M R O 1—77,006—6-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Reference_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 190-71	Press / Mis.
365-66-69	
Dated 17-1	1870.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 17th January 1870.

No. 365. Read the following letter from the Deputy Secretary to the Government of India, Public Works Department, (Railway,) to the Secretary to the Government of Madras in the Public Works Department, (Railway,) dated Fort William, 4th December 1869, No. 1,820-R —

REFERRING to entries, Nos. 128/30 in the Proceedings of the Madras Government in the Public Works Department, (Railway,) for September 1869, on the subject of the grant of compensation to one Soobbien, in consequence of damage sustained by his house from proximity to the embankment of the Erode Extension of the Great Southern of India Railway, I am directed to request that the Government of Madras will be good enough to report the precise grounds on which it was ruled that Government should bear the cost of compensation, inasmuch as it appears opposed to the ruling in Public Works Department, Circular No. 17 of 1868, and there is apparently nothing on the record to show why the Company should have been absolved from the liability.

2. I am to add that the Consulting Engineer's views as to Class B. land, as expressed in paragraph 2 of his letter, No. 265, dated 20th August 1869, seem to be incorrect, with reference to the provision* on this head in Clause 12 of the Contract referring to the construction of the line from Trichinopoly to Erode.

* Extract Clause 12 And if it shall happen that any liability shall be incurred to third persons for consequential damages caused by any works executed by the Company under the sanction or authority of the Secretary of State in Council, all expenses necessarily incurred in satisfying the same *shall be paid by the Company* and added to the said Capital Account.

No. 366. ORDER THEREON, 17th January 1870, No. 190.

RAILWAY, No. 45.

COMMUNICATED to the Consulting Engineer for Railways, with reference to G. O., No. 2,909, dated 4th September 1869.

2. The ruling of the Government of India in their Circular letter, dated 7th September 1868, No. 17, having been overlooked, both by the Consulting Engineer and the Government, when the claim to compensation referred to came under consideration, Major Shaw Stewart will take steps for the recovery of the sum of Rupees 240 from the Railway Company, the charge being debited to Capital in accordance with the provisions of the Contract quoted in paragraph 2 of Major Williams' letter.

(Here enter, No. 191, dated 17th January 1870.)

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To the Consulting Engineer for Railways.
" Controller of Public Works Accounts.
" Accountant-General.

Exd E. C Shunker

PUBLIC WORKS DEPARTMENT,

FORT ST. GEORGE, 17*th January* 1870.

No. 191.

No. 367.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

PUBLIC WORKS DEPARTMENT

RAILWAY, No 46.

SIR,—WITH reference to your letter of the 4th December 1869, No 1,820-R, I am directed to state that, as the ruling of the Government of India was overlooked, both by the Consulting Engineer and this Government, when the claim of Soobbien to compensation came under consideration, steps have been ordered to be taken for the recovery of the sum of Rupees 240 from the Railway Company, the charge being debited to Capital in accordance with the provisions of the Contract quoted in paragraph 2 of the letter under acknowledgment.

I have the honour to be,

Sir,

Your most obedient servant,

Colonel, R E,

Secretary to Government.

Exd. E C Shunker

No 1820 R

It is requested that the reply to this letter be addressed to the Secretary to the Government of India in the P W Department

GOVERNMENT OF INDIA

PUBLIC WORKS DEPARTMENT.

Railway

To The Secy to the Govt of Madras in the P.W. Deptt (Railway)

Fort William, 4th December 1869

Sir,

Referring to entries Nos 128/30 in the proceedings of the Madras Govt in the P.W. Deptt (Railway) for September 1869, on the subject of the grant of compensation to one Soobbien in consequence of damage sustained by his house from proximity to the railway Viaduct of the Erode Extension of the Great Southern of India Railway, I am directed to request that the Govt of Madras will be good enough to report the precise grounds on which it was ruled that Govt should bear the cost of compensation, inasmuch as it appears opposed to the ruling in P.W. Deptt Circular No 17 of 1868, and there is apparently nothing on the Record to show why the Company should have been absolved from the liability.

2

I am to add that the Counselling Engineer's views as to Class B land, as expressed in paragraph 2 of his letter No 263 dated 20th August 1869 seem to be incorrect with reference to the provision on this head in Clause 12 of the Contract referring to the construction of the line from Trichinopoly to Erode.—

Clause 12 of Contract. [illegible] any liability shall be incurred to the [illegible] claims for consequential damages [illegible] day work executed in the Company's [illegible] the same by or on account of the [illegible] in Council, all expenses necessarily [illegible] incurred in satisfying the same [illegible] be paid by the Company, and debited [illegible] to the said Capital Account.—

I have the honor to be
Sir
Your most obedient Servt
E P Kleiner Major R E
Deputy Secretary

Standish

47

P.W. 1869 Dep.tt
Proc.s Govt. for January
No 5244

From

The Secy to the
Govt of India
No 190-191 17th Jany/70 P.W.D.
Dated 5th Dec.r/69
Rec.d 5th Dec.r/69
No 1820 R.

Requesting to be informed of the precise grounds on which it was ruled that Govt should bear the cost of compensation granted to one Soubien in consequence of damage sustained by his house from proximity to the embankment of the Ennore Extension of the Great Southern of India Railway.

No 365

C. 18 Dec.r 1869 Oct 31 cr.

Public Works Depart.t
No 190

Proceedings of the Madras Government
Under date the 17th Jany 1870
Read the following

From The Secretary to the Government of India
H.E. No 1820 P. of 4th December/69

Communicated
to the Consulting Engineer for
Railways with reference to
G. O. No 2919 dated 4th Sept.r/69.

The ruling of the
Government of India in
their Circular letter dated
7th September 1868, No 17,
having been overlooked
both by the Consulting
Engineer and the Govern-
ment, when the claim
for Compensation referred
to came under considera-
tion, Major Shaw Stewart
will

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refer
from

will take steps for the
recovery of the sum of Rs.
240 from the Railway Com-
pany, the charge being de-
bited to Capital in ac-
cordance with the provisions
of the Contract quoted in
para 2 of Major Williams'
letter.

To The Chief Engineer for Railways
" Controller "
" Asst. Genl. "

Dept. 18/1/70

To
No 191
The Secretary to the
Govt. of India P.W.D.
Sir,

With reference to your
letter of the 4th December 1869,
No 1820 Rys. I am directed
to state that as the railway
of the Government of India
was overlooked both by
the Consulting Engineer and

this

this Government, when the claim of Soobrew to Compensation came under consideration, steps have been ordered to be taken for the recovery of the sum of Rs: 240 from the Railway Company, the charge being debited to Capital in accordance with the provisions of the Contract quoted in Para 2 of the letter under acknowledgment.

W.B.

Cue 5244

Govt. of {1869} Madras.

PUBLIC WORKS

To

The Consulting Engineer
for Railways

Dated

Read

G. O. 17 Jany 1870 No 190 & 191

Nos. 364. 365

Compensation (Rs) Reporting orders on the letter from the Govt of India requesting to be informed of the principle upon which it was ruled that he should bear the cost of compensation & conformed to some Sookars under-comb of the damage sustained by his house from proximity of the Embankment of the Erode Embankment of the S. Ry.

Compensation (Rs) The Govt of India informed that steps have been taken to the letter for the recovery from the Railway Co of the sum Rs 240 paid as

according the damage sustained by his house from proximity to the Embankment made by the Erode Extension of the S. Ry.