

Public Works (1897) Department.

✓ G.O. No. 5399

DATED 10 June 1897

[Despatch Abstract.]

Land: Diverting Kat Cuhani - at Ellore be permanently transferred to the Railway Department (East Coast Railway) free of Compensation.

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26/5

26/5

Government { 1897 } of Madras.
PUBLIC WORKS.

Spare copies

JUNE.

Directing that certain — at Ellore be permanently transferred to the Railway Department (East Coast Railway) free of compensation.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.

READ—the following papers :—

From the Executive Engineer, Kistna Eastern Division, to the Superintending Engineer, II Circle, dated 27th April 1896, No. 372.

In forwarding herewith a tracing showing the canal land occupied by the East Coast Railway from the approach road to the goods-shed at Ellore railway station, I have the honour to request sanction to hand over the land marked by red lines permanently to the Railway Department as requested by them.

2. This was pointed out to you at Ellore and verbally approved.

3. I cannot find anything in my records to show whether compensation has hitherto been recovered from the Railway for land handed over to them permanently nor the proper procedure to be adopted in such cases, and I have to request the favour of instructions on this point.

4. I see no reason for handing over the land for nothing and therefore recommend that compensation be claimed.

From the Collector of the Gódvári District, to the Superintending Engineer, II Circle, dated 4th June 1896, No. 649/Eng. of 1896.

In reply to your endorsement No. 338 K.E., dated 9th May 1896, on Eastern Division Executive Engineer's letter, No. 372, dated 27th April 1896, I have the honour to state that, although transfers of land from one Government department to another are of every day occurrence (*e.g.*, from the Land Revenue Department to the Public Works Department), no instance has ever occurred to my knowledge of compensation being debited and credited in such cases. The land is always treated as the property of Government, and only the question of possession and control considered. I can see no grounds for departing from this course in this instance. Of course, if Government in the Irrigation Branch acquired and paid for the land and its cost was originally debited in consequence to an irrigation work, I can see no objection to your desiring a transfer of this debit from "Irrigation" to "Railway," but the points must be decided by the heads of the two departments or Government itself. It is not a case to which the Land Acquisition Act is applicable, or one in which the Collector can interfere unless he is specially directed to do so as an arbitrator by Government.

2. With reference to paragraph 1 of the Executive Engineer's letter, I request that the transfer may be notified to me, when effected, for record in the village accounts.

No. 1045 K.E.

Forwarded to the Chief Engineer for Irrigation with the remark that the Superintending Engineer sees no reason why the East Coast Railway should be asked to pay compensation for the land which may now be handed over permanently to the Railway Department.

23rd July 1896.

(Signed) M. LOAM,
for Supg. Engineer, II Circle.

To the Superintending Engineer, II Circle, dated 31st July 1896, No. II/124 K.S.

From M.R.Ry. T. RAMA ROW NAIDU Garu, Tahsildar, Ellore Taluk, to the Delta Superintendent, Ellore Canal, Dis. No. 972 of 1897.

In returning your No. 326, dated 13th January 1897, together with enclosures, I have the honour to inform you that it is not known why compensation for seri lands taken up for Ellore canal was not paid. The canal appears to have been dug previous to the date of settlement, and the lands occupied by the canal appear to have been classed as poramboke at the time of settlement. There was, therefore, no necessity for the abatement of land revenue in the ryot's patta, as assessment was fixed on the remaining portions only.

No. 541 K.E.

Forwarded to the Chief Engineer for Irrigation, with reference to his No. II/124 K.S., dated 31st July 1896.

2. It appears that no compensation was paid for the land now proposed to be handed over to the Railway Department.

(Signed) W. M. ELLIS,
for Superintending Engineer, II Circle.
21st May 1897.

ORDER—No. 539 I., dated 10th June 1897.

In the circumstances reported, the land referred to will be permanently transferred to the Railway Department free of compensation.

(True Extract.)

Under Secretary to Government,
Irrigation Branch.

To the Superintending Engineer, II Circle, with copy of tracing.
" Chief Engineer for Irrigation.
" Public Works Department, Railway Branch,
" Revenue Department, with copy of tracing.

Exd. T. K. Narayana Aiyangar.

Public Works (1897) Department.

CURRENT No. ~~179~~ 5535

From the Supg. Engr^s, Second Circle, No 1045-K.E.
dated 23-7-96.

To do No 124-K.E. 31-7-96

From do No 541-K.E. 21-5-97

no: 539 J & Co. 6.97

Land proposed to be
transferred to the East Coast
Ry. at Ellore -

Order

A.H. 1.6.97

Φ P

From

Major W.C.B. Addeley R.E.
Supg Engrs and (ins)

No. 541 K.E

In the circumstances
reported, the land
referred to, will be
permanently transferred
to the Railway Dept
free of Compensation

Dated 21 May 1897

Received 24 do

Registered 5.6.97

Enclosures 3⁺ (1 plan)

Spare copies

W.H.
27.5.97
I

Issue

W.H.
26.97
I

SUBJECT.

Land proposed to be
transferred to the E.C.
Ry at Ellore. Reporting
that no Compensation
was ever paid for

- To The Supg. Engineer, Second Circle
" Chief Engr for Irrigation
" P. W. Dept, Railway Branch,
" Revenue Dept, with copy of tracing

Note by W.H. that
the tracing need not be
with be kept in the of of the for

1000 The tracing sent to M.S.
for 3 copies to be made
28/5/97

BACK PAPERS

FURTHER PAPERS.

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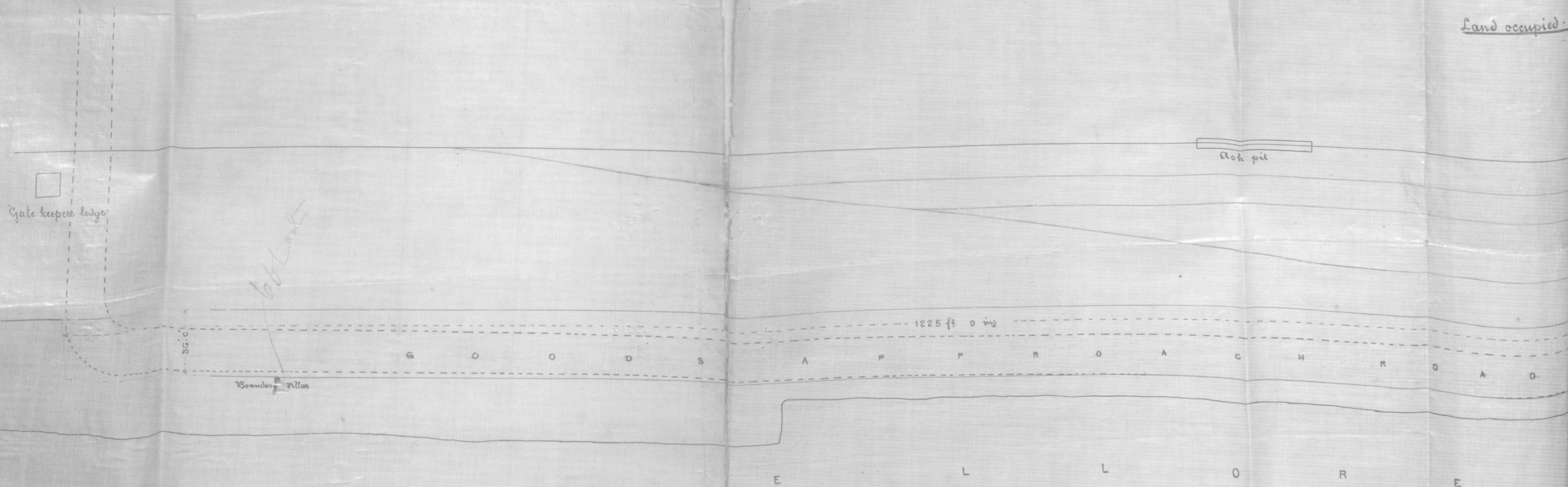
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BACK

RS

Plan of road to Ellorie
Constructed on land below
Irrigation Department
Scale - 40 feet = 1 inch

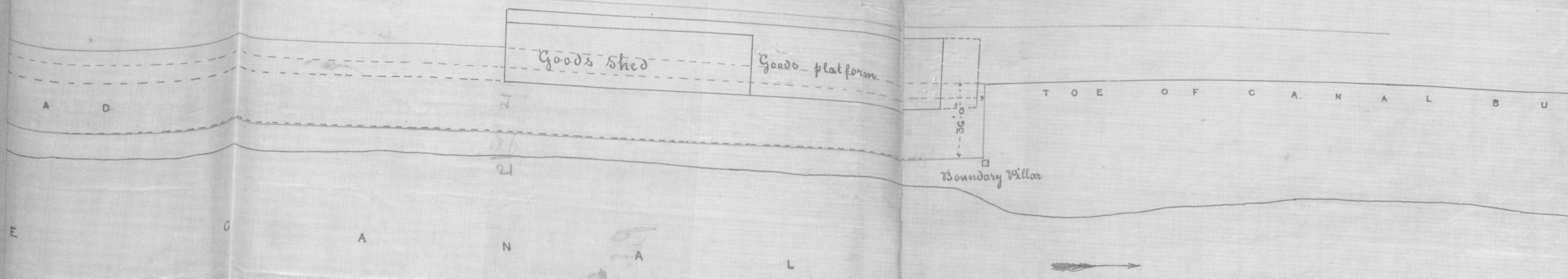
Area
Land occupied - 1225 ft 0 in



id to Ellore goods shed
 on land belonging to
 ation Department
 Scale - 40 feet = 1"

Area

Land occupied - $1225 \times 36 = 1.001$ acres



Amul
 Amul K.E. Div
 22/4/96
 Shanu

UP 597
Letter from Mr. J. Ramakrishna
Naidu, Tahildar, Ellore Taluq.
to the Delta Superintendent, Ellore
Canal, No 972 of 97.

In returning yours no 326 dated
13.1.97 together with enclosures, I
have the honour to inform you that
it is not known why compensation
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of Land Revenue in the ryot's
patta as assessment was fixed
on the remaining portions only.

1 From Col 1

1301 J. S. Wilson

Inc Engineer, Eastern Dist.

No 541KE

21.5.97

Forwarded to
the

the Chief Engineer for Irrigation
with reference to his note 124 H.S.
of 31-7-96.

2. It appears that no compensation
was paid for the land now proposed
to be handed over to the Railway
Department.

R^D
179/108.

W. M.
Chief Engineer,
for Suptg Engineer, H. Circle.

D.S.
20/5/97.

no 124 H.S. of 31-7-96
H.S.

With reference
to endorsement
no 1045 H.S. of 23-
July 1906, of the S.E.
Circle, the under-
signed has the
honour to request
that he will be
so good as to report
at an early date,
whether any, & if
so, what amount
of compensation
was paid for the
P.W.D. for the land
now proposed to
be transferred
to the East Coast
Ry.

H.
31/7

Reeds
31/7/96

To the S.E. II

100
28/7 BR

Letter from the Executive Engineer,
Hindustan Eastern Co. to the Supg Engineer,
2nd Circle, dt 27th April 96. No 372.

In forwarding herewith
a tracing showing the Canal land
occupied by the East Coast Railway
from the approach road to the
goods shed at Ellore Railway Station,
I have the honour to request sanction
to hand over the land marked by
red lines permanently to the Railway
Department as requested by them.

2. This was pointed out to you
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3. I cannot find anything in my
records to show whether compensation
has hitherto been recovered from
the Railway for land handed over
to them permanently nor the proper
procedure to be adopted in such
cases and I have to request the
favour of instructions on this point.

4. I see no reason for handing over
the land for nothing and therefore
recommend that compensation
be claimed.

Letter from the Collector of the
Godavari

C.W. 5535/97

Godavary Dist. to the Supg Engineer
and Civil, dt 4th June 96, N^o 649 of 96.
Eng

In reply to your endorsement
N^o 338 R.E. dt 9th May 96 on Eastern
Dist. Executive Engineer's letter N^o 372
27.4.96
I have the honor to state that although
transfers of land from Government
Dept. to another of every day
occurrences (e.g. from the Land Rev.
Dept. to the D.P.W.) no instance
has ever occurred to my knowledge
of compensation being debited and
credited in such cases. The land
is always treated as the property
of Government and only the question
of possession and control considered.
I can see no grounds for departing
from this course in this instance.
Of course, if Government in the
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to "Railway", but the points must
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departments or Government itself.
I

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or one in which the Collector can
interfere, unless he is specially
directed to do so as an arbitrator
by Government.

2. With reference to para 1 of the
Engr. Engineer's letter, I request
that the transfer may be notified
to me, when effected, for record,
in the millage accounts.

Engr. 1 Subl. N^o 1045 R.E.
23.7.96

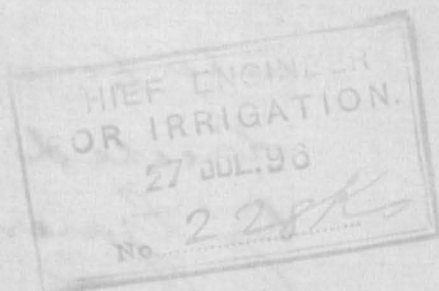
Forwarded to the
Chief Engineer for Irrigation with
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sees no reason why the East Coast
Railway should be asked to
pay compensation for the land
which may now be handed over
permanently to the Railway
Department.

M. S. M.
22796

Engr. Engineer
for Supg Engr. & Civil

From

The Supr Engineer,
2nd Calif.



To

The Chief Engineer
for Irrig.
Madras

Sum 1
No. 1045 HE
23. 7. 96

Canal land occupied
by the E. C. Ry. at Elmore.
Forward with remark
Certain Correspondence
relative to the Change
of Compensation for the
on the E. C. Ry.

P.W. 5535/47