

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

(P.W.D.) DEPARTMENT

G.O. No. 324 -
B.P. No.

Press.
Mis.

Dated 7. 2. 1893.

197 .

Not to be folded or roughly handled

No 1006

Principal Assistant Collector's Office
Camp Chepurupalli, 12th December 1892

BOARD'S GEN. REG. NO. OF 19
LAND REVENUE.

From

329
To. H. Shipley Esquire,
Ag. Principal Assistant Collector,
Visianagram Division

To.

W. A. Willock Esquire,
Collector,
Visagapatam.

Sir,

With reference to your endorsement No 1565 on 17.11.92

G.O. No 2709 W. 29.9.92 I have the honor to report as follows:

2. The D.P.W. having requested that 88 cents of rocky land at Koppaka might be acquired to quarry stone for the anicut and embankment of the Pulaparti channel, you directed me to send draft notification for the same. The notification was sent on 20.10.91 and it was published in the Fort Saint George Gazette of the 10th November 1891. Thereupon you drew my attention to it in your letter No 3216 20.11.91 which was received in this Office on 24.11.91 and an order was then sent to the Tahildar to prepare a plan of the land

No 2733
28.9.91

Subscribed and signed to be signed by the Collector

lands and mark it out. The Tahsildar sent the plan
to with a date 13.1.92 received on 17.1.92. The
claimant was then ordered to appear on 8.2.92. He
(Mokhasadar) appeared and asked for adjournment
owing to his Manager's absence. The request was com-
plied with, and a reference was made meanwhile to
the Assistant Engineer, asking him what were the
rates he had been paying for different materials, and what
was the exact amount paid to the Mokhasadar in
the preceding year for the materials taken by his De-
partment from the quarry. His reply was received on
1st March last when I was absent in the hills. I
therefore requested you to dispose of the claim as you
were then conducting the Jamabandi. You pointed out
that you could not do so and you returned the papers
to this office for disposal. The Mokhasadar was then
ordered to appear on 23.4.92 and again on 26.4.92.
On the latter date the Mokhasadar's manager appeared
and demanded Rs 12,000 for the quarry on the
grounds that he was getting Rs 1000 every year from

from the same. The Manager filed certain letters ²²⁴
showing the amounts he received in the previous 3 or 4
years for the same. I promised only Rs 1000, as 2 years
purchase estimating his income from the quarry at
Rs 500 a year. The Manager did not consent, and
demanding a sum of Rs 6000 said that he would con-
sult the Mokhasadar and send his reply. The
Mokhasadar's consent was obtained, and the Manager
then made a statement accepting the Rs 1000 offered.
Accordingly an award was made, and the amount
was paid to the Mokhasadar. I regret that the
Manager's statement asking Rs 12,000 was not put
on records. It was such a preposterous claim as
not be worthy of any consideration.

3. My reason for awarding the compensation
under reference is simply that I considered such an
award fair under the circumstances.

4. The lands, so far from being "practically
valueless" as you call it, had become very valuable
to the Mokhasadar who had derived from it in two
years.

years a sum of Rs 1200, and who might naturally look forwards to further profits from fees on the stone in its quarries. Two years' purchase is not an extravagant price to pay.

5. With reference to your remark that you "considered that the fact that the D.P.W. had made an exceedingly foolish contract was no reason why the interests of Government should be sacrificed by its Revenue officers. Mr. Shipley should give his reasons for thinking otherwise," I submit that I have no reasons for thinking otherwise, as I do not consider I have sacrificed the interests of Government. But I do consider that an enquiry into the exceeding foolishness or otherwise of the D.P.W. in making their contracts was entirely outside my duty. I had to give an award on facts - not upon vague hypotheses. I had no reason for considering that that Department did not know its own business best. The high price it had to pay for the land is directly preferable to the high rate of seigniorage levied in Government quarries.

quarries; rates which governed the rates in the private quarry now acquired. $\frac{324}{3}$

I have ⁱⁿ ⁱⁿ,
Signed / Re. H. Shipley
Dy. P. & Collector

Genl. Reg. 4277/92
/ True copy /

12/17/92
Submitted to the Secretary to the Commissioner of Land Revenue with reference to Board's No. 7170 M.S. dated 5th November 1892.

I consider Mr. Shipley's explanation most unsatisfactory. Had he exercised due care he would have seen that the income which the Mokhasadar was receiving from the quarry was derived not from the value of the materials but from his having got the D.P.W. into a difficulty with regard to the execution of the work owing to its omission to take timely steps to provide a quarry which enabled him to dictate unreasonable terms. He must have known that the land taken up was of no more value than any other spot on the side of a huge hill which hardly affords grazing for a few goats.

goats except owing to its being about the nearest point to the ancient. I have not got the information in camp but I believe that the work was almost completed when the award was made.

3 It seems to me that Mr Shipley's duty was to ignore the obviously compulsory arrangement which the D. P. W. had been obliged to enter into with the Mokhasadars and leave him to appeal to the District Court.

Vizagapatam

24 December 1892

for Collector

Proceedings of the Board of Revenue.

(Land Revenue.)

Dated 19th January 1893. 24

No 365. Mrs. 4

Read — Indorsement of the Collector of Vizagapatam on letter from R. H. Shipley Esq., Ag. Principal Assistant Collector, Vizianagaram Division, dated 24th December 1892 No 1712.

Resolution: — Submitted to Government with reference to G. O. 26-10-92 4698.

2 Mr. Shipley acted in good faith on the information available. He was ordered to acquire this particular spot and was bound by law (Sec. 24, Act X of 1870) to estimate its market value at the time of awarding compensation. Considering the profit which was being made by the owner, the valuation does not appear to have been excessive, however little may have been the value of an equal area of the unacquired hill side, which the D. P. W. could have settled if worth its while.

True Extract.

(Signed) J. Leoy

For Ag. Secretary.

The Secretary to Govt. Rev. Dept.
with letter in original
to be returned.

True Copy

Indorsement for Government.

1893

REVENUE DEPARTMENT.

Enclosure No.

To Correspondence.

Current Number 563

From

The Board of Revenue
Land Revenue.

Recd. 2.2.93

Dated 19th January 1893

Received 23rd

Enclosures 1

No. 365.

SUBJECT.

Submitting to Government
its remarks the explanation called
for from the Collector of Vizagapatnam
regarding the high rate of compensation
offered for the stone required for use
in the Kappaka Ancient works.

Endorsement No 399.

Transferred to the
Public Works Department with
reference to its order dated 19th
September 1892 No 2709. W.

Recd.

Under Secretary to Government

Fort St. George.

30th January 1893.

To

The P. W. Dept.

Comm. of Land Revenue.

G.O. 2709 of 29-9-92

Endorsement

(42)

10447

329
8

on

This paper may be
perhaps await the
report to be sent
from the Rev. Dept.
under G.O. No 2709
of 29.9.92.

Forwarded.

Cd
20.10.92

Yd.

over
27.10.92

+ G.O. 2709 of 29-9-92

N^o 2947

Vizagapatam Collector's office

Dated 5th October 1892

From

329/7

W. A. Willcock Esq.

Collector

Vizagapatam District

To

The Superintending Engineer

First Circle

Dowlaisheram

Sir

In reply to your N^o 435 V.L. dated 5th September 1892, I have the honor to state that the compensation was fixed by Mr. Shipley, the Principal Asst. Collector, who was appointed by Government for the purpose. His reasons I find, expressed as follows.

"Considering that the Mokhasadar has been obtaining a steady income of Rs. 300 or 400 from this quarry for the past three or four years, I think that Rs. 1000 is a fair price to pay for the 86 cents required by the D. P. W. The Mokhasadar agrees to receive this amount."

2. I myself do not agree with Mr. Shipley and would have fixed the value on consideration of that of similar land in the neighbourhood. I would probably have offered 20 or 30 rupees and left the Mokhasadar to call on

to refer the matter to the District Judge.
Mr. Shipley's decision is however final
and I doubt if that of the District Court
would have been very different as the
unfortunate arrangement made by your
Department with the Mohasadar would
probably have been held to be the
best evidence of the value of the quarry.

Yours faithfully
W. A. Willock
Collector

(True Copy)

Sub Engineer Circle

Cd

324
10

PUBLIC WORKS SECRETARIAT,
RAILWAY BRANCH.

Station Madras date 11th January 1893.

NOTE.

Before retiring from Govern-
ment service I desire to
place on record that while
in Madras I have had
the most cordial relations
with Mr. J. S. Sherlock
Hubbard, Examiner of P. &
Accounts. I have therefore
the honor to bring to the
notice of Government
that this officer while
acting as an auditor has
always shown the utmost
tact when obliged to raise
objections. I may add that
during the absence from
Madras of the Government

Examiner of Railway Accounts
I have more than once taken
advantage of Mr. Sherlock
Hubbard's experience and
have always received from
him assistance or advice.

I would be glad if the
substance of this note be
communicated to the Govern-
ment of India.

J. H. WALKER
Joint Secretary to Govt. P. & R.
Ry. Branch.

To
The Secretary to Government
P. & R. Department
Recd. 1.2.93

No. 324 Wd 7 Feby '9

Recorded.

for file

329
11

P. W. DEPARTMENT.

2/2/92

Read the following:—

Office Note 3/1/93
by M. & B. Walker
before interview.

FOR ORDERS. as to whether it
shall be forwarded
with covering letter
to Secy of State

for
W

The note seems to me hardly called
for considering that Mr. Shuck
Hutcheon has little, if anything, to do
with Railway matters.

I would simply move it.

Wes
3 Feb

Received
accordingly
H/2/93