

Public Works (1897) Department.

G.O., No. 623 R

DATED 6. September 1897

[Despatch Abstract.]

Land acquired in excess of immediate re-
quirements: Govt of India letter ~~requesting~~
stating that - for a Railway, should not ~~be~~^{be}
it has been acquired at the cost of the Railway
& stands at debit of the Capital account
be allowed to remain in possession of the Railway
but should be ~~allowed~~ transferred to the
custody of the Revenue authorities ~~as in the~~
to Railway Administrations & the Revenue ~~Dept.~~

For set 7

BACK PAPERS.

No.	Date.
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FURTHER PAPERS.

No.	Date.
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No. 1367 R. C.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY CONSTRUCTION.



To

- THE JOINT SECRETARY TO THE GOVERNMENT OF MADRAS, PUBLIC WORKS DEPARTMENT, RAILWAY BRANCH.
- THE SECRETARY TO THE GOVERNMENT OF BOMBAY, PUBLIC WORKS DEPARTMENT, RAILWAY BRANCH.
- THE SECRETARIES TO THE GOVERNMENTS OF BENGAL, NORTH WESTERN PROVINCES AND OUDH, PUNJAB AND BURMA, PUBLIC WORKS DEPARTMENT.
- THE CHIEF COMMISSIONERS OF THE CENTRAL PROVINCES, ASSAM AND COORG.
- THE RESIDENTS AT HYDERABAD AND MYSORE.
- THE AGENTS TO THE GOVERNOR GENERAL FOR BALUCHISTAN, RAJPUTANA AND CENTRAL INDIA.
- THE DIRECTOR GENERAL OF RAILWAYS.
- THE ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.
- THE CONSULTING ENGINEERS TO THE GOVERNMENT OF INDIA FOR RAILWAYS, CALCUTTA, LUCKNOW AND ASSAM.

Simla, the 19th August 1897.

SIR,

I AM directed to inform you that several cases have recently arisen in which it has been found necessary to take up land at certain large railway stations in excess of immediate requirements, in order either to provide for foreseen future developments or possible emergencies or for other special reasons in connection with sanitation and the protection of European settlements, and the Government of India have again had under their consideration the question of the disposal of such lands till actually required for the purposes of the railway.

2. I am to say that in connection with a special case formerly under consideration, the Government of India have already decided that it is not advisable to lay down rules concerning the acquisition of such lands, and that each special case should be submitted for the orders of the Government and be considered on its merits, and I am to forward for information a copy of a letter No. 5 R. C., dated 4th January 1892, to the address of the Consulting Engineer, to the Government of India for Railways, Lucknow, which expresses their views in this respect.

3. It was further decided that as long as a railway is allowed to retain possession of surplus lands any returns obtained from such lands, by leasing or utilizing them for other purposes, should be treated as ordinary revenue receipts of the railway.

4. I am now to add that the Government of India consider that if any land so acquired in excess of immediate requirements is clearly not likely to be utilized for the purposes of the railway in the near future, such land should not, unless it has been acquired at the cost of the railway, and stands at debit of the capital account, be allowed to remain in the possession of the railway, but should be transferred to the custody of the revenue authorities, a note being made in the

land revenue records that the land in question is to be reserved for the use of the railway and is not to be let or sold, except on terms of temporary occupation which will not interfere with its being made available for railway purposes on short notice. Any receipts from land so transferred should be brought to account as Land Revenue.

5. The disposal of such land, whether it is to remain in the possession of the railway or to be made over to the Revenue authorities, should be decided upon in consultation with the Revenue authorities in each particular case.

I have the honour to be,

SIR,

Your most obedient servant,

G. A. Anderson

Under Secretary.

Document accompanying.

Copy of Government of India letter No. 5 R. C.,
dated 4th January 1892.

To
The Joint Secretary to the Govt of Madras
Public Works Department.
Railway Branch

*with 5 separate copies
(sent per Packet List)*

AW

Enclosure to the Govt. of India letter No. 1367 R.C., dated the 19th August 1897.

No. 5 R. C., dated 4th January 1892.

From—The Government of India, Public Works Department,

To—The Consulting Engineer to the Government of India for Railways, Lucknow.

I am directed to acknowledge the receipt of your letters marginally noted, No. 4106, dated 17th November 1891, regarding the procedure to be observed in the acquisition of land for the Bengal and North-Western Railway and Tirhoot State Railway, and asking for orders on the following points:—

(i) whether Government approve of the principle of taking up land in excess of actual requirements; and

(ii) how rents derived from excess land in the possession of a Railway should be dealt with.

2. In reply, I am to say that, while as a general rule the Government of India is opposed to the acquisition of land beyond immediate requirements, each case should be considered and decided on its merits; and secondly that, as regards rents, as long as a Railway is allowed to keep possession of any surplus lands, there is no objection to treat any returns obtained from such lands as ordinary revenue receipts of the Railway.

3. With regard to the specific cases of land required at Gorakhpur for the Bengal and North-Western Railway and at Muzafferpore for the Tirhoot State Railway, I am to say that each should be submitted separately with sufficient particulars to enable Government to arrive at a decision; and I am accordingly to return the plans received with your letter No. 4106, dated 17th November 1891, for that purpose.

No 623. R. dated 6/9/97

PUBLIC WORKS DEPARTMENT,
Railway
IRRIGATION BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following

Letter from the Govt. of India P.W. Dept. } No. 1367 D.C. of 19 Aug 97

Communicated

to the Agents Madras S. & P. Ry.
Agent & Chief Engineer M. S. Ry.
Sivri Railway & Revenue
Department for information
and guidance.

FWS

2/9/97

- To
- The Comptroller Genl Ry ✓
 - Agent & Man. Madras Ry ✓
 - Agent S. & P. Ry ✓
 - Agent & Ch. Engr M. S. Ry ✓
 - Revenue Dept
 - Exa. & P. Ry. Dept
 - Exa. & P. W. Dept
- 2/9/97