

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. <i>38</i>	Press Mrs.
Dated <i>5-2</i>	18 <i>77</i> .

Not to be folded or roughly handled

No. 136. Read the following letter from Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, to Major-General G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madras, 20th January 1877, No. 45 :—

IN their Order, No. 1,847, dated 21st July 1876, the Government directed that the Proceedings should be communicated to this office with a view to its being ascertained whether there is any reason against the debit to the railway of the cost of certain improvements and repairs in connection with the Tadputri Upper Channel in the Bellary District.

2. The Deputy Consulting Engineer has lately inspected the locality referred to, and his note is herewith submitted.

3. It is clear that the railway embankment has interfered with and redistributed the drainage water in the several small tributaries which fall into or cross the irrigation channel ; but, before further addressing the Railway authorities, I venture to submit that, while on the one hand such interference could hardly be avoided, and might fitly have involved an outlay from the railway estimates if brought forward at the time, it cannot be expedient, where the sum at issue is small and must practically be paid by the Government in either case, to raise a question for the decision of which but little evidence could at this date be adduced, and where that little is sure to be contested.

4. There must be many similar cases along the lines of railway in this Presidency, and I would venture to submit that the principle once established as regards lines to be constructed, now under construction, or recently constructed, it is inexpedient to raise the issue in the case of lines made under different conditions at a time when water rights were ill-defined and poorly if at all represented.

NOTE.

Tadputri Upper Channel.

AFTER a careful inspection of the channel and the Railway, I have come to the conclusion that the drainage was in all probability collected by the excavations both above and below the line, and that the easternmost weir has been called upon to discharge water that once passed over the next weir above it, which is now said to be silting up from disuse.

2. The extent to which this transfer of water has taken place is difficult, if not impossible ; to estimate, and, before a claim against the Government in the Railway Department could be established, it would be necessary for the Government in the Public Works Department to show that the provision for drainage on the whole was sufficient.

3. The whole question, however, involves such an insignificant sum that I cannot suppose the Government would wish it further investigated. It cannot for a moment, under the circumstances, be regarded as a contest for the "principle involved ;" there have been hundreds of such re-distributions of the drainage of the country on a small scale unavoidably, and the investigation of the legal or actual rights of the case would cost far more than the sum involved.

Proceedings of the Madras Government, Public Works Department,
5th February 1877. No. 334

4. Under the present system, if the Consulting Engineer's Office be permitted to investigate the so-called "details," (but which really are the vital points of the administration,) these points will receive attention when the location and original estimates are sanctioned, and it doubtless forms one of the most important and useful functions of the Government control.

In the present case the work was done and the sanction effected some years ago, and, in my opinion, the claim should be set aside on these grounds.

MADRAS,
19th January 1877.

(Signed) C. F. SMITH, Major, R.E.
Dy. Comm. Engrs. for Railways

No. 137.

ORDER THEREON, 5th February 1877, No. 334

IRRIGATION, No. 13-A.

Account.

The lapse of time which has occurred since the construction of the Railway and the diversion of the drainage renders it inexpedient to claim for Irrigation work from the charges allowed in provision for the

(True E. ...)

Lieut. Colonel, R.E.,
Secretary to Government

Note
Tadpatri upper channel.

After a careful inspection of the channel and the Railway, I have come to the conclusion that the drainage was in all probability collected by the excavations both above and below the line, and that the easternmost weir has been called upon to discharge water that once passed over the west weir above it which is now said to be silting up from disuse.

The extent to which this transfer of water has taken place, is difficult, if not impossible, to estimate, and before a claim against the Government in the Railway Department could be established, it would be necessary for the Government in the Public Works Department to show that the provision for drainage on the whole was sufficient.

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In the present case the work was done
and

and the mischief effected 7 years ago
and in my opinion the claims should
be set aside on these grounds.

Madras
19th February
1874

W. Smith Major R.E.
Dy. Comm. Engr. for Railways

P.W.D.
52/177
No. 185

RAILWAY DEPARTMENT.

CONSULTING ENGINEER'S OFFICE,

Madras, 21st Aug 1877

No. 425

From

LIEUT.-COLONEL J. H. M. SHAW-STEWART, R.E.,

Consulting Engineer for Railways,

To

MAJOR-GENERAL G. W. WALKER, R.E.,

Secretary to Government,

Public Works Department,

Fort Saint George.

SIR,

In their Order of 18th July 1876, the Government directed that the Proceedings should be communicated to this office with a view to its being ascertained whether there is any reason against the debit to the Railway of the cost of certain improvements and repairs in connection with the Tadpatri upper channel in the Bellary District.

The Deputy Consulting Engineer has lately inspected the locality

locality referred to, and his note
is herewith submitted.

It is clear that the
Railway embankment has inter-
fered with and redistributed
the drainage water in the several
small tributaries which fall into
or cross the irrigation channel;
but, before further addressing
the Railway Authorities, I ven-
ture to submit that, while on the
one hand such interference could
hardly be avoided and might
easily have involved an outlay
from the Railway estimates, if
brought forward at the time, it
cannot be expedient, where the sum
at issue is small and must prac-
tically be paid by the Government

in either case, to raise a question
for the decision of which but
little evidence could at this date
be adduced, and where that little
is sure to be contested.

There must be many
similar cases along the lines of
Railway in this Presidency, and
I would venture to submit that,
the principle once established as
regards lines to be constructed,
now under construction, or recently
constructed, it is inexpedient to
raise the issue in the case of
lines made under different con-
ditions at a time when water rights
were ill-defined and poorly if
at all represented.

I have the honour to be, Sir,
Your most Obedt. Servant,

W. Smith Major R.E.
for Cons. Eng. for Railways

60217-26 to 1847

P.W.D.

22 JAN 77

No. 588

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 3rd Feb 77

Read the following:—

From

The Cons. Engineer

for Railways

(H.B. No. 45 of 20th Jan 77)

The lapse of time which has occurred since the construction of the Railway and the dimensions of the drainage, renders it inexpedient to claim for Emigration receipts from the Charge incurred in providing for the present distribution of the water.

A. S. K. Mangal
C. S. P. S.
In P. W. D.
C. S. P. S.
No. 588

22-1-77

24-1

RAILWAY DEPARTMENT.

From

The Consulting Engineer

for Railways,

To

The Secretary to Government,

P. W. Department,

Fort Saint George.

Dated

20

Received

1870

No. 445

Observations on a note by the Engineer for the purpose of the Government of Madras.

to the Secretary to Government, P. W. Department, Fort Saint George.

No. 136-

25-1-77

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PUBLIC WORKS

Mr. H. B. Rallery-

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Admiral's Chamber
in the Rellany Pt. Passing
orders in papers relating to
the debt to the Railway of the
Cost of certain improvements
and repairs in connection
with the —

Wm. H. Rallery