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# MADRAS RECORD OFFICE.

Government of Madras.

*Public Works* DEPARTMENT.

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| G.O. No. | 354        | Press |
| 66,67,   |            | Mis.  |
| Dated    | 3 - 2 - 18 | 72    |

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,  
3rd February 1873.*

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No. 66. Read the following letter from the Officiating Deputy Secretary to the Government of India, Public Works Department, (Railway,) to the Secretary to the Government of Madras, Public Works Department, (Railway,) dated Fort William, 4th January 1873, No. 31-G. R:—

I AM directed to acknowledge the receipt of your letter No. 2,668, dated the 12th November 1872, on the subject of the proper classification of the surplus portions of class A. lands utilized for the erection of drivers' houses, etc.

2. In reply, I am directed to state that the view of the matter taken by the Consulting Engineer is correct and endorsed by the Government of Madras, and I am to enclose for information a copy of the rules in operation on the East Indian Railway in regard to the payment of rent for lands.

3. Further, the Government of India concur with the Government of Madras in accepting the proposal of the Consulting Engineer that the tenure of the lands should be investigated; that all lands should be properly classified, and that portions not required should be returned to the State, and I am desired to request that the needful steps may be taken in the matter.

From D. J. NOAD, Esq., Managing Director, London Board, East Indian Railway Company, to the Under Secretary of State for India, dated 14th March 1867, No. 2,818.

I AM requested by the Board of Directors of the East Indian Railway Company to acknowledge the receipt of your letter of the 14th ultimo on the subject of rent on lands under class "C."

2. If it be understood as the effect of the correspondence that the Company are not to be asked to pay for land taken under the terms of the Contract "for the Railway and works connected therewith, and proper stations, offices, warehouses, and other conveniences for the same," simply because there may happen to be erected on parts of those lands habitations for workmen, the Board can have no objection to the correspondence being sent out to India as proposed as the guide of their Agent's proceedings.

3. It appears to the Board from your letter that this is not sufficiently clear as the meaning of the correspondence, and it seems necessary therefore that this letter should form part of it.

*Read also the following Extract from Agency letter, No. 61, of 1867, to Board of Directors.*

"PARAGRAPH 7.—*Rent of land.*—In reference to the correspondence between the Secretary of State and the Board, regarding the payment of rent for land under class "C," the regulations under which the Company are to pay rent appear to be the following:—

"1st.—Where sites for habitations of servants are provided by Government, beyond the limits of the land given to them for the railway, the works connected therewith, stations, offices, warehouses, and other conveniences for the same.

*Vide letter No. 2,770-A., of 5th January 1867, from D. J. Noad, Esq., to Under Secretary of State for India.*

"2nd.—Where land is provided for habitations of servants who do not necessarily live upon the line, but for whose houses land has been provided by the Government as a matter of convenience, probably because, unless the

*Vide do. do.*

houses were built by the Company, the men could find no residence at all.

"3rd.—Where land has been provided for the provision or preparation of materials or for the erection of Engineers' or Mechanics bungalows, or for storage and other miscellaneous purposes.

*Vide letter, dated 17th January 1867, from Under Secretary of State, to D. J. Noad, Esq.*

*Proceedings of the Madras Government, Public Works Department,  
3rd February 1873.*

"4th.—Where the sites of habitations are on portions of land originally made over to the Company, but not permanently required for the purposes of the Railway, and which is retained by the Company for the purposes of house accommodation.

*Vide letter, dated 15th March 1867, from Under Secretary of State, to D. J. Noad, Esq.*

"The regulations under which land for habitations is to be *rent free* are as follow:—

*Vide letter No. 2,270-A., of 5th January 1867, from D. J. Noad, Esq., to Under Secretary of State for India, also letter of 17th January 1867, from Under Secretary of State, to D. J. Noad, Esq.*

"(1).—Land intended to be covered by the contract, but upon which habitations for servants, such as Station Masters, Gate-keepers, and the like, whose duties require that they should live on the line.

"(2).—Where land has been taken up under the terms of the contract for the Railway and works connected therewith, and proper stations, offices, warehouses, and other conveniences for the same, but on parts of which habitations for workmen have been erected.

*Vide letter, No. 2,818, of 4th March 1867, from D. J. Noad, Esq., to Under Secretary of State for India.*

"The returns of land in accordance with instructions in the Board's letter, No. 11 of 1867, are in course of preparation, and the Agency propose holding an early meeting with the Consulting Engineer to Government to settle the question of classification and the rent chargeable.

"The Agency would point out that in Condition 4 of the regulations under which rent is to be paid, the Board have included land used for storage; this is opposed to the rules in Circular No. 55 of 1861 (approved by the Secretary of State), which states that land for the storage of materials held in stock by the Company, pending the construction of the line, or their despatch to the works, is to be placed under Class "B" for which no rent is chargeable. This ruling is also in contravention of the letter from Mr. J. E. Melvill, of 9th November 1858, forwarded with Board's letter No. 476 of 7th January 1859.

"No. 338.—Resolved, that upon the return of the Consulting Engineer a special meeting be held with him to discuss and settle the question of classification of land and payment of rent which has been kept in abeyance pending receipt of the views of the Home Board thereon."

"No. 462.—Resolved that the interpretation of the rules regarding land held by the Company, given in the above extract from Agency letter to the Board of Directors with the exception of land for storage, which should be placed under class "B," be submitted through the Consulting Engineer for the confirmation of the Government of India.

No. 67. ORDER THEREON, 3rd February 1873, No. 354.

RAILWAY, No. 10A.

COMMUNICATED to the Consulting Engineer for Railways for information and guidance in continuation of G. O., No. 2,667, of 12th November 1872.

(True Extract.)

Colonel, R.E.,  
Secretary to Government.

To the Consulting Engineer for Railways.

Exd. S. T. Austin.

Read also the following extract from Agency letter No. 64 of 1867 to Board of Directors:—

"Para: 7.—Rent of land—In reference to the correspondence between the Secretary of State and the Board, regarding the payment of rent for land under Class "C" the regulations under which the Company are to pay rent appear to

be the following:—

"1st.—Where sites for habitations of servants are provided by Government, beyond the limits of the land given to them for the Railway, the works connected therewith, stations, offices, warehouses, and other conveniences for the same—

"2nd.—Where land is provided for habitations of servants who do not necessarily live upon the line, but for whose houses

houses land has been provided by the Government as a matter of convenience probably because, unless the houses were built by the Company, the men could find no residence at all.

3<sup>rd</sup>. — Where land has been provided for the provision or preparation of materials or for the erection of Engineers' or Mechanics' bungalows, or for storage and other miscellaneous purposes.

4<sup>th</sup>. — Where the sites of habitations are on portions of land originally made over to the Company, but not permanently required for the purposes of the Railway and which is retained by the Company for the purposes of house accommodation.

The regulations under which land for habitations is to be rent-free are

are as follows: —

1<sup>st</sup>. — Land intended to be covered by the contract, but upon which habitations for servants, such as station Masters, Gate-keepers, and the like, where duties require that they should live on the line.

2<sup>nd</sup>. — Where land has been taken up under the terms of the contract for the Railway and works connected therewith, and proper stations, offices, warehouses, and other conveniences for the same, but on parts of which habitations for workmen have been erected.

The returns of land in accordance with instructions in the Board's letter, No 11 of 1867 are in course of preparation, and the Agency propose holding an early Meeting with the Consulting Engineer to Government, to settle the question of classification and the

Vide letter M2270  
D. of 15 Jan'y 1867  
from D. S. Road Eng.  
to Under Secretary  
of State for India  
Also letter of  
17<sup>th</sup> Jan'y 1867 from  
Under Secretary  
of State to D. S. Road Eng.

Vide letter of 17<sup>th</sup>  
Jan'y 1867 from  
Under Secy: of State  
to D. S. Road Eng.

Vide letter No. 2815  
of 15<sup>th</sup> March 1867  
from D. S. Road Eng. to  
Under Secy: of State  
for India

Vide letter of  
15<sup>th</sup> March 1867  
from Under-  
Secy. of State  
to D. S. Road Eng.

the rent chargeable.

"The Agency would point out that in condition 14 of the regulations under which rent is to be paid, the Board have included land used for storage, thus is opposed to the rules in Circular No 55 of 1861 (approved by the Secretary of State) which states that, land for the storage of materials held in stock by the Company, pending the construction of the line, or their despatch to the works, is to be placed under Class "B" for which no rent is chargeable. This ruling is also in contravention of the letter from Mr J. L. Melville of 9<sup>th</sup> November 1858, forwarded with Board's letter No 417 of 7<sup>th</sup> January 1859, No 338. Resolved, that upon the return of the Consulting Engineer

a special Meeting be held with him to discuss and settle the question of classification of land and payment of rent which has been kept in abeyance pending receipt of the views of the Home Board thereon.

462. Resolved that the interpretation of the rules regarding land held by the Company, given in the above extract from Agency letter to the Board of Directors - with the exception of land for storage which should be placed under class "B" - be submitted through the Consulting Engineer for the confirmation of the Government of India.

RS

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N<sup>o</sup> 2818 dated 14<sup>th</sup> March 1867.

From

D. J. Moad Esq<sup>r</sup>, Managing  
Director, London Board E. I. Railway  
Company,

To

Under Secretary of State for India

I am requested by the Board  
of Directors of the East Indian  
Railway Company to acknowledge  
the receipt of your letter of the  
14<sup>th</sup> ultimo, on the subject of  
rent on lands under class "C."

If it be understood as the  
effect of the correspondence, that  
the Company are not to be asked  
to pay for land taken under  
the terms of the Contract, "for  
the Railway and works connected  
therewith, and proper stations,  
offices, ware-houses, and other  
conveniences for the same," simply  
because

because there may happen to be erected on parts of those lands habitations for workmen. the Board can have no objection to the correspondence being sent out to India as proposed as the guide of their Agents proceedings.

It appears to the Board from your letter that this is not sufficiently clear as the meaning of the correspondence, and it seems necessary therefore that this letter should form part of it.

RS

P. W. 230/73.

Dec 12 November /72 N<sup>o</sup> 146-148 P. W. 1873 Depart  
N<sup>o</sup> 230.

From.  
The Govt of India.

Dated 4<sup>th</sup> } January /73.  
Recd 14<sup>th</sup> }  
En: 1. N<sup>o</sup> 31 G. R.

Passing orders on the question re-  
garding the manner  
of dealing with  
surplus lands near  
Railway Stations &  
forwarding copy of  
the Rules on the C. I.  
Railway, for payment  
of rent for lands -  
With an order

For the Secy  
N<sup>o</sup> 31 G. R.  
Communicated to the Secy  
for Railways for information & guidance  
in confirmation of G. R. N<sup>o</sup> 2073 of 12<sup>th</sup>  
Nov /72. mm  
19<sup>th</sup> Nov 1872  
Secy to Govt of India  
Secy to Govt of India

Op. 230

Gobt. of 1873 Madras

PUBLIC WORKS.

To the Consulting Engg  
for Railways

Dated

Recd.

Encl.

G. O. 3<sup>rd</sup> July 1873. 354-

No. 1646

Lands. Letter from the

Govt of India asking or-  
ders on the questions re-  
lating to the manner of  
dealing with surplus  
lands near Railway  
Stations, &c., & forwarding  
copy of the rules on the

E. I. Railway for  
payment of rent for  
lands, com<sup>d</sup> to the  
Comptroller.