Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 267 Ry

DATED / 8th February

[Despatch Abstract.]

Villapuram-Guntakal State Railway

Proceedings Local and Municipal Department regarding the the levy of tolls against the — Communicated to the Consulting Engineer for Railways.

Indexed.

[P. W. Ry.
760—25-9-99.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1140	Ry.	22-10-89				
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FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Local and Municipal Department.

CHIEF SECRETARIAT, MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper :—

Letter from the Collector of North Arcot dated 15th July 1889, Ref on Gl Eng. No 3808.

I have the honor to submit the following for the orders of Government.

2. Mr. F. G. Brook Fox, Executive Engineer in charge of the Vellore section of the Villupuram-Dharmavaram Railway Extension referred for my decision the following questions viz :—

(1) Whether tolls are payable for hired carts carrying materials for the Railway works into the Vellore Municipal town;

(2) Whether empty carts returning from depositing the stones should pay tolls on re-entering toll gates, though they have not been outside the Municipal limits at all; and

(3) Whether licenses should be taken out under section 188 of Act V of 1884 (Madras) for brick

brick kilns opened by him within Municipal limits

3. As regards the first question the Engineer claims exemption under section 91 (3) on the ground that the Railway being a State Railway the materials are Government property. I requested Mr Brook Fox to let me know whether the materials became Government property before passing the toll gate or after delivery on the works. He informed me that the materials became Government property before they entered the Municipal limits. I am not prepared to accept what he says. Mr Brook Fox writes on South Indian Railway paper. He does not use service labels. He is evidently in private employ at present and the contents of the carts are not Government property. They will not in my opinion become the property of Government till the Railway is taken over by them

4. As regards the second question, Mr Brook Fox argues that the toll gates not being situated on the Municipal boundary but considerably

within

within it the carts which enter laden and proceed to their destination within the Municipal limits have on their return journey after depositing their contents to enter another toll gate and are there required to pay toll and that it could not have been the intention of the legislature to render them liable to tax when they re-enter unladen as they are exempt from it when they enter carrying Government property. As his statement regarding the situation of the toll gates was not intelligible, I asked for a rough sketch of the cart routes to and from the works. The accompanying sketch received from him shows that the carts passing out at B after depositing their contents re-enter at C where they are required to pay toll. The demand is, in my opinion, perfectly legal; and even granting that the toll gates are constructed well within the Municipal limits the toll must, I think, be paid for empty carts entering the town through them

5. As to the third question, Mr Brook Fox claims

exemption

exemption under Section 193 of the Act on the ground that he is a servant of Government I have no information in my office regarding the exact position of the South Indian Railway Company in connection with these works; and as to whether they are Government works or the S. I. R. Company's works; and if the latter, when the materials supplied become Government property. That Mr Brook Fox who opened the works is a servant of Government does not, I think, affect the question; though a Government servant, if his services have been lent to the S. I. R Company he is a private Engineer so far as the Municipality is concerned. I request that the Government will be pleased to rule whether ~~the~~ stones carried by the S. I. R. Company for the construction of the Villupuram – Dharmavaram Railway, are Government property or not.

Order thereon, d/ 1st October 1889, No 1291 Mn Mis.

The first of the three questions raised by Mr Brook Fox and referred to in para 2 of the Collector's letter read above, will be answered in the affirmative in accordance with the Advocate General's opinion communicated with G. O. d/ 8th July 1889, No 863 Mn

Not Commd

2. The second question will be referred to the Chairman, Municipal Council, Vellore for remarks with the observation that under section 94 of the District Municipalities Act no more than one payment of toll should be made in respect of the same vehicle or animal within 24 hours.

3. The third question will also be answered in the affirmative. The brick kilns opened by Mr Brook Fox cannot be held within the exemption in Section 193 of Act IV of 1884.

(True extract)

Assistant Secretary

To

The Collector of North Arcot

" Chairman, Municipal Council, Vellore, through the Collector of North Arcot

" Public Works Department

Govt. of (188) Madras.

To

Proceedings, dated 188 ,
No.

Subject.

P.W.C. No. 9545

Govt. of (1889) Madras.

Local and Municipal Department.

To

The P. W. Departt.

R.

Recd 11. 10. 89

Proceedings, dated 1st October 1889.
No. 1291 M. Mun.

Subject.

Passing orders on letter from the Collector of North Arcot regarding Municipal tolls on stores required for the Villupuram Dharmavaram Railway

B

No. 1140 R. d/ 22nd Octr./89

B ~~[illegible]~~

No. 1140 R d/ 22nd Octr. 89.

Ilas 18 Oct
C.S. 19. 10.

Communicated to the Consulting Engineer for Railways for information.

C.S.
16. 10.
R.

To

The Consg. Engr. for Rys.

24/10

Hds. 17.4.89
R19.

20th December 1889, No. 1413 R., Public Works.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following paper :—

Proceedings of the Government of India, Public Works Department (Railway—Construction), dated Calcutta, 6th December 1889, No. 1134 R.C.

The undermentioned paper is forwarded to the Joint Secretary to the Government of Madras (Railway Branch), Public Works Department, for information, in continuation of Public Works Department No. 985 R.C., dated 11th October 1889, with the remark that under this notification the Villupuram-Guntakal State Railway is entitled to the same privileges as regards exemption from tolls, taxes, &c., as other State Railways.

(By Order.)

(Signed) M. C. BRACKENBURY, Major, R.E.,
Under-Secy. to the Govt. of India.

Copy of Government of India, Public Works Department, Notification No. 370, dated the 29th November 1889.

Corrigendum.—In Public Works Department Notification No. 305, dated 8th October 1889, *for* "Villupuram-Guntakal Railway" *read* "Villupuram-Guntakal State Railway."

ORDER—dated 20th December 1889, No. 1413 R., Public Works.

Communicated to the Consulting Engineer for Railways for information in continuation of Proceedings No. 1186 R., dated 29th October 1889.

(True Extract.)

(Signed) C. J. SMITH, Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Consulting Engineer for Railways.
" Examiner, Guaranteed Railway Accounts.
" Public Department.
" Revenue Department.

Exd. A. Raitt.
Spare Copies

RAILWAY.

Govt. of {1889} Madras.

PUBLIC WORKS.

Dated December, 20th.

Recd. *Encl.*

G.O., 20th Dec. 1889, No. 1413 R.

DECEMBER.

Villupuram-Guntakal Railway

Government of India point out that the — is a State Railway, and that it is entitled to the same privileges as regards exemption from tolls, taxes, &c., as other State Railways.

No. 57

South Indian Railway,
AGENT'S OFFICE,
TRICHINOPOLY, 13th January 1890.

From

The Agent,
SOUTH INDIAN RAILWAY.

227L

To

The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

With reference to my letter No. 1558 of the 5th ultimo and previous correspondence, I shall feel obliged by your informing me if the notification referred to in Proceedings of Government 20th December 1889, No. 1413 R, Public Works, will have the effect of modifying the recent levying of tolls against the Villupuram Guntakal State Railway. I am informed that State Railways in the North of India are exempted from the payment of tolls, taxes &c.

I am
Sir
Your most obedient servant,
William Betts
Agent.

REGISTER
No. 55
FILE
No.

enclos + 2
P.W.C. No: 1511/406
90

2/227L

From
The Agent,
South Indian Railway,
Trichinopoly.

To
The Consulting Engineer for
Railways,
Madras.

Dated 13th January 1890
Received 14th do
No. 57

papers

Enclosure.

Re: Notification referred to in Proceedings of G.O. 1.

14.1.90

Form No. 1.

Public Works Department.

Office of Consulting Engineer for Railways,
Madras, 14th January 1890.

227L

Letter from the Agent, South Indian Railway No. 51 dated 13th January 1890 regarding levy of tolls against the Villupuram-Guntakal State Railway. No. 30.

Submitted for the orders of Government, with reference to its order No. 1413 R dated 20th December 1889.

Sidney Smith
Major R.E.
for Consg: Engr: for Rys

No. 1413 R a/ 20-12-89

Form No. 3.

No. 344 C 18th Jany/90

Referred to the Local and Municipal Department for favour of remarks with reference to G.O. No. 1413 R dated 20th December 1889 (copy attached.)

C. S. Smith Col. R.E.
Secy: to Govt. P.W.D.
Ry: Branch.

It has no effect on the ruling referred to, but L&M may as well say so.

P.W.C. No: 406
Enc 1
1511/90

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. 30

Dated 14th } January 1890.
Received 15th }

No. OF ENCLOSURES. 2

Subject.

Submitting letters from the Agent, South Indian Railway, regarding levy of tolls against the Villupuram Guntakal State Railway.

1413 R dy 20-12-89

1890.

P. W. DEPARTMENT.

Current No. 406

From

The Consg: Engr: for Rys:

Enclos.— 1

No. 30

Dated 14 Jany/90

Received 15-"-

SUBJECT.

Levy of tolls against the Villupuram Guntakal State Ry:

Submitting letter from the Agent - S.I. Ry: reg: the—

DISPOSAL.

No. 344 C dated 18 Jany/90

Referred to the Local & Municipal Dept: for favour of remarks with reference to G.O. No. 1413 R dy 20-12-89 (copy attached).

Sgd C.J.S.

R

J 20/1

Form No. 1.

PUBLIC WORKS DEPARTMENT.

Office of Consulting Engineer for Railways,
Madras, 22nd January 1890.

Letter from the Agent, South Indian Railway, No. 97, dated 20th January 1890, with enclosure, re- quarry in Cuddapah district and the fees demanded.

No. 56

SUBMITTED for the orders of Government in continuation of this office Endorsement No. 30, dated 14th January 1890.

A.D.G. Shelley Lieut. R.E.,
for Consg: Engr: for Rys.

REGISTER
No. 97
FILE
No.

supposition that 120 C ft stone are required for 100 Cft of masonry and the latter rate is on the quality of ashlar work.

5. I have asked the Sub Collector if he approves these rates & beg you will please let me know if I have your sanction to pay accordingly.

6. Lastly I should add that great difficulty & friction with the village authorities will arise if the Reddies are authorized (as they appear to be in Shadanapalle taluq) to stop every cart between quarry and work and demand either the royalty or a receipt for the stone. This they are doing at present.

I have the honor to be
Sir
Your most obed^t Servant

E2

P.W.6 7/1/90

(Signed) C. Sherman
Executive Engineer

True Copy

[illegible]
for Chief Engineer

Chief Engineer's Office
Trichinopoly 18th Jany 1890

To [illegible] the Chief Engr's letter
No. C.G. 373/127 of 18.1.90 to the Agent

Compared

No 97

South Indian Railway,
AGENT'S OFFICE,
TRICHINOPOLY, 20th January 1890.

From
The AGENT,
SOUTH INDIAN RAILWAY,

To
The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

In continuation of my letter No. 51 of the 13th Instant I beg to forward herewith a copy of a letter (No. 471 of 4-1-90) from Executive Engineer Mr. Sherman addressed to this Company's Chief Engineer with reference to quarry in Cuddapah District and the fees demanded.

I am,
Sir,
Your most obedient servant,
Walter J. Hooper
for Agent.

Enclosure one.

REGISTER
No. 97.
FILE
No.

P.W. Encl
678/90.

From
The Agent,
South Indian Railway,
Trichinopoly.

To
The Consulting Engineer for
Railways,
Madras.

E.P. [illegible]

Dated 20th Jany 1890
Received 22.1.90
RW45 No. 97
Enclosure. 1

Forwarding copy of a letter No. 471 of 4.1.90 from Executive Engineer Mr. Sherman

2 Sub
C.I.
22.1.90

No. 344C/18-1-90.
" 465R - 21-7-82

PW. C No. 678

Form No. 3.

From
THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. 56

Dated 22nd } January 1890.
Received 23

No. OF ENCLOSURES. 2

Subject.

Submitting, for the orders of Government, letter from the Agent, S. I. Ry., regarding quarry for N. G. S. Ry. use in the Cuddapah District & the fees demanded.

Referred to the Local and Municipal Departt. for favor of remarks in continuation of P. W. D. Endorsement No. 344 C, dated 18th January 1890.

C. J. Smith Col. R.E.
Jt. Secy: to Govt. P. W. D.
Ry: Branch.

L & M dept. have nothing to do with this matter. The seigniorage or royalty is levied under Forest or L.R. rules & the paper should go to the R.D. But there is no advantage in this circumlocution. The Ex. Eng. of the railway should go to the Collr. direct in regard to all complaints of the kind. There is no use in the papers passing thro' Ch. Eng., Agent, Con. Engin., Govt. PWD., Govt. R.D., Board, & Collr. The latter is the only officer who can dispose of the complaints. The others should be addressed only if he does not give satisfaction.

H.G.S.
27 Jan

H.w. 26-1-90 R. 27-1-90.

Public Works Departt.
Railway Branch.

Note.

I invite the consideration of the Honorable Member to G. O. No. 2676 Revenue dated 4th October 1881, embodied in Pros: of the Board of Revenue No. 2531, dated 28th October 1881 and G. O. No. 465 R, dated 21st July 1882.

It is in my opinion much safer to leave it open to the Chief Engineer or Agent to address the Collector.

The Engineer smarting under delays usually writes in a manner little calculated

The order of 1881 lays down that in matters of minor detail the railway officers are to address the district officers direct. Surely these quarry orders are minor matters.

W.S.

to smooth differences of opinion.

I have drafted the order as directing the Company's officers to address the Collector which leaves it open to the Chief Engineer to permit the district staff to apply direct if he chooses, and does not modify previous orders on the subject. C.S.S. 29.1.90

B. **Draft. S.O** No. 184 R. of 6th Feby/90.

The matter under reference should be referred by the company's Officers direct to the local Revenue authorities and Government be addressed only in the event of their decision not giving satisfaction. Attention is called to G.O. 4 Oct 81. No. 3676 Revenue

C.S. Smith Coll R.k.

Jt Secy: to Govt. P.W.D. Ry: Branch.

L.R.C. 1/2

Am. 30-1-90 R 1-2-90 2/31

B. No. 184 R of 6th Feby/90.

W.S.S. 31 Jan

C.S.S. 3.2.90

To The Con: Engr for Rys.

6/2

No ~~217~~

South Indian Railway,
AGENT'S OFFICE,
TRICHINOPOLY, 11th February 1890.

From
The AGENT,
SOUTH INDIAN RAILWAY,
To
The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

Will you please let me have an early reply to my letter No. 51 of the 13th ultimo, relative to the notification of the Government of India that the Vellupuram Guntakal line is to be classed as a State Railway in order that it may be exempted from the payment of tolls, taxes, &c.

I am
Sir
Your most obedient Servant,
William Betts
Agent

LB

REGISTER
No 207
FILE
No

P.W. [illegible]
1570/90

From
THE AGENT,
South Indian Railway,
Trichinopoly.

To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Have we not answered this

Dated 11th } Febry 1890.
Received } 12.2.90
Abs No. 217
ENCLOSURE.

C.S.S.

To D.C.E. for reply to above

Sir, The papers were referred to the Local Commissioner for opinion [illegible]

Send Ag. Govt. & ask for reply.
C.S.S.
13.2.90

FORM No. 1.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,
Madras, 13th February 1890.

Letter from the Agent, South Indian Railway, No: 217, dated 11th February 1890.

No. 113

SUBMITTED to Government, in continuation of this Office endorsement No: 30, dated 11th January 1890.

2. The Agent, South Indian Railway, asks for an early reply to his Letter No: 51 of 13th January 1890 on the question of exempting the Villupuram Guntakal line from payment of tolls, taxes &c.

Sidney Smith
Major R.E.
for Consg. Engr. for Rys.

P.W.C. No. 1510.

Form No. 3.

From
THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. 113.

Dated 13" } February 1890.
Received 14 }

No. OF ENCLOSURES. 1

Subject.

Submitting, letter from the Agent, South Indian Railway regarding the question of exempting the Villupuram Guntakal Railway, from the payment of tolls, taxes &c.

R

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper :—

From the Joint Secretary to Government, Public Works Department, Railway Branch, dated 18th January 1890, No. 344 C, regarding levy of tolls against the Villupuram Guntakal State Railway.

Order thereon dated 10th February 1890, No. 260. L. Mis.

The Notification of the Government of India referred to in G.O. dated 20th December 1889, No 1413. R does not affect the ruling in para 1 of G.O. dated 1st October 1889, No. 1291. M.

(True Extract)

A. Butterworth.

Ag. Asst. Secretary.

16. 2. 90

To

The Public Works Department (Railway Branch)
with papers returned

Govt. of (188) Madras.

To

Proceedings, dated 188 ,

No.

Subject.

P. W. C. No. 1511

Govt. of 1890 Madras.

Local and Municipal Department.

To

The P. W. Department

Railway Branch

Recd. 14-2-90

B. No. 267 R of 18th Feby/90.

Proceedings, dated 10th February 1890

No. 260/mis/

Subject.

Passing orders on papers regarding levy of tolls against the Villupuram Guntakal State Railway

14. 2.

B. No. 267 R of 18th Feby/90.

Iss 19 Feb

17. 2.

Communicated

to the Consulting Engineer for Railways with reference to his endorsements Nos. 30 and 113 dated 14th January and 13th February 1890; also to G. O. No. 1140 R, dated 22nd October 1889.

14. 2. 90

R

Do.

The Cons: Engr: for Rys: D 20/2

Cvi 15/2/90. – R 17-2-90