(1) பக்கங்களின் எண்ணிக்கை 44

(2) புதுக்கித் திருப்பிய நாள் 8.88

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

## தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப் பணி. துறை

அரசாணை எண். 2076. W அச்சகம்
~~மு. கோப்புத் தாள் எண்.~~ பலவகை

நாள் : 23. 8. 1884 ~~19~~.

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

ஆவண கா-1—18,006—15-6-87.

(1)

23rd August 1884, No. 2076 W., Public Works.

2076.

GOVERNMENT OF MADRAS.

# PUBLIC WORKS DEPARTMENT.

**Buildings and Roads.**
**Civil Works.**

Read—the following papers :—

Proceedings of the Board of Revenue, dated 27th May 1884, Mis. No. 4521.

*Read*—the following letter from H. J. STOKES, Esq., Acting Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 13th May 1884, No. $\frac{820}{\text{B. and G.}}$

With reference to G.O., dated 2nd current, No. 587, R.D., communicated with Board's proceedings, dated 9th idem, Mis. No. 4016, I have the honor to report that no action in the matter such as that indicated by the Board is possible, as the Valancolum tank is not a minor irrigation work and so not in charge of the Revenue Department. I beg therefore to submit the case for the further orders of Government as directed.

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*Resolution*—dated 27th May 1884, Mis. No. 4521.

Submitted to Government, with reference to G.O., dated 2nd May 1884, No. 587.

(True Copy and Extract.)

(Signed) E. GIBSON,
Secretary.

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Mis. No. 2370, Revenue.

Transferred to the Public Works Department, for consideration whether the excavation may not be filled in by earth taken from the adjoining tank, referred to in the Collector's letter, printed in G.O., dated 2nd May 1884, No. 587, R.D., and if not, what other course should be adopted.

(Signed) H. E. STOKES,
Secretary to Government.

Ootacamund,
6th June 1884.

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No. 254 E., Public Works.

Referred to the Superintending Engineer, IV Circle, for early report.

(Signed) J. O. HASTED, Colonel, R.E.,
Chief Engineer for Irrigation.

11th June 1884.

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From Colonel J. BEATTY, R.E., Superintending Engineer, IV Circle, to the Chief Engineer for Irrigation, dated Barur, 12th July 1884, No. 90 E.I.

With reference to your endorsement, No. 254 E., of 11th ultimo, I have the honor to forward, herewith, a letter from the Executive Engineer, Coimbatore, accompanied by a plan showing the position of the piece of land near the Coimbatore station where some excavation requires filling up, and an estimate of Rs. 1,500, for doing the work with earth excavated in the deep bed of the Valancolum tank.

Letter, No. 1119, of 7th June 1884, from Executive Engineer, Coimbatore division.
Estimate of Rs. 1,500.
Site plan.
Coimbatore Collector's letter, No. 820, of 13th May 1884.
G.O., No. 587, of 2nd May 1884, Revenue Department.
Revenue Board's proceedings, No. 4521, of 27th May 1884.

2. The accompaniments of your endorsement are herewith returned.

ENCLOSURE.

From J. P. DAVIDSON, Esq., Executive Engineer, Coimbatore Division, to the Superintending Engineer, IV Circle, dated Coimbatore, 7th July 1884, No. 1119.

With reference to your endorsement, No. 444-C.I., of the 26th ultimo, on Government memorandum, No. 254 E., of the 11th idem (herewith returned), I have the honor to report that the land referred to lies on the west of the railway embankment near the Coimbatore railway station; it is marked yellow on the accompanying sketch (received from the Collector of Coimbatore). The excavation complained of can be filled in by earth taken from the deep bed of the Valancolum tank.

2. An estimate, amounting to Rs. 1,500, for the work is herewith forwarded.

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No. 373 E., Public Works.

Transferred to the Revenue Department, with reference to endorsement in that department, No. 2370, dated 6th June 1884. There is no objection to the excavation on the west of the railway embankment near the Coimbatore railway station being filled in by earth taken from the deep bed of the Valancolum tank.

OOTACAMUND,
18th July 1884.

(Signed) J. O. HASTED, Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

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Mis. No. 3554, Revenue.

Transferred to the Public Works Department, with reference to the accompanying office notes to and from that department, for the issue of the necessary orders.

OOTACAMUND,
18th August 1884.

(Signed) H. E. STOKES,
Secretary to Government.

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ORDER—dated 23rd August 1884, No. 2076 W., Public Works.

The estimate, amounting to Rs. 1,500, submitted by the Superintending Engineer, IV Circle, with letter dated 12th July 1884, for filling a ditch on the west side of the railway embankment near the Coimbatore railway station, is sanctioned for execution by the Public Works Department, and an appropriation for the work, of Rs. 1,500, is made from the Provincial reserve.

2. This sanction has been registered as Provincial No. 122 W. of 1884-85, and classified as Original Works, Miscellaneous Public Improvements.

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Superintending Engineer, IV Circle, with two enclosures.
,, Chief Engineer for Irrigation.
,, Consulting Engineer for Railways.
,, Examiner, Public Works Accounts.
,, Revenue Department.

Exd. E. Fernandez.
Spare Copies

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②

2076.

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BUILDINGS AND ROADS.
CIVIL WORKS.

# Govt. of (1884) Madras.

## PUBLIC WORKS.

*Dated August, 23rd.*

*Recd.*

*Encl.*

**G.O., 23rd Aug. 1884, No. 2076 W.**

**AUGUST.**

## Railway Embankment near the Coimbatore Railway Station

*Ditch on the west side.*—Estimate for filling a —, sanctioned.

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2ND MAY 1884, No. 587, REVENUE.

2076

GOVERNMENT OF MADRAS.

## REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 4th April 1884, No. 1230 :—

*Read*—again the following Proceedings of the Board of Revenue, dated 7th December 1883, Mis. No. 10476 :—

Read—the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 7th November 1883, No. 303 :—

I have the honor to report with reference to paragraph 4 of Board's Standing Order, No. 13, Mr. Macleane's Edition, that I have been requested by the Consulting Engineer for Railways to take possession of a piece of B class land, Acres 0·98 in extent, near the Coimbatore Railway Station.

2. It was one of the places used by the Railway Company for excavation to make the railway bank, and, from its close proximity to Valankolam tank, water percolates into it and stagnates and is most offensive, thus constituting a source of nuisance to the public.

3. It lies within the municipal limits, and I fancy the Railway Company are specially desirous to get the lands off their hands because the Municipal Commissioners recently sent a letter to their Resident Engineer, threatening him with the service of a notice under the Municipal Act in the event of the nuisance caused by the stagnant and bad-smelling water not being put a stop to.

4. The question is—Am I to take the land on behalf of Government? and if I do, what am I to do with it?

It may not be sold because it is close to the Railway Station (and even if it were offered for sale, there would be no bidders), but the expense of filling it up, or taking such steps as may be advisable to stop the nuisance, will fall on the Government if I have to take it on their behalf.

Resolution—dated 7th December 1883, Mis. No. 10476.

It appears from the Collector's letter that the only reason why the Railway Company wish to return the land in this case is, that the Municipal Commissioners insist upon the nuisance being removed which has been caused by the Company's excavations. The action of the Commissioners in this matter will apparently entail a certain amount of expense, which in the circumstances ought clearly to devolve, not on the Government but on the Company, and the Collector will accordingly decline to take over the land.

(A true Copy and Extract.)
(Signed) E. GIBSON,
Acting Secretary.

To the Collector of Coimbatore.

*Read*—again the following Proceedings of the Board of Revenue, dated 14th January 1884, Mis. No. 208 :—

Read—the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 20th December 1883, No. 340 :—

With reference to Board's Proceedings, Mis. No. 10476, dated 7th current, I have the honor to state that, at the time the reference was made to the Board an order was issued to the Tahsildar to take possession of the land from the Madras Railway Company, and that that officer did so. I regret that the fact escaped my notice in passing the draft of my letter, and that my paragraph 4 was so worded as to make it appear I had not taken possession.

2. I request to be informed what action is to be taken on the above Board's Order.

Resolution—dated 14th January 1884, Mis. No. 208.

The only course now open is for the Collector to request the Railway Company to fill up the excavation of which the Municipal Commissioners complain. Should the Company's Agent refuse to comply with this request, the Collector will report again, with a view to the orders of Government being taken, if necessary.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Secretary.

To the Collector of Coimbatore.

*Read*—also the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated Madras, 24th March 1884, No. 667 :—

Adverting to this Office No. 303, of 7th November, and to Board's Resolution thereon, Mis. No. 10476, of 7th December 1883, and with reference to Board's Proceedings, Mis. No. 208, of 14th January 1884, I have the honor to forward, as directed in the latter Proceedings, for the orders of Government, copies of the marginally-noted correspondence, by which it will be seen that the Agent of the Railway Company is not willing to fill up the excavation made by the Company and thus remove the cause of the nuisance complained of. He suggests that the plot of land in question may be offered to some private person living in the vicinity. But I do not think it would be worth any one's while to take it.

1. Letter from the Collector to the Consulting Engineer for Railways, No. 55-B and G, of 28th February 1884.
2. His reply, No. 239, of 18th March 1884, with one enclosure.

2. I had an offer from Mr. Williams, the Railway Station Master here, but he proposed to take the earth he wanted out of the adjacent tank bed. This I considered would most likely only move the nuisance a little further and refused, and he withdrew his offer, for I also proposed he should give security before he took the land to abate the nuisance within three months. It will be an expensive matter to fill up the ditch.

3. I must say with all deference, however, that, in my opinion, as the Government has taken possession of the land from the Railway Company, the abating of the nuisance has become the duty of the Government.

## ENCLOSURES.

Letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Consulting Engineer for Railways, Madras, dated 28th February 1884, No. 55-B and G.

With reference to your letter No. 918, dated 31st October 1883, I have the honor to inform you that the piece of land therein referred to, and which I have taken possession of at your request, is in municipal limits. It is an open ditch made by the Railway Company in constructing the railway embankment. It is in close proximity to the Valankolam tank, and consequently becomes full of stagnant water for seven mouths of the year. It is most offensive at times and is always a public nuisance; in fact, I believe it was handed back by the Railway Company because the Municipal Commissioners sent a letter to the Company's Resident Engineer at Podanur, threatening him with a notice under the Municipal Act in the event of the nuisance caused by the stagnant and bad-smelling water not being put a stop to.

As the nuisance has been caused by the Company's excavation, I am directed by the Board of Revenue to request the Company to fill it up. I therefore request that you will call upon their agent to do the needful at once.

Letter from Lieut.-Colonel K. A. JOPP, R.E., Consulting Engineer for Railways, Madras, to the Collector of Coimbatore, dated 18th March 1884, No. 239.

With reference to your No. 55-B and G, dated 28th February 1884, I have the honor to forward copy of the Agent and Manager's, Madras Railway, No. 202, dated 15th March 1884, and to invite your consideration of the last paragraph.

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(H)

2076

2. The question raised by your letter is open to argument, but I should like to invite your attention to the definitions of Class B and C lands in paragraphs 6 and 7 of Government of India's No. 852, of 21st January 1859, embodied in Proceedings of Government, No. 165, dated 21st March 1859, from which it must, I think, be inferred that no claim can rest for deteriorations of Class B lands on their restoration to Government.

Copy of a communication from A. M. SAUNDERS, Esq., Agent and Manager, Madras Railway, to the Consulting Engineer for Railways, Madras, dated 15th March 1884, No. 202.

I have the honor to acknowledge receipt of your No. 160, dated the 1st of March, forwarding copy of a letter from the Collector of Coimbatore.

2. The plot of land about which this correspondence has arisen was utilized by this Company to supply earth for the construction of our embankments, and was handed over to us by Government for this express purpose. I fail to see why, under these circumstances, we should be called upon to fill it up.

3. A reference to the Proceedings of Government, Public Works Department, No. 3198, dated 8th November 1875, received with your endorsement, No. 1245, of the 23rd of November of the same year, shows that an offer was made by one, Mr. Gnanabaranum Pillai, to fill up a plot of land which we had then excavated near the tank in the same vicinity. It is possible that others living in the village might offer to fill up this ditch, and I would venture to suggest that some similar offer might be accepted by the Collector in this case also.

*Resolution*—dated 4th April 1884, No. 1230.

Submitted, with copies of Board's Proceedings, dated 7th December 1883, and 14th January 1884, Mis. Nos. 10476 and 208, for the orders of Government.

2. The difficulty has arisen in consequence of the Collector having taken over the land without awaiting the Board's instructions. The question now is, not whether the Company are liable to make compensation, but whether it is not their duty to abate a nuisance. It would seem that this can best be done by filling up the excavation by earth dug from the tank-bed—a work which would probably improve the tank, and which in the Board's opinion should be carried out by the Company.

3. The Board do not think with the Collector that this excavation from the tank-bed will have the effect of removing the nuisance to another site.

(True Copies and Extract.)

(Signed) E. GIBSON,
Secretary.

To the Secretary to Government, Revenue
Department.
Copy to the Collector of Coimbatore.

ORDER—dated 2nd May 1884, No. 587, Revenue.

Miscellaneous.

As the land was made over to the Railway Company for the express purpose of taking earth from it, it does not appear to Government that the fact of the excavation having become a nuisance imposes on the Company a liability to fill it in. If the adjoining tank is a minor irrigation work, the Collector might take action in the direction indicated by the Board; if not, the case should be reported for further orders.

(True Extract.)

(Signed) H. E. STOKES,
Secretary to Government.

To the Board of Revenue.
,, the Public Works Department.

Exd. W. H. French.

60 Copies.

H

Original

# Govt. of {1884} Madras.

## REVENUE.

Vide Pr 3443/83
4709/84

[illegible] 13
7044/84

*Issued*

*Recd.*

*Encl.*

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**G.O., 2nd May 1884, No. 587.**

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## MAY.

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### Excavation

made by quarrying for Railway works.—Orders passed on a reference as to the course to be adopted for filling in an — in Coimbatore, so as to prevent its being a nuisance.

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(5)

2076

BOARD OF REVENUE, 4TH APRIL 1884, No. 1230.

## PROCEEDINGS OF THE BOARD OF REVENUE.

READ—again the following Proceedings of the Board of Revenue, dated 7th December 1883, Miscellaneous No. 10476 :—

*Read*—the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 7th November 1883, No. 303 :—

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2. It was one of the places used by the Railway Company for excavation to make the railway bank, and, from its close proximity to Valankolam tank, water percolates into it and stagnates and is most offensive, thus constituting a source of nuisance to the public.

3. It lies within the municipal limits, and I fancy the Railway Company are specially desirous to get the lands off their hands because the Municipal Commissioners recently sent a letter to their Resident Engineer, threatening him with the service of a notice under the Municipal Act in the event of the nuisance caused by the stagnant and bad-smelling water not being put a stop to.

4. The question is—Am I to take the land on behalf of Government? and if I do, what am I to do with it?

It may not be sold because it is close to the Railway Station (and even if it were offered for sale, there would be no bidders), but the expense of filling it up, or taking such steps as may be advisable to stop the nuisance, will fall on the Government if I have to take it on their behalf.

Resolution—dated 7th December 1883, Mis. No. 10476.

It appears from the Collector's letter that the only reason why the Railway Company wish to return the land in this case is, that the Municipal Commissioners insist upon the nuisance being removed which has been caused by the Company's excavations. The action of the Commissioners in this matter will apparently entail a certain amount of expense, which in the circumstances ought clearly to devolve, not on the Government but on the Company, and the Collector will accordingly decline to take over the land.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Ag. Secretary.

To the Collector of Coimbatore.

*Read*—again the following Proceedings of the Board of Revenue, dated 14th January 1884, Mis. No. 208 :—

Read—the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 20th December 1883, No. 340 :—

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my notice in passing the draft of my letter, and that my paragraph 4 was so worded as to make it appear I had not taken possession.

2. I request to be informed what action is to be taken on the above Board's Order.

---

*Resolution*—dated 14th January 1884, Mis. No. 208.

The only course now open is for the Collector to request the Railway Company to fill up the excavation of which the Municipal Commissioners complain. Should the Company's Agent refuse to comply with this request, the Collector will report again, with a view to the orders of Government being taken, if necessary.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Secretary.

To the Collector of Coimbatore.

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**READ**—also the following letter from G. D. LEMAN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated Madras, 24th March 1884, No. 667 :—

Adverting to this Office No. 303, of 7th November, and to Board's Resolution thereon, Mis. No. 10476, of 7th December 1883, and with reference to Board's Proceedings, Mis. No. 208, of 14th January 1884, I have the honor to forward, as directed in the latter Proceedings, for the orders of Government, copies of the marginally-noted correspondence, by which it will be seen that the Agent of the Railway Company is not willing to fill up the excavation made by the Company and thus remove the cause of the nuisance complained of. He suggests that the plot of land in question may be offered to some private person living in the vicinity. But I do not think it would be worth any one's while to take it.

1. Letter from the Collector to the Consulting Engineer for Railways, No. 55-B and G, of 28th February 1884.
2. His reply, No. 239, of 18th March 1884, with one enclosure.

2. I had an offer from Mr. Williams, the Railway Station Master here, but he proposed to take the earth he wanted out of the adjacent tank bed. This I considered would most likely only move the nuisance a little further and refused, and he withdrew his offer, for I also proposed he should give security before he took the land to abate the nuisance within three months. It will be an expensive matter to fill up the ditch.

3. I must say with all deference, however, that, in my opinion, as the Government has taken possession of the land from the Railway Company, the abating of the nuisance has become the duty of the Government.

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### ENCLOSURE No. 1.

From G. D. LEMAN, Esq., Collector of Coimbatore, to the Consulting Engineer for Railways, Madras, dated 28th February 1884, No. 55-B and G.

With reference to your letter, No. 918, dated 31st October 1883, I have the honor to inform you that the piece of land therein referred to, and which I have taken possession of at your request, is in municipal limits. It is an open ditch made by the Railway Company in constructing the railway embankment. It is in close proximity to the Valankolam tank, and consequently becomes full of stagnant water for seven months of the year. It is most offensive at times and is always a public nuisance; in fact, I believe it was handed back by the Railway Company because the Municipal Commissioners sent a letter to the Company's Resident Engineer at Podanur, threatening him with a notice under the Municipal Act in the event of the nuisance caused by the stagnant and bad-smelling water not being put a stop to.

As the nuisance has been caused by the Company's excavation, I am directed by the Board of Revenue to request the Company to fill it up. I therefore request that you will call upon their Agent to do the needful at once.

### ENCLOSURE No. 2.

From Lieut.-Colonel V. A. JOPP, R.E., Consulting Engineer for Railways, Madras, to the Collector of Coimbatore, dated 18th March 1884, No. 239.

With reference to your No. 55-B and G, dated 28th February 1884, I have the honor to forward copy of the Agent and Manager's, Madras Railway, No. 202, dated 15th March 1884, and to invite your consideration of the last paragraph.

2. The question raised by your letter is open to argument, but I should like to invite your attention to the definitions of Class B and C lands in paragraphs 6 and 7 of Government of India's No. 852, of 21st January 1859, embodied in Proceedings of Government, No. 165, dated 21st March 1859, from which it must, I think, be inferred that no claim can rest for deteriorations of Class B lands on their restoration to Government.

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### ENCLOSURE No. 3.

Copy of a communication from A. M. SAUNDERS, Esq., Agent and Manager, Madras Railway, to the Consulting Engineer for Railways, Madras, dated 15th March 1884, No. 202.

I have the honor to acknowledge receipt of your No. 160, dated the 1st of March, forwarding copy of a letter from the Collector of Coimbatore.

2. The plot of land about which this correspondence has arisen was utilized by this Company to supply earth for the construction of our embankments, and was handed over to us by Government for this express purpose. I fail to see why, under these circumstances, we should be called upon to fill it up.

3. A reference to the Proceedings of Government, Public Works Department, No. 3198, dated 8th November 1875, received with your endorsement, No. 1245, of the 23rd of November of the same year, shows that an offer was made by one, Mr. Gnanabaranum Pillai, to fill up a plot of land which we had then excavated near the tank in the same vicinity. It is possible that others living in the village might offer to fill up this ditch, and I would venture to suggest that some similar offer might be accepted by the Collector in this case also.

---

**RESOLUTION**—dated 4th April 1884, No. 1230.

Submitted, with copies of Board's Proceedings, dated 7th December 1883, and 14th January 1884, Mis. Nos. 10476 and 208, for the orders of Government.

2. The difficulty has arisen in consequence of the Collector having taken over the land without awaiting the Board's instructions. The question now is, not whether the Company are liable to make compensation, but whether it is not their duty to abate a nuisance. It would seem that this can best be done by filling up the excavation by earth dug from the tank-bed—a work which would probably improve the tank, and which in the Board's opinion should be carried out by the Company.

3. The Board do not think with the Collector that this excavation from the tank-bed will have the effect of removing the nuisance to another site.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Coimbatore.

Exd. A. Raitt.

G. O. No 587.

As the land was made over to the Railway Company for the express purpose of taking earth from it it does not appear to Govt that the fact of the excavation having become a nuisance imposes on the Company a liability to fill it in. If the adjoining tank is a minor irrigation work the Collr might take action in the direction indicated by the Board. if not, the case shd be reported for further orders.

H. S.
2. 5. 84.

Fist from orders

To Coll.
16 the Board of Revenue } dat 5-5-84
21. a P. W. Dept

C 22-4-84.
R 24-4-84

60/4

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Revenue (1884) Dept

No 2558

REVENUE DEPARTMENT.

1884.

# Board of Revenue,

MADRAS.

SECY. GOVT MADRAS 18 APR 84 REV. DEPT.

Print 9 ... 2/5

Printed April th.

No 2076 W of 23rd August /84

Proceedings, 4th April 1884, No. 1230.

Recd 18. 4. 84

Desp 17/4/84

Submitting, for orders of Government, correspondence regarding the filling up of the *excavation* on a piece of *Railway land* made over to Government in the district of Coimbatore.

With an order

Rd 19/4

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REVENUE SECRETARIAT,

Ootacamund, 2076

14 AUG 84

OFFICE NOTE.

Station Ootacamund date 13 Augt 1884.

No 2076 W of 23rd August /84

From The Revenue Secretary

To The Secretary to Government P. W. Deptt.

In forwarding the accompanying Office Note from the Joint Secretary, Irrigation Branch, dated 4th August No. 424 C, with connected papers requests the favor of information as to whether the charge can be debited to "Miscellaneous Public Improvements" – Provincial.

H. E. Stokes

No 476 E

Secretary to Govt 22.

To The Secretary to Government Revenue Department.

There is no objection to the work being

P.W.S. 69/8

carried out from
Provincial funds, under
"Miscellaneous Public
Improvements"

Mawthwaite
14-8-84 Col: RE.
Secretary to Government
P.W. Department.

Ootacamund
August 14th 1884

Please see on the reverse

R 24-4-84

P.W. Department.

No. 424 Edl August 4th 1884.

Office note
Irrigation

To Dep: Secy. 2076

With reference to enclosed draft G.O. I cannot see the justice of charging the cost of filling the pit to 'Irrigation & Navigation'. The hole that will be dug in the Tank Bed to provide the earth required for filling, will be of no use to the Tank, it will silt up at once, and could not in any case hold water sufficient to irrigate an acre of land. The work seems to me to be essentially a 'Public Improvement', and I think should be provided for from Provincial Funds.

2/8/84

C 5-8-84.
R 11-8-84

Note

⑨

C No 2538 { Boards Pro 24th April
1884 No 1230

2076

As the piece of land in this case was apparently made over to the Railway Company for the express purpose of excavating material for embankments without any understanding as to the excavation being filled up ~~by the Company~~; it does not appear how the Company can be held responsible for this. It does not seem that ~~the part of~~ the Collr was wrong in having taken possession of the land, since it is on the express understanding that it is to be restored to Govt when no longer required that land is made over to ~~the~~ Railway Companies under Class B.

It is not clear whether

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the tank, from which it is said that earth can be taken to fill in the ditch, is or is not an irrigating tank. If it is, excavation from its bed might, as observed by the Board, improve the tank by rendering it possible to store more water for irrigation, and in this case it seems worthwhile to consider whether the P. W. Dept. may not undertake the filling in of the ditch debiting the cost to irrigation. This seems to be the only way of meeting the difficulty, if, as is presumably the case, the Municipality is not prepared to take over the ditch.

3 The only other noticeable point in this case seems to be why the Railway Company retained this piece of land so long. ~~It is believe~~

(10)

The land was made over to the Company for the express purpose of taking earth from it. No claim lies against them because the excavation has become a nuisance.

If the tank is a minor irrigation work the Collector might take action in the direction indicated — if not consult P.W.D.

H. S.

23/4

2076.

The branch line to Mettupalayam must have been opened some ten years ago, and the land must have ceased to be needed for purposes falling under class B some time before that.

The Railway company had no right to use the land so as to make it a nuisance, and they could be compelled to abate such nuisance if the land remained in their possession. It was a mistake to take it over for Govt. in the state in which it was. But the matter depends on the construction of the contract, & the papers should I submit be transferred to the P.W.D.

S. C.

G O 2 May 1884 No 587

Mis. No. 2370

Transferred to the P. W. Dept for consideration whether the excavation may not be filled in by earth taken from the adjoining tank referred to in the Colr's letter printed in G. O. Rev Dept. of 2nd May 1884 No. 587, and if not, what other course shd be adopted.

W S

2 June/84

Issd pen orders.

To The P. W. Dept,
Irrigation Branch
with one Enc.

Desp 9. 6. 84.

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Revenue (1884) Department
No. 3443

1884.

# Board of Revenue,

MADRAS.

Dis 676

To

The Secretary to Govt.
Revenue Department

No. 4709/84

GOVERNMENT
29 MAY 84
REVENUE DEPART

No. 2076 W dt 23 August/84

Mis No. 2370

Enc: 1

Proceedings, dated 27th May 1884.
No. 4521
Mis.

Recd. 29 May 1884

Subject.

Submitting letter from the Collector of Coimbatore, furnishing further information in connection with the filling up of the Excavation on a piece of Railway land made over to Govt.

Transferred

Ack
30/5

R.P. 2-6-84

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(12)

Proceedings of the Board of Revenue dated 9th May 1884 No. 4016

Mis:

2076

Read the following

Revenue Department

Proceedings of the Madras Government.

Read Proceedings of the Board of Revenue, dated 4th April 1884, No. 1230, submitting correspondence regarding the filling up of the excavation on a piece of Railway land made over to Government in the District of Coimbatore.

Order thereon 2nd May 1884, No. 587.

As the land was made over to the Railway Company for the express purpose of taking earth from it, it does not appear to Government that the fact of the excavation having become a nuisance imposes on the Company a liability to fill it in. If the adjoining tank is a minor irrigation work, the Collector might take action in the direction indicated by the Board; if not, the case should be reported for further orders.—

(True Extract)

(Signed) H. E. Stokes
Secretary to Govt.

To
The Board of Revenue

Resolution

Communicated for information and guidance to the Collector of Coimbatore.—

(True Copy and Extract)

(Signed) E. Gibson
Secretary.

To
~~The Collector of Coimbatore~~

(True Copy)

H Stokes
Ag Collector

SUPG: ENGINEER'S OFFICE
No. 554 C.I.
25 JUN. 84
P.W.D.
FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE
28 JUN 1884
P.W.D.
COIMBATORE.

EXECUTIVE ENGINEER'S OFFICE
4 JUL 1884
P.W.D.

SUPG: ENGINEER'S OFFICE
No. 592 C.I.
8 JUL. 84
P.W.D.
FOURTH CIRCLE

CHIEF ENGINEER
15 JULY
1884
FOR IRRIGATION

2076 W

Rev. 4709/84

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⑬

Coimbatore Collector's
Office, 13th May 1884.

Refce on No. 820/B&G

BOARD'S GEN. REG. No 3702 OF 1884

2076

From
H. J. Stokes Esquire
Acting Collector of Coimbatore,

To
E. Gibson Esquire
Secretary to the Board of Revenue
Madras—

Sir,

With reference to G. O. R. D., dated 2nd Current, No. 587, Communicated with Board's Proceedings dated 9th Idem, No. 4016 Mis, I have the honor to report that no action in the matter such as that indicated by the Board is possible, as the Valancolam tank is not a Minor Irrigation work and so not in charge of the Revenue Department

-ment. I beg therefore to submit the case for the further orders of Government as directed.

I have the honor to be,

Sir,

Your most obedient servant,

H Stokes

Ag Collector –

Enc 2.

SUPG. ENGINEER'S No. 599W 12 JUN. 84 P.W.D. FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE 28 JUN 1884 P.W.D. COIMBATORE

EXECUTIVE ENGINEER'S OFFICE 4 JUL 1884 P.W.D. COIMBATORE

SUPG. ENGINEER'S OFFICE No 592 8 JUL. 84 P.W.D. FOURTH CIRCLE

CHIEF ENGINEER 15 JULY 1884 FOR IRRIGATION

Rev: 3443/84

6
Rev: 4709/84

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Print

(14)

2076

## Proceedings of the Board of Revenue.

Dated 27th May 1884.

No. 4521 mis:

Read letter from the Ag Collector of Coimbatore dated 13th May 1884, No. 820/B&G. Reference.

Resolution:—

Submitted to Government with reference to G.O. 2nd May 1884, No. 587.

(True Extract)

C. Gibson

Secretary.

To,

The Secretary to Govt. R.D. with original letter to be retd.

Copy to " Collector of Coimbatore

SUPDG. ENGINEER'S OFFICE
2 JUL 84
P.W.D.
FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE
28 JUN 1884
P.W.D.
COIMBATORE.

EXECUTIVE ENGINEER'S OFFICE
4 JUL 1884
P.W.D.
COIMBATORE

CHIEF ENGINEER
15 JULY
1884
FOR IRRIGATION

SUPDG. ENGINEER'S OFFICE
JUL 84
P.W.D.
FOURTH CIRCLE

M 592 cd.

(15)

2076

9

2

P.W.C.N. in the d. [illegible]

REVENUE (1884) DEPARTMENT

D.W.W. 4968

No. 3443

SUPG: ENGINEER'S OFFICE
No. 3/5920
8 - JUL. 84
P. W. D.
FOURTH CIRCLE

From Board of Revenue

SUPG: ENGINEER'S OFFICE
No. 5991
12 JUN. 84
P. W. D.
FOURTH CIRCLE

Enc 1.

Dated 27 } May
Recd. 29 }

EXECUTIVE ENGINEER'S OFFICE
No.
28 JUN 1884
P.W.D.
COIMBATORE.

No. 4591

~~No. 2076 W of 23rd August/84~~

CHIEF ENGINEER FOR IRRIGATION
13 JLY
884

EXECUTIVE ENGINEER'S OFFICE
No.
4 JUL 1884
P.W.D.
COIMBATORE.

5 / Rev: 4709/84

SUBJECT.

Submitting letter from the Collector of Coimbatore, furnishing further information in connection with the filling up of the excavation on a piece of Railway land made over to Govt.

No. 3

Print

Mis. No. 2370

Transferred to the PWDepartment for consideration whether the excavation may not be filled in by earth taken from the adjoining tank, referred to in the Collector's letter printed in G.O. Rev. Dept. dated 2nd May/84 No. 587, and if not, what other course should be adopted.

Ootacamund

W. Elpden

P.W.S. 35/6.

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3

1884.

P. W. DEPARTMENT.

Current No. 4968

Herewith the D. 13/6/84

From

Revenue Dept. 2076.

Note Back refer to be put up [illegible] excavation from [illegible] 1/6

Mis. No. 2370.

Dated June, 6
Received 8 1884

Excavation on a piece of Ry land near the Coimbatore railway station.

SUBJECT. Transfg letter from the Collr. of Coimbatore in connection with the filling in of the

DISPOSAL. for consideration whether the excavation may not be filled in by earth taken from the adjoining tank and if not, what other course should be adopted

No. Dated

No. 2076 W of 23rd August/84

No. 254 Ed of June 11. 1884

Referred to the S.E. IV Circle for early report.

(Sd.) J.O.H.

To, The S.E. IV Circle.

Reminder sent [illegible] 16/7/84

I. Beatty - Col: R.E.
Superintg. Engineer IV Circle

2

No. 90 / E.I. (17)

Supg. Engineer's Office IV Circle
Camp Barur 12th July 1884

2076

From

The Superintending Engineer
IV Circle

To

The Chief Engineer
for Irrigation

nclos: 6.

etter No: 1119 of
th June/84 from
Ex Engineer Coim-
batore Do.
Estimate of
Rs: 1,700
Site Plan.
Coimbatore
Collr's: letter No:
820 of 13th May/84.
Copy of G.O. No:
587 of 2d May/84,
Rev: deptt:
Rev: Board's
Proceedings No:
4521 of 27th
May/84.

Sir,

With reference to your endorsement No. 254 E. of 11th Ult. I have the honor to forward herewith a letter from the Executive Engineer Coimbatore, accompanied by a plan showing the position of the piece of land near the Coimbatore Station where some excavation requires filling up, and an estimate of Rs. 1,700 for doing the work with earth excavated in the deep bed of the Valancolum Tank.

2. The accompaniments of your endorsement are herewith returned.

I have the honor to be,
Sir,
Your most obedt. Servt.,

J. Beatty - Col: R.E.
Superintdg. Engineer IV Circle

I.W.S. 35/6

0-13-6-86

CHIEF ENGINEER
13 JLY
84

D.W. 6050

From C. No R. 2 Called for 17/7/84

The Sup: Engineer,
Fourth Circle.

Dated 12th } July 1884.
Desp: 14th }

No. 2076 W. of 23rd Aug/84

No. $\frac{90}{M}$

Enc: 6

Valancolum Tank:—

Forwarding an Esti=mate of Rs: 1,700 for filling up excavation in the deep bed of the Coimbatore Do.

Rec: 1/7/09/84

C.H. 44/7

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(18)

Enclosure

8/p 6

No. 1119 Executive Engineer's Office
Coimbatore 7th July 1884

Print

From
The Executive Engineer
Coimbatore Division

2076

To
The Superintending Engr.
Fourth Circle

Sir,

With reference to your Endorsement No. $\frac{444}{CI}$ of the 26th Ultimo on Government Memo No. 254 E of the 11th Idem (herewith returned) I have the honor to report that the land referred to lies on the west of the Railway embankment near the Coimbatore Railway Station; it is marked yellow on the accompanying sketch (received from the Collector of Coimbatore). The excava-

**Enclosures**
1 Govt. Memo No 254 E of 11th June 1884 bearing SE's Endorsement No $\frac{444}{CI}$ of 26 Idem
2 Revenue Boards Proceedings No. 4521 of 27th May 84
3 Coimbatore Collector's letter No 820 of 13th May
4 Copy of G.O. Revenue Depatt. No 587 of 2d May
5 Sketch
6 Estimate.

12 -tion

-tion complained of can be filled in by earth taken from the deep bed of the Valancolum Tank -

2 An estimate amounting to Rs 1700 for the work is herewith forwarded -

1500

I have the honor to be
Sir,
Your most obedt. Servt.

W Davidson
Executive Engineer

19

7

2076

~~13~~

SUPT. ENGINEER'S OFFICE
JUL 84
P.W.D.
FOURTH CIRCLE

592 C.J

From

The Executive Engr.
Coimbatore Dn.

CHIEF ENGINEER
15 JULY
1884
FOR IRRIGATION

No. 1119

Dated
Recd. } July /84 -

Enclosures 6

Valancolum Tank -

Reports about filling in certain excavation by earth taken from the deep bed of the -

2/ Rev: 4 709/84

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20

p 8

Public Works Dept:

No. 373. E.

2076

Print

Letter from the Superintending Engineer, Fourth Circle, No. 90. E. I., dated 12th July 1884, and 7 enclosures.

Transferred to the Revenue Department with reference to endorsement in that Dept. No. 2370, dated 6th June 1884. There is no objection to the excavation on the west of the railway embankment near the Coimbatore Railway Station being filled in by earth taken from the deep bed of the Valancolum Tank.

for actg. Colonel R.E.
Joint Secretary to Govt.
P.W.D. Irrigation Branch

Ootacamund }
18th July 1884 }

20

To The Revenue Dept. with 7 Enclos.

G.O 2 May/83 No 587
6 June " 2370 Mis

Des 19/8

Misc G.O

~~Orders will issue accordingly in the P. W. Dept for the excavation being filled in as proposed, the cost being debited to "Irrigation and Navigation" Repairs.~~

19 AUG 84

Misc. R. 3554

Transferred to the P. W. Dept, with reference to the accompanying Office notes to and from that Dept, for the issue of the necessary orders

W Stokes
Secretary to Govt.

Ootacamund
18th August 1884

~~For counter initials of the Joint Secretary. P. W. Dept, Irrigation branch.~~

O.T.S. ~~13/8/~~ 9/8/8

E 5-8-84
E 11-8-84

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Revenue (1884) Dept.
Dcke 7044

No 470 G.

Endt.

from The P. W. Dept.

19 JUL 84

Hon'ble Mr Sullivan

Dated 18 July 1884
Recd 19 July 1884

Rec 22/8/84

No 2076 W d/23d August/84

No 373 E.

Encs: 7.

Transferring letter from the Supg Engr 4 circle regarding certain excavation being filled in by earth taken from the deep bed of the Valancolam Tank, Coimbatore Dt.

Write an order

R 21-7-84

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(21)

2076

No 2076 W. P.W. Department

Proceedings of the Madras Government

under date the 23d August/84

Read the following:—

| | |
|---|---|
| Pros: of the Board of Revenue: | R.E. No 4521. mis: d/ 27th May/84 |
| Endt. in the Revenue Dept: | " " 2370. mis d/ 6th June/84 |
| Endt. in the P.W. Department | " " 254 E d/ 11th June/84 |
| Letter from S.E. IV. circle — | " " $\frac{90}{E.3}$ d/ 12th July/84 |
| Endt. in the P.W. Department | " — 373. E d/ 18th July/84 |
| Endt. in the Revenue Dept: | " — 3554. mis: d/ 18th August/84 |

10 The Estimate amounting to Rs 1500, submitted by the Suptg: Engineer IV. Circle with his letter No $\frac{90}{E.3}$ d/ 12th July/84, for filling a ditch on the west side of the Railway embankment near the Coimbatore Railway

21

station, is sanctioned for execution by the Public Works Department, and an appropriation for the work, of Rs 1500, is made from the Provincial reserve.

2. This sanction has been registered as Provincial No. 122 W of 1884-85, and classified as Original works - miscellaneous Public Improvements.

20.8.84

S.E. IV Circle with } enclosures.
Chief Engr: for Irrgn: ✓
Consg: Engr: for Rys: ✓
Ex: P.W. Accounts ✓
Revenue Dept: ✓

Ex: EdS.

22

2076

~~22~~

7644

# Govt. of (1884) Madras.

## PUBLIC WORKS.

22

Dated

Recd.

25/7/84

Encl.

G.O., 23 Aug 1884, No. 2070

Railway Embankment near the [illegible] [illegible] Station

Ditch on the West side not for filling in — [illegible] time

Id 23/8