,
SOUTH

To
THE CONSULT

Dated
Received

E

South Indian Railway.

Copy of a letter, No. 451, dated 13th May 1889
from the Ag: Collector of Trichinopoly
to the Agent, South Indian Railway.

I have the honor to state in reply to your letter No. 5751/1028, dated the 18th ultimo that the proposed water scheme involves only the first two of the three proposals that you mention viz:-

(1) that the Railway Company will have to put down Rs: 42,000, the cost of the extension to them, including the 12 per cent allowed for Engineering and Contingencies, which the Municipality will neither repay nor allow interest on; and

(2) the Company will contribute Rs: 4,000 — yearly, their share of the working Expenses; and that it is not contemplated to charge the Company water rate on its buildings.

The proposal means, in fact, that the Municipality and the Railway Company construct and maintain the works jointly, each paying for the Construction and the Maintenance of its own share. I do not think any thing could be fairer.

The Municipal Council have now finally

From
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To
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Dated
Received

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55

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The Municipal Council hav
finally

Copy continued.

finally passed Mr. Oldham's plans and Estimates; and I am putting the whole matter before Government.

Enc. No. 2 to E. R. G. No. 4808 of 1897
Letter No. 1062 d/ 1-11-97
From A.

3/ ie Note No 28 of 1897

South Indian Railway.

85

Copy of a letter, No. 503/18, dated 28th May 1897
from the Acting Collector of Trichinopoly
to the Agent, South Indian Railway.

I have the honor to reply to your letter No. 1399 dated the 23rd instant on the subject of the Trichinopoly water scheme.

2. The conversation you, Mr. Logan, and I had yesterday at your Office has I believe removed your objections to joining in the scheme.

3. We have in fact, as I discovered yesterday, been at cross purposes all the time. It was never intended to charge you anything for water. The total expense the Railway Company will be put to by joining in the scheme will be:

(a) an initial expenditure of about Rs 42,000/- the cost of construction of the extension to them; and

(b) the annual share of the working expenses, estimated at Rs 4000/-; calculated on the quantity of water taken, proportionate to the total supply.

4. The scheme is thus, as I said in my letter No. 451-18 of the 13th instant, that the Municipality and the Railway Company construct and maintain the works jointly; each paying for the construction and maintenance of its own share, and no more; the simplest and fairest division possible. It would

of

AGENT'S OFFICE,
TRICHINOPOLY,
1st November 1897

True copy.
M Le Mesurier
for Agent.

Accompaniment to the Agent's letter
No. ________ of ________ 189 .

ENC. No. 1 TO E. R. C. No. 4808 OF 1897
LETTER No. 1062 d/ 1-11-97
FROM A

4
Office Note No 28 of 1897

Rep. R.c. 15/BC of 1898

DESPATCHED

SERIAL
No. 33

37

No. 1062

South Indian Railway Co., Ld.
AGENT'S OFFICE,

TRICHINOPOLY, 1st November 1897.

RECEIVED
3 NOV. 1897
CONSULTING ENGINEER FOR RAILWAYS
MADRAS

C. No. 4808
Recd. 3/11/97

From

THE AGENT.
SOUTH INDIAN RAILWAY,

To

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

Sir,

8 No 31

With reference to your letter No. 3345 dated 28th October 1897 I have the honor to offer the following remarks on the various points you have raised:-

(1). In my estimate of the cost of a separate scheme, I did not adopt the figure of Rs. 69,000 quoted by you, because it was only a very approximate amount, and one which had never been sanctioned. The amount of Rs. 9,000 added for piping to the sanctioned estimate of Rs. 57,742 was obviously excessive, as during 1892 the cost both of iron and freight was very low. Whether the amount of Rs. 69,000 quoted by you or the amount of Rs. 57,742 sanctioned by the Board is adopted, it must be remembered that these sums include a provision of Rs. 11,256 on account of the cost of a storage tank which being a work common to both the joint and separate water-supply schemes should be eliminated in a comparison of relative costs. Adopting as most unfavourable for my contentions the higher amount of Rs. 69,000 for the total cost of the separate scheme, the sum to be taken for comparative purposes should be Rs. 57,744, which is less than the railway share of the expenditure on the joint scheme by Rs. 2,479. On these assumptions the annual cost of working a separate scheme as previously given by me would be -

modified

3
Office Note No 28 of 1897

South Indian Railway. 2

Copy continued.

of course, be possible, as I said yesterday, to arrange it in another way, viz that the Municipality should bear the initial expense of the whole of the work, and merely charge you an annual sum for water; but they would, in that case, be obliged to charge you a sum sufficient to cover.

(1) the annual maintenance charges of the extension

(2) the interest they have to pay to Government on the Capital sunk on that extension and

(3) a reasonable profit sufficient to reimburse them eventually in the original outlay; and that would as we found yesterday, certainly cost you more money in the end; for you can borrow at 3½ per cent; that is at ½ per cent cheaper than they can.

5. The joint scheme is in my opinion, the best for both parties; the cheapest for you, and the best for the Municipality, as giving you a direct interest in the work and ensuring a proper supervision over the Machinery. You will under it, have practically the entire management of the pumping machinery and in fact of everything, except the distribution in the town.

6. An agreement will of course be drawn up between you and the Council, before the work is begun, defining the respective rights of both parties. This will present no difficulty.

AGENT'S OFFICE,
TRICHINOPOLY.
1st November 1897

True copy.
M. Le Mesurier
for Agent.

Accompaniment to the Agent's letter

No. ________ of ________ 189 .

98

modified as under:–

Working charges	Rs. 3,750.
Interest at 7½ per cent on Rs. 57,744..	" 4,330.
	" 8080.

1/14

It will therefore be seen that even if an excessive sum be adopted as the first cost of the separate scheme, my original contention so far as relates to first cost still holds good.

(2). My para (b) I and II is derived from Government Order No. 2113 M., Local and Municipal, dated 30th November 1891, which adopts the principles of calculation embodied in the Sanitary Engineer's letter to Government No. 1741 dated 19th November 1891.

No 44 of Part I

Flag G

(4). I am not aware of the contract alluded to by the Chairman, Trichinopoly Municipal Council, in para 6 of his letter No. 4 dated 25th January 1897, embodied in Government Order No. 714 M. dated 27th March 1897. No such contract has been entered into by this Administration.

S No 23

2. Since writing my letter No. 1013 dated 12th October 1897 I have discovered letters Nos. 451 and 503 dated 13th and 28th May 1889 from the Acting Collector of Trichinopoly, copies of which were sent you with my letters Nos. 614 and 658 of 20th May 1889 and 30th May 1889 — copies are now attached for your information, and attention is invited to the concluding part of the Collector's first letter.

S No 29

Vide Serial 3

I have the honor to be,

Sir,

Your most obedient Servant,

M. de Mesurier

for Agent.

Local & Mupl
G.o 948 M 2/8/89

2 Enclosures.

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Local & Mupl
Go 948 M 2/8/89

2 Enclosures.

Rep Rc. 15/Bg of 1898

DESPATCHED
16 APR. 1898

39

Local & Munl. (1898) Department.

Dc No 567 Rev of 28 Encls. 8.
(with the Agent's letter in original)

CURRENT No. 1383 Lu

COLLECTOR AND MAGISTRATE
14 MAR 98
TRICHINOPOLY

HEAD QUARTER OFFICE
13 MAR 1898
TRICHINOPOLY

CHIEF SECRETARIAT
18 APR. 1898
GOVERNMENT OF MADRAS

Forwarded. I agree with the Agent, S. I. Ry. that it will be unfair to saddle the Company with charges on account of repairs rendered necessary either by insufficient supervision or faulty design or construction. Neither do I think the Company should pay any portion of the cost of the proposed extension. The rest of the Agent's letter does not call for remarks.

R H Shipley
Ag Collr

16.4-98

Order.

From The Chairman
Municipal Council
Trichinopoly

No. 15

Dated 12 . 3 . 98

Received

Registered

Enclosures 2 and office note No 28 returned

Spare copies

SUBJECT.

Reporting that the Municipal Council is of opinion that water tax need not be demanded from the South Indian Railway Company on account of its buildings.

Forwarded.

M. Srinivasa Row
Dy Collector
14. 3. 98

From
The Agent,
South Indian Railway,
Trichinopoly

To
The Consulting Engineer for Railways,
Madras.

Dated 189
Received

No.

Enclosure.

Office Note No 28 of 1898

From
The Agent,
South Indian Railway,
Trichinopoly.

To
The Consulting Engineer for
Railways,
Madras.

Dated } 189
Received }

No.
Enclosure.

5
Office Note No 28 of 1898

Ref Rc. 15/Blg of 1898

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16.4.98

CURRENT No. 1383 Rev

COLLECTOR AND MAGISTRATE
14 MAR 98
TRICHINOPOLY.

HEAD QUARTER DEPUTY COLLECTOR TRICHINOPOLY
13 MAR 1898

CHIEF SECRETARIAT GOVERNMENT OF MADRAS
18 APR. 1898

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Dy Collector
14. 3. 98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Proceedings of the Municipal Council Trichinopoly, passed at the Meeting hel
on the 10th March 1898.

Present.

1. Surgeon Lt. Col. W. O'Hara Chairma
2. Rev. J. D. W. Sewell S.J. Councillor.
3. Rev. J. Shrewsbury B.A. „
4. Rev. S. Gnanamuthu B.A. „
5. M.R.Ry. M. Srinivasa Row Avl. B.A. B.L. Rev. off
6. „ A. C. Chidambara Mudaliar Avl. Council
7. „ N. G. Gopala Aiyar Avl. B.A. „
8. „ T. Venkataramanayalu Chettiar Avl. „
9. „ T. V. Annaswami Mudaliar „ „
10. „ T. S. Umamaheswara Aiyar „ „
11. „ V. S. Chellappa Chettiar „ „
12. „ C. Vythilingam Pillai „ „
13. „ R. Kandaswami Pillai „ „
14. „ T. V. Marudanayagam Pillai „ „
15. Muhomed Mirjan Sahib „
16. Muhomed Asadulla Sahib „
17. Muhomed Sirajudeen Sahib „

Para 381. Read Government Endorsement No. 14 dated 6th January 1898 referring letter from the P. W. Department regarding the water-tax from the South Indian Railway Company.

× × ×

The Council recognising the fact that

the S. I. Ry Company were participators in the original cost of the water works is of opinion that it is hardly equitable to impose water rate taxes on them; but considers that the Railway should bear a proportionate share in the repairs to, and extensions of original works, and that they should be restricted to the supply of 100,000 gallons of water per day according to original arrangements - any excess above this amount being liable to taxation.

x x x

Sd. W. O'Hara
Chairman

True extract

Municipal office
Trichinopoly
11th March 1898

William O'Hara
Chairman

1/1383M/98

MUNICIPAL OFFICE,
TRICHINOPOLY 12th March 1898.

No. 15

FROM,

Surgeon Lieut Col. W. O'Hara
CHAIRMAN,
Municipal Council,
TRICHINOPOLY.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1383M

TO,

The ~~Chief~~ Secretary to Government,
Local and Municipal Department,
FORT ST. GEORGE.

Through the Dy. Collector of Trichinopoly.

SIR,

With reference to Government Endorsement No 14 dated 6th January 1898, I have the honor to submit the unanimous opinion of the Council as enunciated in the accompanying resolution: and to request that the Government will be so good as to confirm the terms therein specified as ~~the~~ regards the relation of the S. I. Railway to the Trichinopoly Water Supply Scheme.

I have the honor to be
Sir
Your most obedt. Servt.

William O'Hara
Chairman

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"True extract"

Municipal office
Trichinopoly
11th March 1898

William O'Hara
Chairman

1/1383M/98

MUNICIPAL OFFICE,
TRICHINOPOLY 12th March 1898.

No. 15.

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CHAIRMAN,
Municipal Council,
TRICHINOPOLY.

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I have the honor to be
Sir
Your most obedt. Servt.
William O'Hara
Chairman

Urgent

No. R901/9/1563 **South Indian Railway Co., Ld.**

AGENT'S OFFICE,

TRICHINOPOLY, 7th April 1898.

From

THE AGENT,

SOUTH INDIAN RAILWAY,

To

The Collector

of

Trichinopoly

Ew 8/4/8

Sir,

With reference to your letter No. 15/98/B&G. dated 31st March 1898, I have the honor to inform you that without more precise details than are given in para 381 of the Minutes of the Meeting of the Trichinopoly Municipal Council held on 10th March 1898 I am unable to give any final opinion on the suggestions made by the Council. The Railway should bear its share of repairs due to fair wear and tear, but not expenditure on effecting repairs manifestly caused by inefficient control. I am most strongly opposed to this railway sharing in any expenditure connected with the future extension of the original project, but I am not certain whether I correctly understand the Municipality in suggesting this. As regards payment for water in excess of the 100,000 gallons per day originally arranged for, I shall be happy to recommend the acceptance of any fair scale of payment. I am glad the Council recognizes that the proposed taxation on the present supply would be inequitable.

I have the honor to be

Sir

Your most obedient Servant

W. LeMesurier

for Agent

Read

Reply to Rc. 15/Blj. of 1898.

53/1/98

hen given for copying
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hen examined
en signed
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AD AGAIN G.O., No. , DATED 189 .

MENT No.

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OF GOVERNMENT	A	A	A	A	A	A	A
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N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.