M.R.O. 1—77,006—8-6-37.

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MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 3481 Press
~~Mis.~~

604-05

Dated 29. 10 1869.

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Not to be folded or roughly handled

No. 604. Read the following Circular from the Government of India, Public Works Department, (Railway,) dated Simla, 23rd September 1869, No. 27 :—

Rent for Class C. Lands.

Read again the following papers :—

Public Works Department Circular No. 55, dated 29th June 1861.
Public Works Department Resolution No. 857 R., dated 4th August 1868.
Financial Department Resolution No. 2,499, dated 22nd September 1868.
Home Department Docket No. 1,816, dated 31st October 1868.
Public Works Department Resolution Nos. 1,476—77 R., dated 21st December 1868.
Financial Department Resolution No. 141, dated 6th January 1869.
Public Works Department Circular No. 2, Railway, of 1869.

Read also :—

From Government of Bombay, No. 183, dated 28th January 1869.
From Chief Commissioner of Oudh, No. 1,200 R., dated 6th September 1869.

OBSERVATIONS.—The Government of Bombay represents that the rules laid down by the Government of India as to the mode in which the rent for C. Lands should be calculated will, if acted upon, lead to some loss of Government money, and recommends that rent should not in all cases be determined by the same rule.

2. The Bombay Government is of opinion that for Government land leased for house-building, a fixed rent, irrespective of the classification of the soil and district, or locality, should be charged, and that where money has been paid for the surrender of a lease, 5 per cent. on the amount of compensation should be added to the rent.

3. For land taken up for houses from private owners, 5 per cent. per annum on the purchase money is considered by the Bombay Government to be a fair arrangement.

4. For land required for ballast pits, quarries, etc., the Government of Bombay thinks that the Company should be called upon to pay the full amount spent for the acquisition of the property, *plus* a nominal yearly rent during occupation, the proceeds from the sale of the land when surrendered being credited to the Company. For Government land, a yearly rent should be charged to cover deterioration, in addition to the cost of resumption, if any. The Chief Commissioner of Oudh also points out that any possible deterioration of the C. Lands, by reason of the purposes to which they may be put, does not appear to have been provided for in the rules last issued. This was referred to in the Circular Orders of 1861, on the subject of Railway lands, and was not provided for in the last rules through inadvertence.

5. The references may be met by an additional rule, and the following rules should accordingly be promulgated in supersession of those issued with Circular No. 2 R. of 1869 :—

I.—The annual rent on lands in Class C., occupied by a guaranteed Railway Company, shall be fixed at 5 per cent. on the outlay incurred by Government in taking up the land, *plus* any revenue or rent payable to Government in respect of the said land.

II.—But in the case of land already belonging to, and in the occupation of, the Government, the rent shall be fixed at 5 per cent. on the value of the land as estimated by the Collector.

III.—In the event of the land being required for purposes through which its letting value will be diminished, the Railway Company on relinquishing it shall pay, in addition to any rent paid during the occupation of the land under the previous rules, the estimated difference between the actual value of the land when relinquished, and the value that the land would have had if the rent remained at the amount that was paid during the occupancy of the Company.

IV.—When land presented in free gift by a private individual for the purposes of a Railway is made over to a guaranteed Railway Company in Class C., no rent shall be charged by Government beyond the jumma or revenue previously paid to Government for the land.

6. With reference to Rule III., it is observed that the real value of the land to the Government before it was handed over to the Company would be properly estimated on the basis of the rent charged for it. But when land has been actually paid for by the Company already, as in Bombay, no re-opening of the old transactions should take place, and the adjustment can be made when any land is given up.

7. Compensation paid for surrender of a lease, or any other charge, should be considered in fixing the rent. If the land is not in the occupation of the Government, and cannot be transferred to the Company without charge of any sort, it comes under Rule I.

8. It is optional to the Government of Bombay to fix the rent under Rule II. at Rupees 5 per acre for agricultural land occupied by houses of the Company's staff, or at any other amount it may deem desirable.

Madras.	Oudh.
Bombay.	Central Provinces.
Bengal.	Central India.
North-Western Provinces.	Hyderabad.
Punjab.	Mysore and Coorg.

ORDER.—Ordered, that this Resolution be forwarded for information and guidance to the Local Governments and Administrations noted in the margin.

(Signed) R. STRACHEY, Colonel, R.E.,
Officiating Secretary to the Government of India.

No. 605. ORDER THEREON, 29th October 1869, No. 3,481.

RAILWAY, No. 81.

COMMUNICATED to the Consulting Engineer for Railways for information and guidance with reference to G. O., No. 297, dated 29th January 1869.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Consulting Engineer for Railways.

Exd. S. T. Augustin.

Pr 186 Dept

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY.

No 4323.

THE GOVERNMENTS OF MADRAS, BOMBAY, BENGAL, THE NORTH WESTERN PROVINCES AND THE PUNJAB; THE CHIEF COMMISSIONERS OF OUDH, CENTRAL PROVINCES, AND MYSORE AND COORG; THE RESIDENT AT HYDERABAD; AND THE AGENT TO THE GOVERNOR GENERAL FOR CENTRAL INDIA.

CIRCULAR No. 27, RAILWAY.

Dated SIMLA, *September* 23, 1869.

Received 2-11-13---

No. 3481. 29 Oct 1869.

Rent for Class C. Lands.

P. W. D. Press—30-9-69—192.

With an order

No 2481

Communicated to the Consulting Engineer for Railways
for information & guidance with reference to G. O. No 297 dy
29th January 1869.

Fort St. George
29 October 1869.

A/S.

To
Consulting Engr for Railways
Dated 9/11/69

3-11-26 Bill

Cue 4323

Govt. of {1869} Madras.

PUBLIC WORKS.

To The Consulting Engr. for Railways

Dld.

Recd. Encl.

G. O. 29 Oct. 1869, No. 3481

Nos. 600- 605

Lands (Rys) Circulars from the Secty Govt regarding the Land to be Class C. Lands and Duties concerned.