M.R.O. I—77,006—8-6-37.

(1) Number of pages 2 1

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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 2577-80 Press Mis. -

15-5-57

Dated 10 10 18 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 10th October 1871.

No. 155. Read the following Endorsement of the Acting Consulting Engineer for Railways, dated Madras, 13th September 1871, No. 389:—

From the Acting Agent and Manager of the Madras Railway Company, to the Acting Consulting Engineer for Railways, dated Madras, 8th September 1871, No. 533.

I HAVE the honour to inform you that upon the receipt of Order of Government, No. 595, dated the 1st of February last, I wrote to my Directors asking for instructions in regard to the regulations which are therein laid down as to the closing of the Capital Account of this Company with effect from the 31st December 1870, and as to the manner in which subsequent expenditure of capital was to be dealt with, the limit in amount and the mode in which the sanction of Government for such expenditure is to be obtained.

2. I have now the honour to solicit your attention to the enclosed copy of paragraphs 11 and 12 of a letter from the Chairman, No. 477 of the 4th ultimo, in which I am desired to represent that the works of this Company's undertaking are not in a sufficiently advanced state to admit of the application of the proposed rules without inconvenience, and I am to request that you will be so good as to submit to the Government the views which are expressed by the Board in regard to the order generally, in view to the suspension of the new rules for a period of twelve months, at the end of which time the Directors promise to reconsider the question in the hope of being then able to comply with the wishes of the Government in this respect.

Extract from a letter from the Chairman, Madras Railway Company, No. 477, dated London, the 4th August 1871.

PARAGRAPH 11.—Adverting to your letters Nos. 937, paragraph 15, and 939, paragraph 57, I am to request that you will explain to the Government that the works of our undertaking are not at present in a sufficiently advanced state to admit of the application of the proposed rules without inconvenience. It is, therefore, most desirable that they should not come into force till after the completion of the Neilgherry Branch, the new Central Station, and the two large bridges over the Cheyaur and Huggry rivers. With regard to paragraph 6, you will be so good as to point out to the Government that its provisions are quite inconsistent with the decision contained in Sir Charles Wood's Despatch of the 4th March 1864, in accordance with which the Board desire to act. They cannot altogether admit the correctness of the principle laid down in paragraph 3, and although they would not object to the rule contained in paragraph 6 to a trifling extent, they consider the proposition as it stands to be in direct opposition to Clause 12 of their Contract, and that it may hereafter be unfair in its action on the interests of the Company.

12. You will be so good as to submit these views of the Board for the consideration of the Government, together with a request that, under the circumstances above explained, the operation of the new rules may be suspended for twelve months, at the expiration of which period the Board will reconsider the proposed rules in the hope of being then able to signify their adhesion to the views expressed in the Government minute.

SUBMITTED to the Government.

The Board of Directors of the Madras Railway Company take exception to the Resolution of the Government of India, No. 49, dated 6th February 1871,

G. O., No. 595, 1st March 1871.

as regards the orders for the closing of the Capital Account from the 31st December 1870; for the restriction of future Capital expenditure to new or additional work leading to an increase of Revenue; and for the limitation of Rupees 5,000 as a minimum charge for any work to be passed against Capital, on the open line.

Paragraph 6 of Resolution.

2. The Board urge that their works are not sufficiently advanced to admit of these orders being carried out without inconvenience; and instancing the unfinished Neilgherry branch line, the Madras Central Station, and the Cheyaur and Huggry bridges, they request that the enforcement of the orders may be deferred for twelve months.

3. The Directors consider that paragraph 6 of the Resolution, laying down that charges for works below Rupees 5,000 are to be debited to Revenue, is not in conformity with paragraph 12 of the Contract between the Government and the Railway Company.

This same view was entertained by the Agent of the Great Southern of India Railway, and the subject was entered into at some length by the Government of India in their letter of the 26th June 1871, No. 399. This exposition of the views of the Government of India was not before the Directors of the Madras Railway when they wrote last month, and I recommend that it be communicated to them, and to the Secretary of State, for final disposal of the questions raised.

Vide G. O., No. 1,892, 18th July 1871.

4. As regards the institution of the "Construction Account 1870," and the proposal of the Directors to defer that for twelve months, (whether from 31st December 1870 or the 4th August 1871, the date of their letter, is not specified,) I would observe that the Neilgherry branch line and the Cheyaur bridge are not likely to be completed for the next two years, or, say, the 30th June 1873; and I presume that the Government will not think it necessary, on this representation from the Board of Directors, to modify their orders of the 1st March last, calling for the schedules of works for submission to the Government of India.

Paragraph 2 of the Resolution.

(Signed) H. L. PRENDERGAST, Major, R.E.,
Acting Consulting Engineer for Railways.

No. 156.

ORDER THEREON, 10th October 1871, No. 2,579.

RAILWAY, No. 23.

ORDERED that these papers be forwarded to the Government of India.

(Here enter No. 2,580, dated 10th October 1871.)

(True Extract.)

(Signed) J. CARPENDALE, Colonel, R.E.,
Secretary to Government.

To the Acting Consulting Engineer for Railways.

Exd. S. T. Augustin.

PUBLIC WORKS DEPARTMENT,
OOTACAMUND, 10*th October* 1871.

No. 157.

No. 2,580.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

RAILWAY, No. 24.

SIR,—Adverting to the Proceedings of the Government of India under date the 6th February 1871, No. 49 A.—R., issuing instructions for making up the Capital Accounts of certain Guaranteed Railways, including those noted in the margin, and imposing restrictions in respect to future expenditure from Capital funds, I am directed by the Right Honourable the Governor in Council to forward the accompanying papers, in which the Board of Directors of the Madras Railway take exception to the orders promulgated.

Madras Railway, Great Southern of India Railway.

2. The grounds of their objections will be found stated in the extract from the letter of their Chairman which the Agent of the Company submits for the consideration of Government. In regard to the dissent expressed by the Board to paragraph 6 of the Resolution in question, the Consulting Engineer points out that the exposition of the views of the Government of India communicated in the letter marginally noted in connection with similar objections raised by the Agent of the Great Southern of India Railway was not before the direction in England when the subject was considered, and Major Prendergast recommends that a copy of the letter be communicated to the Directors and the matter at the same time be laid before the Secretary of State for final decision of that and the other questions involved.

Letter, No. 399 A.—R., dated 26th June 1871.

3. His Excellency in Council desires to invite attention to paragraph 4 of the Consulting Engineer's letter in which Major Prendergast points out that while the Directors propose to defer the operation of the orders in regard to the "Construction Account 1870" for twelve months on the ground that several of the Company's principal works are still unfinished, the completion of those works cannot be calculated upon before the expiration of *two years* at least.

I have the honour to be,
Sir,
Your most obedient servant,

Colonel, R.E.,
Secretary to Government.

Fxd. S. T. Augustin.

No. 533.

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

Madras, 8th September 1871.

From

Reresford Anderson Esqre
Acting Agent and Manager. Mds. R. Co.

Major H. L. Prendergast, RE
Acting Consulting Engineer for Railways.

SIR,

I have the honor to inform you that upon the receipt of Order of Government No. 595 dated the 1st of February last, I wrote to my Directors asking for instructions in regard to the regulations which are therein laid down as to the closing of the Capital Account of this Company with effect from the 31st December 1870, and as to the manner in which subsequent expenditure of Capital was to be dealt with, the limit in amount and the mode in which the sanction of Government for such expenditure is to be obtained.

2. I have now the honor to solicit your attention to the enclosed copy of Paragraphs 11 and 12 of a letter from the Chairman No. 477 of the 4th ultimo, in which I am desired to represent that the Works of this Company's Undertaking are not in a sufficiently advanced state to admit of the application of the proposed Rules without inconvenience, and I am to request that you will be so

good as to submit to the Government the views which are expressed by the Board in regard to the Order generally, in view to the suspension of the new rules for a period of twelve months, at the end of which time, the Directors promise to reconsider the question in the hope of being then able to comply with the wishes of the Government in this respect.

I have the honour to be,
Sir
Your most Obedient Servant
Binsfield Andrews
Acting Agent & Manager.

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer

for Railways.

Dated 8th September 1871.
Recd. 11th " "
No. 3383.

2157

Soliciting attention to
the enclosed copy of
Government Order No 12
of the 6th instant, with
its 477, forwarding reference
to the closing of the
Outstation Road of the
Bowdoy —

Extract from a letter from the Chairman,
M. R. Co. No 477 dated London the 4th Aug 1871.

Para 11. Adverting to your letter Nos 937
para 15, and 939 para 57, I am to request
that you will explain to the Government that
the works of our undertaking are not, at present,
in a sufficiently advanced state to admit
of the application of the proposed rules without
inconvenience. It is, therefore, most desirable
that they should not come into force till
after the completion of the Chelgherry Branch,
the new Central Station, and the two large
bridges over the Cheyaiv and Huggery rivers.
With regard to para 6, you will be so good
as to point out to the Government, that it is
quite inconsistent with the
provisions are quite inconsistent with the
decision contained in Sir Charles Wood's
Despatch of the 4th March 1864, in accordance
with which the Board desire to act. They
cannot altogether admit the correctness of
the principle laid down in para 3, and
although they would not object to the rule
contained in para 6 to a trifling extent, they
consider the proposition as it stands to be in
direct opposition to clause 12 of their
Contract, and that it may hereafter be
unfair in its action on the interests of the
Company.

12. You will be so good as to submit
these views of the Board for the consideration
of the Government, together with a request

that under the circumstances above explained the operation of the new rules may be suspended for twelve months, at the expiration of which period the Board will reconsider the proposed rules, in the hope of being then able to signify their adhesion to the views expressed in the Government minute.

I True Extract I
Blissfud Anderson
Sy. Agent & Manager

P.W. 456/71

No. 384.

Submitted to the Government.

G.O. No. 595 1st March 1871

The Board of Directors of the Madras Railway Company take exception to the Resolution of the Government of India, No. 49 dated 6th February 1871, as regards the Orders for the closing of the Capital account from the 31st December 1870: for the restriction of future Capital expenditure to new or additional work leading to an increase of Revenue; and

Para 6 of Resolution

for the limitation of Rs. 5000 as a minimum charge for any work to be passed against Capital on the open line.

2. The Board urge that their works are not sufficiently advanced, to admit of these orders being carried out, without

inconvenience

inconvenience; and instancing the un-finished Neilgherry branch line, the Madras Central station, and the Cheyaur and Cuggry bridges, they request that the enforcement of the orders may be deferred for 12 months.

3. The Directors consider that para 6 of the Resolution, laying down that charges for works below Rs. 5000 are to be debited to Revenue, is not in conformity with para 12 of the Contract between the Government and the Railway Company.

This same view was entertained by the Agent of the Great Southern of India Railway, and the subject was entered into at some length by the Government of India, in their letter vide G.O. No. 1892 18th July 1871

of

of the 26th June 1871 No. 399. This exposition of the views of the Government of India, was not before the Directors of the Madras Railway, when they wrote last month, and I recommend that it be communicated to them, and to the Secretary of State, for final disposal of the questions raised.

Para 2 of the Resolution.

4. As regards the institution of the "Construction account 1870", and the proposal of the Directors to defer that for 12 months, (whether from 31st December 1870 or the 4th August 1871, the date of their letter, is not specified) I would observe, that the Neilgherry branch line, and the Cheyaur bridge are not likely to be completed for the next 2 years, or say the 30th June 1873,

and

and I presume that the Government will not think it necessary, on this representation from the Board of Directors to modify their orders of the 1st March last calling for the schedules of works for submission to the Government of India.

Madras
18th September
1871

Alex Pendergast
Major R.E.
Ag. Chief Engineer & Ex Railways

To,

The Secretary to Government
Public Works Department
Fort Saint George.

Public Works Department

2579

Proceedings of the Madras Govt

17

Read the following.

From the Ag. Consulting Engineer for Railways } (H. E. No. 389 & 13th Sept. 1871)

Ordered that these papers be forwarded to the Govt. of India.

To the Consulting Engineer for Railways.

H. E. No. dated

No. 2580

The Secy to the Govt of India P. W. D.

Sir

Adverting to the Proceedings of the Govt of India under date the 6th February 1871, No. 49 A.B. concerning contractions for making up the Capital Accounts of certain guaranteed

Rd 8 July/64 Nos 33-34
14 March/71 Nos 3-4
18 July " " 298-99

P. W. 1871 Oct
Proc. Govt for Octr
187

No. 4362.

From

The Consulting Engineer
for Railways

To

The Secretary to Govt
of India

Dated 12th September 1871.
Received 14th
No. 389.

Con. 2 Vols

Submitting a letter received from the Agent of the Manager of the S. M. Railway Co., on the subject of drawing references to the closing of the Capital Account of the Railway Co.

Nos 2579 & 2580-10-Oct/71

No. 155

6 Oct, 18 Oct/71

Railways, including those noted in the margin, and imposing restrictions in respect to future expenditure from Capital funds, has been directed by the Right Honorable the Governor in Council to forward the accompanying papers in which the Board of Directors of the Madras Railway take exception to the orders promulgated.

× Madras Railway
Great Southern of India Ra

The grounds of their objections will be found stated in the extract from the letter of their Chairman which the Agent of the Company submits for the consideration of Government.

In

In regard to the dissent expressed by the Board in para 6 of the Resolution in question, the Engineer points out that the expositions of the views of the Government of India communicated in the letter marginally noted in connection with similar objections raised by the Agent of the Great Southern of India Railway was not before the direction was England when the subject was considered, and Major Prendergast recommends that a copy of the letter

⊕ Letter &c. 397 A. R. dated 26th June 1871.

be

be communicated to the Directors and the matter at the same time laid before the Secretary of State for final decision of that and the other questions involved.

His Excellency in Council desires to invite attention to para 4 of the Consulting Engineers letter in which Major Prendergast points out that while the directors propose to defer the operations of the orders in regard to the "Construction" Account 1870 for 12 months on the ground that

that several of the Company's principal works are still unfinished, the completion of those works cannot be calculated upon before the expiration of two years at least.

Add.l

22.2.71.

Desp.a 18/10/71 with
Copy & Encl.s 25/7/1871.

Letter / Forwarding the
papers in which the Board of
Directors of the Madras
Railway Co. request in
the orders promulgated
for winding up the Capital
Accounts of the Guaranteed
Railways and requesting
to lay the matter before the
Secretary of State for
final decision of the question
involved —

C. No. 4382-

Govt. of Madras (1871)

PUBLIC WORKS.

To The Secretary Committee Engrs for Railways

&

To The Secretary to the Govt of India

Delete

Recd. Encl. 2

G. O. 10th October 1871, No. 2579 & 2580

Nos. 155-156 & 157

Capital Accounts (Railways)

Passing orders on the Comptroller's endorsement of the 14th ultimo, a letter received from the Madras Railway Company on the subject of keeping separate the Capital Charging of the Capital Account of the Company.