Public Works (1899) Department.

RAILWAY BRANCH. (P.)

Print urgent

G.O., No. 570-71 Ry

DATED 12th May 1899.

Includes
G.O. No. 258-59 Ry d/ 15-2-98
do 555 Ry d/ 8-4-98
do 1283-1284 Ry d/ 18-10-98
do 391 Ry d/ 7-4-99

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6
20
36

[Despatch Abstract.]

Parlakimedi Tramway

Passing an ~~absolute~~ order, authorising the Rajah of Parlakimedi to proceed with his enterprise of making ——— in the District of Ganjam, & directing its publication in the Fort St George & Ganjam Dt. Gazettes.

Forwarding copy of Pro: containing an ~~absolute~~ order, authorising the Rajah of Parlakimedi to proceed with his enterprise of making ——— in the Dt. of Ganjam.

P. W. 33.
200—30-3-99.

Indexed.

BACK PAPERS.

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

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RAILWAY.

Government {1899} of Madras.

PUBLIC WORKS.

Recd. } 1899. Enclosures

Regd. } Spare copies

G.O., Nos. 570, 571 Ry., 12th May 1899.

MAY.

Parlakimedi Tramway

Forwarding copy of Proceedings containing an ~~absolute~~ order, authorizing the Rajah of Parlakimedi to proceed with his enterprise of making — in the district of Ganjam.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following papers :—

From—The Agent to the Rajah, Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 19th October 1897, No. 678-Eng.

I have the honour to inform you that the Rajah of Parlakimedi intends to construct a line of light railway to connect the capital of his estate with the East Coast Railway.

2. The line will run from Parlakimedi town to the East Coast Railway somewhere near the Naupada station, the distance being about 25 miles.

3. The Rajah has had a survey and estimates prepared for a 30-inch gauge railway from Naupada salt factory to Parlakimedi, and continued up the valley of the Vamsadara river through his estate, and on thence for 4 or 5 miles to Gunupur in Jeypore.

4. I beg to request you will be so good as to get the necessary sanction of Government for the construction of the whole of this line, though the Rajah's intention at present is only to connect his capital town with railway as stated above.

5. I send by book post three copies of the Engineer's report on the survey of the feeder line to which I have referred for the information of Government.

6. The line, now in contemplation, the Rajah intends to construct entirely at his own expense, and as soon as possible.

From—The Collector, Ganjam.
To—The Agent to the Rajah, Parlakimedi.
Dated—Berhampur, 21st October 1897, T. C. No. 203-F.

I have the honour to acknowledge receipt of your letter No. 678/Eng. of 1897, dated 19th instant, with three enclosures.

2. I am forwarding a copy of your letter with one enclosure to the Board of Revenue with the request that Government sanction may be obtained for the construction of the railway proposed.

3 In the concluding paragraph of your letter, you state that the Rajah proposes to construct the line at his own expense, but you do not state (1) whether any guarantee from Government is proposed, (2) whether it is desired to construct the line on the "feeder line" system under which, as each section of your line is opened, profits will be granted per mile based on the total mileage or earnings of the East Coast Railway as a whole.

I understand however that you desire the line to be worked entirely as a private line at the sole cost and risk of the Rajah who will also take all benefits accruing therefrom.

4. I have forwarded a copy of your enclosure to the Manager, East Coast Railway, for his remarks in regard to points raised in paragraphs 4 to 7 of Mr. Sandford's report. It seems to me that Mr. Sandford assumes too much, and that the East Coast Railway authorities may be disinclined to alter their levels or incur expenditure for the benefit of the Parlakimedi Railway.

5. I cannot recommend the extension of the line from Naupada to Debhalapad near Pundi and Government has already declined to construct a line to the more important port of Gopalpur, while Pundi has only recently been finally closed as a port.

6. The question as to alignment after leaving Parlakimedi, and whether the line should be continued to Gunupur direct, or march off towards Salur, Bobbili and Parvatipur is a matter of opinion. The latter route would probably prove the more remunerative.

7. I request that I may be furnished with a statement showing the details of the lands, Government, zamindari or inam, which it will be necessary to acquire for the purpose of the railway, until it reaches Parlakimedi zamindari.

8. I request that I may be furnished with two more copies of Mr. Sandford's report for communication to the District Board, and Salt and Abkári Department, respectively.

From—The Agent to the Rajah of Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 19th November 1897, No. 709.

In reply to your letter No. 203 of 1897, dated the 21st ultimo, I have the honour to inform you that the Rajah of Parlakimedi intends to construct the line of light railway connecting the capital of his estate with the Naupada station, on the East Coast Railway, as a private undertaking, and solely at his own expense. He asks for no guarantee from Government, nor does he wish to construct it on the "feeder line" system.

2. It is proposed that the line be constructed under the Tramway Act XI of 1886. The railway will be 2 ft. 6 in. gauge worked by steam.

3. The line will in no circumstances be extended to Debalapad, whether it shall be extended to Naupada salt pans, or on to Battili, will be matter for future consideration.

4. It is hoped that the land required in the Tekkali taluk can be acquired by agreement with the zamindar; but should it be desirable to take it up under the Land Acquisition Act, I will bring the matter to your notice as soon as possible.

5. Three more copies of Mr. Sandford's report are sent to you under another cover. Thanking you, on behalf of the Rajah, for the interest you take in the matter.

From—The Collector of Ganjam.
To—The Secy. to the Comr. of R. S. and D. of the Dept. of L. R. and Agri., Madras.
Dated—Camp Chelligodo, 26th November 1897, R.C. No. 1739/Eng.

I have the honour to forward herewith copies of letters No. 678/Eng., dated 19th October 1897, and No. 709, dated 19th November 1897, from the Agent to the Rajah of Parlakimedi, requesting that the permission of Government may be obtained for the construction of a light railway, in connection with the East Coast system, from Naupada station to Parlakimedi, together with copy of my letter in reply to the first of the abovementioned communications.

2. The scheme has my thorough support and the proposed alignment cannot be improved upon. It will be a great thing for the large and fertile zamindari of Parlakimedi to be brought into direct communication with the East Coast Railway, by a line constructed and worked solely by private capital, without any expense to the State.

3. It is proposed that the line should be constructed to a 2 ft. 6 in. gauge and worked by steam, under the Indian Tramway Act XI of 1886. To this there is no objection to offer. The line will run for a considerable portion of its length along the Tekkali-Patapatnam road *viâ* Tembore, on a private road constructed and maintained by the Rajah of Parlakimedi.

4. With reference to section 20 I would state that, in my opinion, a second bridge should be constructed specially for the line in question, as it is undesirable that the line should be allowed at any portion of its length to run along a road, or over a bridge, maintained out of Local funds. It is too doubtful whether the present bridge would bear the weight of a heavily laden train.

5. With reference to the proposed connection with the East Coast Railway near Naupada, I have communicated with the Manager, East Coast Railway, and enclose copy of his reply. The junction must be effected at Naupada station and not at any other point.

6. The line will run for a considerable portion of its length through the Tekkali zamindari, and unless the Agent to the Rajah can arrange with the Tekkali zamindar and other proprietors for the private acquisition of the necessary land, it will be necessary to appoint a Special Deputy Collector for the purpose of acquiring the same for a period of at least three months. I have no doubt that the Rajah of Parlakimedi would be willing to contribute to Government the cost involved by the appointment of the officer and his establishment. It is with reference to this point that I have submitted the application through the Board.

7. The line will be of the greatest possible benefit to the people of the district and will materially benefit the Government salt trade at Naupada. The question of possible extension to Varanasi, Battili and into the Vizagapatam district may be deferred for the present, but if carried out the line would form a valuable link between the Naupada salt factory and the proposed Vizianagram-Raipur Railway.

8. I request that the sanction of Government to the proposed scheme may be obtained at a very early date, so that work may be commenced at the conclusion of the present harvest. I may note that though the prospects of the paddy crop are very good, prices are not likely to regain their ordinary low level in the course of the next year, being at present nearly 100 per cent. above normal. The price of ragi especially is likely to rule excessively high throughout the next year, so that the work will be extremely beneficial to the labouring classes of that portion of the district through which the proposed line will pass.

9. I enclose three copies of Mr. Sandford's report, one for submission to Government, one for Board's reference, and one for communication to the Separate Revenue Department, to which the proposed tramway may be of interest.

Proceedings of the Board of Revenue, Mis. No. 22, dated 5th January 1898.

Transferring above correspondence to the Secretary to Govt., Revenue Dept.

Endorsement No. 611, dated 7th February 1898.

Transferring above to Public Works Department, Railway.

Order—No. 258 Ry., dated 15th February 1898.

As required by section 4 of the Indian Tramway Act XI of 1886, the Government of India will be addressed.

From—The Joint Secy. to the Govt. of Madras, P.W. Dept., Railway Branch.
To—The Secretary to the Government of India, Public Works Department.
Dated—Madras, 15th February 1898, No. 259 Ry.

An application has been received from the Rajah of Parlakimedi to be allowed to make a 2′ 6″ gauge tramway, under the Tramways Act, for a distance of about 25 miles, from Naupada station of the East Coast Railway in a north-westerly direction, to Parlakimedi, the chief town in his estate. The Rajah desires to make the tramway as a private undertaking, solely at his own expense, and as soon as possible. He asks for no guarantee and requires no feeder line terms.

2. As required by clause 4 of the Indian Tramways Act XI of 1886, I am directed to enquire whether the Government of India have any objection to offer to this Government publishing a draft order under the Act, to allow of the making of the proposed line.

3. Should there be no objection on the part of the Government of India, the draft of the proposed order shall, in due course, be sent forward. But in the meantime, pending a reply to this letter, nothing would be gained by entering into further details.

4. I am to add that it is said to be the Rajah's intention, later on, to apply for permission to extend his tramway a further distance of 35 miles to the north-west beyond Parlakimedi, and also a distance of three or four miles from Naupada station eastward into the salt factory at that place. A connection also with the Vizianagram-Raipur line at Ombadola is spoken of as a thing of the future.

5. It is, however, considered best at this stage to deal separately with the first part of his project, viz., the 25 miles from Naupada station to Parlakimedi, and to express a hope that the Government of India will accord early sanction to the matter being dealt with by this Government under the Tramways Act. The Rajah is anxious that work should if possible be begun immediately.

From—The Secretary to the Government of India, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Calcutta, the 14th March 1898, No. 2 R.P.

I am directed to acknowledge the receipt of your letter, No. 259 R., dated 15th February 1898, reporting that an application has been received from the Rajah of Parlakimedi for permission to construct a 2′ 6″ gauge tramway, under the Tramways Act (XI of 1886), from Naupada station on the East Coast Railway to Parlakimedi, a distance of 25 miles, without any guarantee or help from Government, and that the Rajah is believed to contemplate a small extension hereafter from Naupada station eastwards to the salt factory at Naupada, and another from Parlakimedi to Ombadola on the proposed Vizianagram-Raipur Railway.

2. In reply I am to say that the Government of India see no objection to the construction of the proposed tramway on the 2′ 6″ gauge from Naupada station to Parlakimedi, and an extension hereafter to the salt factory at Naupada, on the understanding that a proviso is inserted, in the order authorising the tramway, that the owners of the tramway shall not have any claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is clearly understood that permission to make this line to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

3. I am to add that the Government of India have decided to adopt for its own commercial feeder lines the 2 foot gauge when any gauge smaller than the parent gauge appears desirable.

Order—No. 555 Ry., dated 8th April 1898.

The Board of Revenue will report for the information of Government whether the Rajah of Parlakimedi consents to the incorporation, in the order authorising the tramway, of a proviso to the effect that he shall have no claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is to be clearly understood that permission to make a tramway to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

2. The Board will also report the Rajah's decision with regard to the gauge of the proposed tramway. The 2 foot gauge has been definitely adopted by the Government of India for its own commercial feeder lines, and that gauge is recommended by this Government for adoption as it has elsewhere proved itself to be sufficient for any traffic likely to come upon it on the alignment under reference.

3. The Board should ascertain from the Collector of Ganjam whether the approval of the local authorities referred to as necessary in paragraph 4 (1) (*b*) of ✓ Act XI of 1886 has been obtained by the Rajah.

Proceedings of the Board of Revenue (L. Rev.), dated 6th Sept. 1898, Mis. No. 2428.

Read—endorsement of Government, Rev. Dept., R. No. 718, dated 21st April 1898.

Forwarding Government Order, Public Works Department, Railway Branch, No. 555 Ry. dated 8th April 1898.

Reference on the above, No. 486, dated 2nd May 1898.

Forwarded to the Collector of Ganjám for early report.

From—The Collector of Ganjam.
To—The Secretary to the Commissioners of Land Revenue, Madras.
Dated—Camp Berhampur, 29th July 1898, Tour C. No. 25/Eng.

I have the honour to reply to the Board's Reference No. 486, dated 2nd May 1898, on Proceedings of the Government of Madras, Public Works Department, Railway Branch, No. 555, dated 9th April 1898, inquiring whether, in the event of the Parlakimedi light railway being sanctioned, the Rajah would be willing to agree to certain conditions stated therein.

2. I enclose copies of two letters received from the Rajah of Parlakimedi on the subject, No. 383/Eng. of 1898, dated 15th, and No. 403/Eng. of 1898, dated 27th July.

3. The Rajah states that he is perforce bound to agree to the conditions imposed by Government; but at the same time expresses an opinion, in which I concur, that it is hard upon him, when he has taken up a project, not from motive of gain but in pursuance of a policy indicated by the Right Honourable the Secretary of State for India, he should be denied all compensation, should Government subsequently construct or allow to be constructed another railway through the same line of country. I think that this condition should be restricted to lines which it may be found necessary to construct departmentally by the State, and that a guarantee might be given that Government would not allow the construction of a line to compete directly with the Rajah's line by private individuals or companies from any point between the Chicacole road and Sompet Stations.

4. In regard to the gauge of the railway, the Rajah states that he regrets that he is unable to adopt the proposal of the Imperial Government to reduce the gauge of the line from 30″ to 24″, as, in the anticipation that Government would welcome his enterprise in the construction of this railway and readily yield an assent to the scheme, he has already arranged for the construction and purchase of rolling-stock adapted to the 30″ gauge.

5. In regard to the consent of the local authority, Mr. Sandford, the Engineer employed by the Rajah to survey the line, was distinctly informed that the sanction of the district and taluk boards would not be accorded to the alignment of the proposed light railway, on roads under their control; so provision has been made for constructing the line parallel to the road where it adjoins a Local Fund road.

For a considerable portion of its length the proposed line will run along a road constructed originally by the Parlakimedi estate, for some time managed by and recently abandoned by the taluk board. The public has acquired a right of way over this road, and the Rajah reports that this has been provided for.

6. I may note that in his zeal to complete the work, the Rajah has already commenced work in anticipation of sanction. I was somewhat astonished to find on visiting Tekkali the other day that work was proceeding under circumstances amounting to trespass on lands outside the Parlakimedi estate. The irregularity of his procedure has been pointed out to the Rajah, and he has been requested to suspend operations until formal sanction is received and the land finally acquired.

7. I trust that the scheme may be sanctioned at an early date, together with the extension to the Naupada salt factory in preference to any scheme that may be brought forward by other parties.

8. In regard to the extension towards the proposed Vizianagram-Raipur railway, I feel sure that any such extension of the line from Parlakimedi would not in any way tap or divert produce coming down to the coast by such route, while it would bring on to that line a considerable inland traffic in salt from the factory at Naupada.

ENCLOSURES.

From—The Rajah of Parlakimedi.
To—The Acting Collector of Ganjam.
Dated—Parlakimedi, 15th July 1898, No. 383/Eng. of 1898.

In continuation of my letter No. 356/Eng. of 1898, dated the 29th ultimo, I have the honour to state that, under existing circumstances, I have no alternative but to accept the sanction subject to the conditions offered by Government. In doing so I would, however, earnestly beg Government to reconsider their decision. The proviso requiring me to relinquish my line at any time without compensation should Government or any one to whom the concession may be granted desire to adopt the same route for a railway on one of the standard gauges, is a very hard one and it is altogether discouraging. For some years I have been urged by some Government officials to construct a railway connecting my town with the East Coast Railway, and Lord Cross, who was Secretary of State for India in 1889, in his minute on the Administration Report of my Estate, wrote to the Government of India strongly recommending the construction of this very line. I was myself anxious to have my town connected with the East Coast Railway by rail, and, directly I was in a position to do so, I devoted certain accumulated funds of the estate to this object. The amount of these funds did not permit me to construct a line on one of the standard gauges which in such a hilly country would have been very expensive, but I considered a railway on the narrow gauge would be sufficient for the wants of the people of my estate, and so I decided, for it believing that a cheap narrow gauge railway was better for us than no railway at all. Of course I should like to have a fair return for the capital expended, but the present proviso practically makes the railway of no commercial value and offers no inducement to me or to others to risk further capital in extending the line and so giving more of my people the benefits of easy communication with the outer world.

As my railway is in an out-of-the-way part of the country and not near any of the lines contemplated by Government to be constructed in the future I quite believe that Government will never take advantage of their proviso and close my line without giving me compensation, but I have no security that some company or syndicate may not hold other views and step in and oust me from my property and the more successful my line may be the greater will be the risk I run of this occurring.

I trust Government will be pleased to take what I have advanced into their favourable consideration and at least modify their terms. I am risking much in carrying out a very useful public work, and the case being so exceptional, I hope I shall not be considered unreasonable if I look to Government for exceptional treatment.

With reference to the concluding paragraph of the order from Government, No. 555 Ry., dated 8th April 1898, I beg to state that the line having been relaid out clear of the road between Tekkali and Naupada Railway station the consent of the Chicacole Taluk Board to its construction in that direction is not necessary.

From—The Rajah of Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 27th July 1898, No. 403/Eng. of 1898.

In reply to your letter R.G.B. No. 245/Eng. of 1898, dated the 18th instant, I have the honour to state that I regret very much my inability to act upon the suggestion of Government and make the gauge of my small railway twenty-four instead of thirty inches. At the time when the railway was first proposed six years ago, thirty inches was accepted as the most suitable gauge for such a line, and so it has been adhered to when I was able to decide to carry out the scheme. As it was my desire to have the railway ready for opening early by next year by His Excellency the Governor of Madras, if at all possible, we, under advice from our Agent in London, ordered the locomotives early and they are of the broader gauge so that no change is possible now.

2. The railway has been laid out to follow the road more or less closely between Tekkali and the borders of my estate, a distance of about three miles, but the road has been broadened where necessary so as to allow a free passage to traffic.

Resolution.—Mis. No. 2428, dated 6th September 1898.

In G.O., No. 555 Ry., dated 8th April 1898, the Board was requested to ascertain and report—

(1) Whether the Rajah of Parlakimedi would consent to the insertion in the order sanctioning the construction of the proposed tramway from Naupada station on the East Coast Railway to Parlakimedi of a proviso to the effect (*a*) that he should have no claim to compensation if at any future time the Imperial Government should deem it necessary to make or allow to be made a railway to supersede the tramway, and (*b*) that it is to be clearly understood that permission to construct the present line does not imply any right to future permission being claimed for any extension beyond Parlakimedi to a point on the proposed Vizianagram-Raipur Railway.

(2) Whether the Rajah would adopt for the proposed tramway the 2-foot gauge which the Government of India has decided to use for its own commercial feeder lines.

(3) Whether the approval of the local authorities required under section 4 (1) (*b*) of Act XI of 1886 has been obtained by the Rajah.

2. The Collector of Ganjám, to whom a reference was made, now submits his report together with two letters addressed to him by the Rajah on the 15th and 27th July last. The Rajah, while stating that he has no alternative but to accept the conditions offered by Government, nevertheless urges that it would be hard measure to require him to relinquish his line without compensation in the event of Government undertaking or permitting the construction of another line through the same country. He points out that the project was undertaken by him in accordance with the advice tendered to him, as well as to the Court of Wards which was then in charge of the estate, by the Right Honourable the Secretary of State in his despatch No. 106, Revenue, dated 7th November 1889. He is anxious lest the condition imposed by Government should be used to his disadvantage, not by the State itself, but by some Syndicate or Company claiming as a *concessionaire* through the State. The Collector, Mr. Taylor, considers that the condition referred to by the Rajah may be allowed to hold good with reference to any railway line which the State may find it necessary to construct by departmental agency, but recommends that it should be waived in other cases. Mr. Taylor would, in fact, go to the length of giving the Raja a guarantee that Government will not permit the construction by any private body of a line directly competing with that of the Rajah and starting from any point between the Chicacole road and Sompet Railway stations. The Board's own view is that it would be ungenerous and impolitic to place any unnecessary obstacles in the way of the first private enterprise of the kind in this Presidency, and, though not prepared to support the Collector's recommendation, it does consider that the Rajah should receive reasonable compensation if any railway which would practically supersede the tramway be built by the State or by a private company under the concession granted by Government. The expenditure which the Rajah contemplates on the present line cannot be less than 10 lakhs and may be considerably more. It could hardly have been the intention of the Government of India that an expenditure of this magnitude, incurred under the auspices of the Secretary of State, should be liable to utter confiscation for the benefit of a Government or private line which might be subsequently constructed.

Court's Proceedings, No. 1429, dated 13th June 1890.

3. Secondly with regard to the width of the proposed tramway, the Rajah expresses his inability to adopt the 2-ft. gauge, as he has already in anticipation of sanction arranged for the construction and purchase of rolling-stock suited to the 30 inch gauge.

4. Thirdly, Government enquires whether the consent of the local authority required under paragraph 4 (1) (*b*) of Act XI of 1886 has been obtained by the Rajah. The Rajah merely states that the line having been relaid clear of the local fund roads, the consent of the Chicacole Taluk Board is not necessary. The Collector reports that the Engineer employed by the Rajah to survey the line was distinctly told that "the sanction of the District and Taluk Boards would not be given to the alignment of the proposed light railway on roads under their control, so provision has been made for constructing the line parallel to the road where it adjoins a local fund road". The Collector is apparently of opinion that the formal consent of the local authority required by section 4 (1) (*b*) is in the present case unnecessary, as the line does not run along any local fund road. The Board observes, however, that the Act requires the consent of the local authority in every case contemplated in section 4 (1) (*b*) and not merely in cases where it is proposed to lay a tramway over roads belonging to the local authority. The Collector will accordingly be requested to cause meetings of the local boards concerned to be convened in order that their consent to the construction of the tramway may be formally signified, whether such consent be necessary in their capacity as "local authority" or as "road authority". The Board observes that no formal method of signifying such consent has been prescribed under sections 4 (2) and 24 of Act XI of 1886: it will be necessary for the Collector to see that the consent and any conditions attached thereto are explicitly and lucidly set out.

5. Pending receipt of the Collector's reply, the Board does not consider it necessary to delay the transmission of the Rajah's application to Government.

From—The Joint Secretary to the Govt. of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, Public Works Department.
Dated—18th October 1898, No. 1284 Ry.

In your letter No. 2 R.P., dated the 14th March 1898, you expressed the willingness of the Government of India to consent to the issue by this Government of an order under the Tramways Act for the construction by the Rajah of Parlakimedi of a steam tramway from Naupada station on the East Coast Railway to Parlakimedi town. The proviso, however, was attached that no claim for compensation must hereafter be raised by the Rajah if at any time Government should consider it necessary to make or to allow to be made a railway to supersede the tramway, and that he must clearly understand that "permission to make this line to Parlákimedi does not imply any rights towards permission hereafter being claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway." Your letter also contains a suggestion that the gauge should be 2 feet instead of 2′ 6″.

2. The accompanying copy of this Government's Proceedings, No. 1283 Ry., dated the 18th October 1898, shows that as regards gauge the Rajah has already, by the purchase of rolling-stock, committed himself to the 2′ 6″ gauge. As, so far as it is possible to foresee, there is no question here of future connection with 2 ft. gauge railway in the neighbourhood, the Rajah's choice of the larger gauge does not appear to this Government to be a matter of much moment. As regards the proviso, however, which perhaps the Government of India looked on as merely a nominal one, the Rajah is much concerned at being obliged to subscribe to it. He can scarcely be expected to quite realize how very remote is the contingency of its being given effect to. He, however, realizes clearly enough that the insertion of such a proviso in the published order for the construction of the tramway will practically have the effect of reducing to the value of old material the commercial value of his ten lakh tramway.

3. It seems advisable that the intention of the word "supersession" should be more clearly defined, and a study of the physical features of the locality make it evident that there can be no supersession unless practically the very alignment intended to be occupied by the tramway is selected for the competing railway of the future. For on the north the projecting spur of the Eastern Ghâts which terminates in the Mohendragiri peak opposite the port of Baruva make the intrusion, from that side, of anything that could be characterized as a superseding line a most remote contingency; while on the south the physical features between Calingapatam and Naupada are such that no railway is conceivable between the Rajah's line and a railway running from Palkonda through the Vamsadhara valley to the port of Calingapatam. The only possible superseding railway, therefore, would be one which would practically occupy the same ground as that in prior possession of the Rajah's tramway.

4. Remote as is the contingency of this alignment being occupied by a superseding railway, it would, in the opinion of this Government, be only fair to the Rajah to specify that in the event of such a line being made, or allowed to be made, by

Government, his tramway should be acquired under the purchase clause of the Tramways Act. Such a provision seems to His Excellency the Governor in Council to be only reasonable, and the chances of its operating adversely to Government interests would appear to be extremely remote.

Proceedings of the Board of Rev. (L. Rev.), Mis. No. 3002, dated 22nd October 1898.

Read—again Board's Proceedings, No. 2428, dated 6th September 1898.

From—The Acting Collector of Ganjam.
To—The Secretary to the Commissioners of Land Revenue.
Dated—Camp, Hingili, 5th October 1898, R.G.B, No. 245/Eng.

With reference to paragraph 4 of Board's Proceedings, Mis. No. 2428, dated 6th September 1898, I have the honour to forward herewith copies of the resolutions of the District Board, Ganjam, Taluk Board, Chicacole, and Municipal Council, Parlakimedi, being the local road authorities in respect of the areas through which and roads over which portion of the Parlakimedi tramway may be expected to pass according to the present alignment, sanctioning its construction subject to the several conditions therein imposed.

2. For the elucidation of the condition imposed by the Taluk Board, Chicacole, I have the honour to state that the conditions proposed by me in my reference were practically the same as those adopted by the District Board, Ganjam, viz., that the tramway should not run along any road in charge of the local board, except at recognized crossings, at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, that no damage should be done to the avenues either by cutting the roots or damaging the trees by smoke.

Copy of my endorsement of reference to the President, Taluk Board, is enclosed for information.

3. In regard to the Parlakimedi Municipality, I understand that, for the present, it is not proposed to carry the tramway within municipal limits, the proposed terminus being half mile away from the town.

I mention this as I doubt whether the general reservation of right to itself made by the municipal council in paragraph 3 of its resolution can be legally enforced.

4. In regard to the rest of the country through which, and roads over which, the tramway is aligned, there is some difficulty in deciding who is road authority. Both the District Board and Taluk Board, Chicacole, are no doubt the local authorities.

The road from Naupada to Tekkali, and again from where the Tekkali-Tembur road joins the Calingapatam-Parlakimedi road is under the control of the Taluk Board, Chicacole. In these portions the Taluk Board, Chicacole, is clearly the road authority.

5. The road from Tekkali *viâ* Tembur and on to the point where it joins the Calingapatam-Parlakimedi road near Patapatnam is different. This consists really of two roads. The first portion is part of the road from Tekkali to Hiramandalam. This, so far as I have been able to gather, was originally constructed by the Public Works Department, land being finally acquired for the purpose in or about the years 1866 to 1870.

Its maintenance after completion was then handed over to the district board, but the road was subsequently abandoned. It would appear however still to vest in the district board. The second portion of the Tekkali-Patapatnam road was constructed by the Parlakimedi estate from estate funds and always maintained by the estate. Though used by the public which has acquired a right of way over it by easement, it is to all intents and purposes a private road, and the Raja himself would appear to be the road authority in respect of the same. I understand that it is only on portion of this road that the tramway is actually intended to run.

6. As there may be some doubt as to who is the road authority in the case of the portion of the Tekkali-Hiramandalam road which was originally constructed by Government, handed over to the local board and abandoned by the latter, I think it desirable, in order to clear up any legal doubt, that the sanction of Government in the Public Works Department as road authority should also be accorded.

Endorsement by the Collector of Ganjam.

On Board's Proceedings, Mis. No. 2428, dated 6th September 1898.

Paragraph 4 of the Board's Proceedings communicated to the President, Taluk Board, Chicacole, with the request that he will, at the next meeting, obtain the formal sanction of the taluk board to the construction of the tramway subject to such conditions as it may impose.

2. The consent sought for is required by the board both in its capacity as local authority and road authority under section 4, (*i.b.*) of Act XI of 1886.

The chief precautions which seem desirable are that the tramway should not run along any road in charge of the local board except at recognised crossings at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, and that no damage should be done to avenues either by cutting the roots or damaging the trees by smoke.

3. Copies of paragraph of this office letter, R.C. No. 1739/Eng., dated 26th November 1897, paragraph 5 of this office letter Tour C. No. 25/Eng., dated 29th July 1898 to Board of Revenue, and of letter, G.B. No. 245/Eng., dated 20th August 1898, to the Rajah of Parlakimedi are herewith sent.

ENCLOSURES.

EXTRACT from the Proceedings of the District Board, Ganjám, at its meeting held on Saturday the 24th September 1898, at 2 P.M., in the Senior Assistant Collector's office at Berhampur.

* * * * *

21. Read endorsement of the Collector of Ganjam, G.B. No. 245/Eng., dated 14th September 1898, communicating paragraph 4 of the Board's Proceedings, Mis. No. 2428, dated 6th September 1898, and requesting to obtain the formal sanction of the district board to the construction of the tramway by the Raja of Parlakimedi, subject to such conditions as it may impose.

Resolution.—Sanction to the construction of tramway is accorded subject to the following conditions:—

(1) That the tramway shall not pass along or cross any road under the control of the district board or local authority or over any road for which the district board is the road authority except at recognised crossings.

(2) That the tramway shall be so aligned as not to interfere with the slopes, drainage or embankments of the road or so as to damage the avenues along the roadside.

(3) That proper provision shall be made for level crossings at reasonable intervals for the benefit of the ryots.

* * * * *

EXTRACT from the Proceedings of the Municipal Council, Parlakimedi, at a special meeting held on Wednesday, the 28th September 1898.

* * * * *

II. Read Proceedings of the Board of Revenue and the footnote thereto in regard to the Parlakimedi Estate Light Railway.

Resolution.—Sanction is accorded subject to the following conditions:—

(1) That where the line runs parallel or adjacent to the municipal roads, the side drains and avenues should not be interfered with.

(2) That where it crosses the municipal roads, proper care should be taken so as not to cause any obstruction to the public traffic.

(3) The municipal council, however, reserves to itself the option of imposing such other conditions as it may deem expedient from time to time.

* * * *

Extract from the Proceedings of Taluk Board of Chicacole passed at its meeting held on Saturday, dated the 24th September 1898.

* * * * *

II. Read footnote R.G.B. No. 245/Eng., dated 14th September 1898, from the Collector of Ganjam, to paragraph 4 of the Proceedings of the Board of Revenue (Land Revenue), Mis. No. 2428, dated 6th September 1898, requesting to obtain the formal sanction of the taluk board to the construction of the tramway by the Rajah of Parlakimedi subject to such conditions as the Board may impose.

Resolution.—Sanctioned, subject to the provisions suggested by the Collector.

Resolution—Mis. No. 3002, dated 22nd October 1898.

In paragraph 4 of its Proceedings, No. 2428, dated 6th September 1898, the Board pointed out to the Collector of Ganjam, that section 4 (1) (*b*) of the Tramways Act (XI of 1886) required the consent of the local authority to the construction of the proposed tramway by the Rajah of Parlakimedi even though the line was not intended to traverse any Local Fund road, and the Collector was requested to cause meetings of the Local Boards concerned to be convened in order that their consent might be formally signified, whether such consent was necessary in their capacity as "Local authorities" or as "Road authorities."

2. With the letter read above, the Collector submits three resolutions—one passed by the Ganjam District Board, the second by the Chicacole Taluk Board and the third by the Parlakimedi Municipality. The district board and the taluk board have signified their consent to the construction of the line subject in both cases practically to the same conditions, namely,—

(1) That the tramway shall not pass along or cross any road in charge of the district board or the taluk board, except at recognized crossings;
(2) That the tramway shall not interfere with the slopes, drainage or embankments of the road or damage the avenues along the roadside; and
(3) That proper provision shall be made for level-crossings at reasonable intervals.

The Municipal Council of Parlakimedi has also assented to the construction of the line within the municipal limits, subject to the conditions that side drains and avenues shall not be interfered with where the line runs parallel to municipal roads and that obstruction to public traffic shall be avoided where the line crosses such roads. But the council has, at the same time, reserved to itself the option of imposing such other conditions as it may deem expedient from time to time. The Collector doubts whether this reservation of power can legally be made by the municipality. The board shares his doubts but the question does not arise at present as it is not at present proposed to carry the tramway within municipal limits.

3. Next, as regards the question whether the local authorities and the road authorities are identical throughout the length of the proposed tramway, the Collector states that the first portion of the road from Tekkali to Patapatnam, *viâ* Tambur, was constructed by the Public Works Department and handed over to the district board by which it has since been abandoned. The Collector adds that as there may be some doubt as to who is to be deemed the "road authority" in respect of this portion of the road, it is desirable that the formal sanction of the Government in the Public Works Department should also be accorded. As regards the second portion of the Tekkali-Patapatnam road, the Collector states that it was constructed and maintained out of the funds of the Parlakimedi estate and that, though the public have acquired a right of way over it by easement, it is to all intents and purposes a private road, the Rajah himself being the "road authority" in respect of it.

Endorsement from—The Secretary to Government, Revenue Department.
To—The Joint Secretary, Public Works Department, Railway Branch.
Dated—19th November 1898, Mis. No. 4515.

Transferred to the Public Works Department, in continuation of endorsement, No. 1386 R., dated 17th September 1898.

From—The Joint Secretary to Government, Public Works Dept., Ry. Branch.
To—The Secretary to Government, Public Works Department, Roads Branch.
Dated—29th November 1898.

Transferred unofficially with reference to the final paragraph of the Collector's letter, with a request that the Railway Branch may be informed whether the doubtful piece of road referred to is under the Public Works Department; and, if so, to request that authority to lay the tramway on it may be communicated.

From—The Secretary to Government, Public Works Department.
To—The Superintending Engineer, I Circle.
Dated—1st December 1898, No. 5392 C.

Referred to the Superintending Engineer, I Circle, for early report whether the portion of the road referred to is in charge of the Public Works Department.

From—The Secretary to Government, Public Works Department.
To—The Joint Secretary to Government, Public Works Dept., Ry. Branch.
Dated—21st December 1898, No. 5765 C.

File forwarded in continuation of Endorsement No. 5735 C., dated 17th December 1898, on telegram from the Superintending Engineer, I Circle, stating that the road in question was handed over to the Local Fund Board in 1893.

From—The Secretary to the Government of India, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Calcutta, 6th January 1899, No. 01 R.P.

I am directed to acknowledge the receipt of your letter No. 1284 Ry., dated 18th October 1898, relative to the construction by the Rajah of Parlakimedi of a steam tramway from Naupada to Parlakimedi.

2. In Government of India letter No. 2 R.P., dated 14th March 1898, the construction of the proposed line was approved and it was suggested that the gauge should be 2 feet instead of 2′ 6″. It was also stipulated that in the event of the tramway being hereafter superseded by a railway, the Rajah would not be compensated.

3. You state, however, that by the purchase of rolling stock the Rajah has already committed himself to the 2′ 6″ gauge; and that as he is much concerned at being obliged to subscribe to the stipulation referred to, it would, in the opinion of the Government of Madras, be only fair to him to specify in the draft order under the Tramways Act that in case a railway was hereafter made, or allowed to be made, by Government to supersede the tramway, the latter would be acquired under the purchase clause of that Act.

4. In reply I am to state that as rolling stock has been already purchased the Government of India agree to the proposal that the line should be built on the 2′ 6″ gauge. As regards the other objection raised I am to say that in place of the condition alluded to in paragraph 2 above it may be stipulated, in the draft order, that should the Government of India ever consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway *viâ* Parlakimedi on a broader gauge than the 2′ 6″, the Rajah will be allowed to convert his line to the gauge required and it will then be worked for him with the rolling stock provided by the East Coast State Railway or by whatever railway may be deemed advisable, on such terms and conditions as may be then decided.

5. If however the Rajah should decline to exercise the option thus offered, no claim will be entertained for compensation for any loss of traffic to the tramway.

From—The Consulting Engineer for Railways, Madras.
To—The Collector of Ganjam.
Dated—Madras, 12th January 1899, No. 149.

With reference to your letter to the Secretary to the Board of Revenue, No. 25, dated 29th July 1898, I have the honour to inform you, with a view to your communicating the information to the Rajah of Parlakimedi, that the Government of India have now consented to certain modifications, which will doubtless prove acceptable to the Rajah, of the conditions laid down in their letter No. 2 R.P., dated 14th March 1898. They have also accepted the 2′ 6″ gauge.

2. The new conditions are as follows, viz., that should the Government of India even consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway *viâ* Parlakimedi, on a broader gauge than 2′ 6″, the Rajah will be allowed to convert his line to the gauge required, and it will then be worked for him with the rolling stock provided by the East Coast Railway or by whatever railway may be deemed advisable, on such terms and conditions as may be then decided. If, however, the Rajah should decline to exercise the option thus offered, no claim will be entertained for compensation for any loss of traffic to the tramway.

3. On the receipt of the Rajah's acceptance of the modified terms there need be no further delay in the publication of a draft order in accordance with the provisions of the Tramways Act.

From—The Agent to the Rajah of Parlakimedi.
To—The Collector of Ganjam.
Daded—Parlakimedi, 22nd January 1899, No. 40-Eng.

With reference to your letter, R. C. No. 1701-Eng. of 1898, dated the 19th instant, communicating, to the Rajah, letter from the Consulting Engineer to Government, No. 149, dated the 12th instant, I have the honour to inform you the Rajah has now great pleasure in accepting the conditions regarding his line of light railway, as proposed by the Government of India.

The conditions now laid down the Rajah considers reasonable and fair, and he will be very glad if in the near future the amount of traffic over his little line of railway, or any other consideration, should lead the Government of India to propose to run a line of broad gauge railway, through his estate from Raipur, either down the valley of the Vamsadara to Kalingapatam, or to Naupada.

From—The Collector of Ganjam.
To—The Consulting Engineer for Railways, Madras.
Dated—Chatrapur, 29th January 1899, No. 20-R. Eng.

With reference to your letter No. 149, dated 12th instant, I have the honour to forward herewith a copy of letter, No. 40-Eng. of 1899, dated 22nd instant, from which it will be seen that the Rajah of Parlakimedi accepts the conditions mentioned in your letter.

Read also the following papers :—

Correspondence between Consulting Engineer, Government Solicitor, Collector of Ganjam, and Departments of Government, on the subject of objections and suggestions in regard to the draft of an order published in *Fort St. George Gazette* week by week, as prescribed by the Tramways Act.

From—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, P.W. Dept.
Dated—7th April 1899, No. 391 Ry.

With reference to correspondence ending with your letter, No. 01-R.P., dated the 6th January 1899, I am directed to forward a copy of the form at which the draft order for the Parlakimedi Tramway has now arrived. It may possibly receive some alterations, as the result of suggestions, between now and its being made absolute. But meanwhile it is forwarded to the Government of India for favour of any orders or suggestions which they may have to make.

2. It will be observed that no purchase clause has been inserted. The reason is that as the tramway is to be constructed by the Rajah as a private venture, and as the Purchase Clause of the Tramways Act quite sufficiently guards the right of the Local Authority to buy it at the expiration of the periods mentioned in the Act, should they see fit to do so, it seemed unnecessary in this case to embody in the order any special reference to those rights. There has in this case been no application from the Promoters that the period for purchase should be extended.

Telegram from—The Joint Secy. to the Govt. of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, P.W. Dept.
Dated—Ootacamund, 25th April 1899, No. 1 A.

No further modification proposed in draft Parlakimedi tramway order sent you with my 391 Ry., April seventh. If approved please signify by wire so that order may be made absolute.

Telegram from—The Secretary to the Govt. of India, P.W. Dept.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Simla, 28th April 1899, No. 49 R.P.

Your letter numbered and dated as follows : No. 391 Ry., 7th instant. Parlakimedi tramway order approved.

Order—No. 570 Ry., dated 12th May 1899.

Having, in accordance with the procedure laid down in section (6) of the Indian Tramways Act XI of 1886, duly considered all the objections and suggestions made with reference to the draft published from time to time in the *Fort St. George Gazette* of an order authorising the Rajah of Parlakimedi to make certain tramways in the district of Ganjam, His Excellency the Governor in Council is pleased, under the provision of section 4 of that Act, to now make an absolute order in the following form, authorising the promoter to proceed with his enterprise.

This order will be published in English and in Telugu in the Fort St. George and Ganjam District Gazettes. A copy of these proceedings will be forwarded to the Government of India.

ORDER UNDER THE INDIAN TRAMWAYS ACT.

Authorizing the Construction and Maintenance, and to Regulate the Working of Tramways in the District of Ganjam.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—

From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898, and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act. 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or

metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay, sand and gravel from Government lands within ten miles of the tramway, for the purpose of constructing the tramway or buildings connected therewith.

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or company the right of user by such person or persons, corporation or company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused, or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

[Here enter No. 571 Ry., dated 12th May 1899.]

(True Extract.)

Francis J. E. Spring,
Joint Secretary.

To the Consulting Engineer for Railways.
" Public Works Department.
" Revenue Department.
" Local and Municipal Department.
" Collector of Ganjam.
" Manager, East Coast Railway.

Endorsement—No. 571 Ry., dated 12th May 1899.

Forwarded to the Government of India

(By order.)

Francis J. E. Spring,
Joint Secretary.

Exd. T. K. Narayna Aiyangar.

No. 678/Encl 97

Enclo/to Rc No. 1739 ENG. 1897
Dated 26 11- 1897

From W. Taylor Esquire
agent to the Rajah
Parlakimedi

To H. D. Taylor Esquire I.C.S.
Collector of Ganjam

Dated Parlakimedi 19th October 1897.

Sir, I have the honour to inform you that the Rajah of Parlakimedi intends to construct a line of light railway to connect the Capital of his Estate with the East Coast Railway.

2. The line will run from Parlakimedi town to the East Coast Railway somewhere near the Naupada station, the distance being about 25 miles.

3. The Rajah has had a survey and estimates prepared for a 30 inch gauge railway from Nau da salt-factory to Parlakimedi, and continued up the Valley of the Vamsadara river through his estate, and on thence for 4 or 5 miles to Gunupur in Jeypore.

4. I beg to request you will be so good as to get the necessary sanction of Government for the construction of the whole of this line: though the Rajah's

intention at present is only to connect his capital town with the Railway, as stated above.

5. I send by book post three copies of the Engineer's report on the Survey of the feeder line to which I have referred for the information of Government.

6. The line, now in contemplation, the Rajah intends to construct entirely at his own expense, and as soon as possible.

I have the honour &c
(Sd.) W. Taylor
Agent to the Rajah
Parlakimedi

(True copy)

Ag. Collector
Ganjam

DJK
29/11/97

29/11/97

E1
Ry C No. 221/98

Enc. No. 1 — Reg. No. 9832 of 1897

1898
REVENUE DEPARTMENT
Enclosure No. 1
Current No. 523

Encl. 203/2 /97

Camp Berhampore
21st October 1897.

Enclo 2 Re No. 1739/ENG. 1897
Dated 26-11- 1897

From
H. D. Taylor Esquire I.C.S.
Ag. Collector Ganjam

2P

To
W. Taylor Esquire,
Agent to the Raja
Parlakimedi

Sir,
I have the honour to acknowledge receipt of your letter No. 678/Eng 97 dated 19 instant with three enclosures.

2. I am forwarding a copy of your letter with one enclosure to the Board of Revenue with the request that Government sanction may be obtained for the construction of the railway proposed.

3. In the concluding para of your letter, you state that the Raja proposes to construct the line at his own expense, but you do not state (1) whether any guarantee from Government is proposed, (2) whether it is desired to construct the line on the "feeder line" system under which, as each section of your line is opened, profits will be granted per mile based on the total mileage or earnings of the East Coast Railway as a whole.

I understand however that you desire the line to be worked entirely as a private line at the sole cost and risk of the Raja who will also take all benefits accruing therefrom.

4. I have forwarded a copy of your enclosure to the Manager East Coast Railway for his remarks in regard to points raised in paras 4 & 7 of Mr Sandford's report. It seems to me that Mr Sandford assumes too much, and that the East Coast Railway authorities may be disinclined to alter their levels or incur expenditure for the benefit of the Parlakimedi Railway.

5. I cannot recommend the extension of the line from Naupada to Dekhalapad near Pundi and Government has already declined to construct a line to the more important port of Gopalpore, while Pundi has only recently been finally closed as a port.

Shew Jenkins
29/11/87

B.P. 1122 m
6-3-96

Flag F

6. The question as to alignment after leaving Parlakimedi, and whether the line should be continued to Gunupur direct, or march off towards Salur, Bobbili & Parvatipur is a matter of opinion. The latter route would probably prove the more remunerative.

7. I request that I may be furnished with a statement shewing the details of the land, Government, Zemindary or inam which it will be necessary to acquire for the purpose of the railway, until it reaches Parlakimedi Zemindary.

8. I request that I may be furnished with two more copies of Mr Sandford's report for communication to the District Board, and Salt & Abkari Department respectively.

I have the honor &c

(Sd) H. D. Taylor
Ag. Collector
Ganjam

3 P

(True copy)

Ag. Collector
Ganjam

29/11/87

E2
Ry C No. 221/98

2 [illegible] General — Reg. No. 2832 1897

1898
REVENUE DEPARTMENT
Enclosure No. 2
Current No. 523

No. 8649

Enclo. 3 to Re No. 1739 ENG. 1897.
Dated 26-11- 1897.

From
The Manager
East Coast Railway

To
The Collector,
Ganjam.

Dated Waltair the 5th November 1897.

Sir,

In reply to your letter No. 202 dated 21st October, last forwarding a report prepared by Mr. Sandford for the construction of a light-railway from Naupada to Parlakimidi; I have the honour to state that I have seen Mr. Sandford and that it has been ascertained that Naupada station which has been built since Mr. Sandford's survey was made is well suited for the junction of the two gauges.

2. Mr. Sandford has promised to draw out in communication with the Engineer-in-chief of this Railway a plan shewing how a suitable junction could be effected; it is also understood that the salt department may wish to move all the Naupada salt up to platform at the station, and it is a question for consideration whether the passenger terminus might not end on the west side of Naupada or whether the existing

passenger accomodation on the east side should be utilised. I suggest that Mr Sandford might be asked to look into the question of what heights of platforms (if any) are suitable for both gauges for passenger and goods transfer works, so as to see how the existing accommodation at Naupada station can be utilised.

3. I may add that personally I am prepared to support a crossing on the level but any 2'-6" gauge works necessary at the junction must be worked into the existing levels at the station.

I have &c &c

(Sd.) M. Constable
Major R.E.
Offg: Manager

(True copy)

H. Braidwood
Acting Collector
Ganjam

22/11/97

28/11/97

23
Rye No. 221/98

Enc. No. 3 to L. General Reg. No. 9832 of 1897

1898
REVENUE DEPARTMENT
Enclosure No. 3
Current No. 573

No. 709.

Principles

Enc. to Re No. 1739 ENG. 1897
Dated 26-11-1897

4 P

From
H. Taylor Esquire,
Agent to the Rajah
of Parlakimedi

To
H. D. Taylor Esquire I.C.S.
Collector of Ganjam

Dated Parlakimedy 19th November 1897.

Sir,
In reply to your letter no: $\frac{203}{97}$ dated the 21st ultimo I have the honour to inform you that the Rajah of Parlakimed intends to construct the line of light railway connecting the Capital of his State with the Naupada Station, on the East Coast Railway, as a private undertaking and solely at his own expense. He asks for no guarantee from Government, nor does he wish to construct it on the "feeder line" system.

2. It is proposed that the line be constructed under the Tramway Act Act XI of 1886. The railway will be 2 feet 6 inches gauge worked by steam

3. The line will in no circumstances be extended to Debalapad, whether it shall be extended to Naupada Salt-pans, or on to Baltili, will be matter for future

consideration.

4. It is hoped that the land required in the Tekkali Taluk can be acquired by agreement with the zemindar, but should it be desirable to take it up under the land acquisition act, I will bring the matter to your notice as soon as possible.

5. Three more copies of Mr Sandford's report are sent to you under another cover.

Thanking you, on behalf of the Rajah, for the interest you take in the matter.

I have the honour to be

(Sd.) W. Taylor

Agent to the Rajah
of Parlakimedy

(True copy)

A W Braidwood

Ag. Collector
Ganjam

29/11/97

29/11/97

24
Ry C No. 221/98

4 — 2832 7

1898
[illegible] DEPARTMENT
[illegible] No. 4
[illegible] No. 543

Rev. No. 1739/Eng/97

Print in full

From

A. D. Taylor Esquire I.C.S.
Ag. Collector of Ganjam

To

The Secretary to the Commissioner
of Revenue Settlement and
Director of the Department of
Land Records & Agriculture
Madras.

5 P

Dated Camp Chelligodo 26th November 1897.

Sir,

I have the honour to forward herewith copies of letter No. 678/Eng/97 dated 19th October and 709 dated 19th November from the Agent to the Raja of Parlakimedi, requesting that the permission of Government may be obtained for the construction of a light railway, in connection with the East Coast System, from Naupada Station to Parlakimedi together with copy of my letter in reply to the first of the above mentioned communications.

2. The scheme has my thorough support and the proposed alignment cannot be improved upon. It will be a great thing for the large and fertile zemindary of Parlakimedi to be brought into direct communication with the East Coast Railway, by a line constructed and worked solely by private capital, without any expense to the State.

3. It is proposed that the line should be constructed to a 2 feet 6 inches gauge and worked

by steam, under the Steam Tramways Act XI of 1886. To this there is no objection to offer. The line will run for a considerable portion of its length along the Tekkali – Palapatnam road via Tembore, a private road constructed and maintained by the Raja of Parlakimedi.

4. With reference to sec: 20 I would state that in my opinion a second bridge should be constructed specially for the line in question, as it is undesirable that the line should be allowed at any portion of its length to run along a road, or over a bridge, maintained out of Local Funds. It is too doubtful whether the present bridge would bear the weight of a heavily laden train.

5. With reference to the proposed connection with the East Coast Railway near Naupada, I have communicated with the Manager East Coast Railway and enclose copy of his reply. The junction must be effected at Naupada station and not at any other point.

6. The line will run for a considerable portion of its length through the Tekkali Zemindary, and unless the Agent to the Raja can arrange with the Tekkali Zemindar and other proprietors for the private acquisition of the necessary land, it will be necessary to appoint a Special Deputy Collector for the purpose of acquiring the same for a period of at least 3 months. I have no doubt that the Raja of

Parlakimedi

Parlakimedi would be willing to contribute to Government the cost involved by the appointment of the officer and his establishment. It is with reference to this point that I have submitted the application through the Board.

7. The line will be of the greatest possible benefit both to the people of the District and will materially benefit the Government salt trade at Naupada. The question of possible extension to Varanasi, Battili and into the Vizagapatam District may be deferred for the present, but if carried out the line would form a valuable link between the Naupada salt factory and the proposed Vizianagram – Raipur Railway.

8. I request that the sanction of Government to the proposed scheme may be obtained at a very early date, so that work may be commenced at the conclusion of the present harvest. I may note that though the prospects of the paddy crop are very good, prices are not likely to regain their ordinary low level in the course of the next year, being at present nearly 100 per cent above normal. The price of raggy especially is likely to rule excessively high throughout the next year so that the work will be extremely beneficial to the labouring classes of that portion of the District through which the proposed line will pass.

9. I enclose 2 copies of Mr Sandford's report

report, one for submission to Government, one for Boards reference, and one for communication to the Separate Revenue Department, to which the proposed tramway may be of interest.

I have the honor to be
Sir
Your most obdt. Servt.

Ag. Collector
Ganjam

29/11/97

29/11/97

25
Ry C No. 221/98

1898
REVENUE DEPARTMENT
Enclosure No. 5
Current No. 543

Enc. No. 5 ... Reg. No. 9832 of 1897.

22 NOV 1897

Enclo. to Re No. 1739 ENG 1897
Dated 26-11-1897

7 DEC. 1897

PROPOSED

PARLA KIMEDI LIGHT (30 INCH GAUGE) RAILWAY PROJECT.

REPORT, MAP, SPECIFICATION AND ABSTRACT ESTIMATE.

Prepared by Mr. J. R. SANDFORD, C. E.

PROPOSED

PARLA KIMEDI LIGHT (30 INCH GAUGE) RAILWAY PROJECT.

REPORT.

The first idea for the location of this Railway was to start it from Naupada, and from there take it along the public road to the Gopalapuram Station of the East Coast Railway, whence it would be carried across country past Bodlapad and Kothapalli to Lachmipuram and so on to Timbur. This line, however, besides being through rather a rough country, most of it not belonging to the Parla Kimedi State, could not take advantage of any road, and further, it quite avoided the considerable town of Tekkali, so it was decided, after about 8 miles of the line had been surveyed and staked out, to adopt the Tekkali route, and the following remarks apply only to the new line :—

2. The new line starts from a point close to a boundary stone on the parade ground, just outside the compound of the Salt Inspector's house at Naupada, and, running parallel to the Salt Department road, crosses the main road at about 16½ chains,* and from there follows the road to Tekkali. It is proposed to put the Naupada Station at 8 chains, which is within a very short distance of platform No. 3 of the Salt Factory. Here it would be very convenient for every one likely to make use of the Railway, and though the parade ground would be considerably encroached upon, it is likely the Salt Department would have no serious objection to the arrangement. About this it would probably be as well to consult them at once, so that the question may be settled in plenty of time before the Railway work is begun.

3. Keeping to the right side, the Tekkali road is skirted up to 45 chains, where the line turns off to the right by a rather long curve and makes for the high ground near the village of Rallavalsa, which is close to the East Coast Railway. The ground all along here, from 24 chains to 88 chains, is very low, being evidently an old channel or back water which has become choked up, and it is still liable to flood in very heavy rain. To deal with a place of this sort it is necessary either to adopt a high bank with sufficient waterway to carry the heaviest flood or to keep the line very low and allow the floods to pass over it. The first of these plans is evidently quite out of the question with a small feeder line of this sort, so a very low bank is adopted, only just sufficient to keep the rails on fairly dry ground, for the place is naturally very swampy, and after some

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* The "chain" referred to in this report throughout is 100 feet long.

experience it is probable a little stone pitching here and there on the down stream side of the Railway with good broken stone ballast at those places may be found quite sufficient to make the line perfectly safe from serious injury, even though it may be occasionally topped by floods.

4. At about 98 chains the line takes a sharp bend to the left by a curve of only 537·7 feet radius (tangential angle 5 degrees) which brings it parallel with the East Coast Railway and 100 feet from its centre line. Here it is proposed to place the Rallavalsa Junction Station, 118·50 chains, which will connect the Parla Kimedi Railway with the East Coast Railway system.

5. There is no station here on the East Coast Railway, but there would probably be no difficulty in arranging for one with the Railway authorities. The site is a good one, but it would be necessary to slightly alter their formation level at this point to suit the requirements of the Parla Kimedi Railway, and this, no doubt, would be readily acceded to.

6. Sufficient "straight" has been allowed for the probable requirements of Rallavalsa Station, and at about 128 chains the line takes a bend to the right, and crosses the East Coast Railway on the level at a moderate angle. The point of crossing on the East Coast Railway is at their peg No. 415 where their formation is shown to be on the ground line, but to suit the levels of the Parla Kimedi Railway it would be necessary to have an embankment about 4½ feet high at this point, with a gradient of 1 in 750 up, through the proposed Rallavalsa Station, but this could easily be managed.

7. It would be as well to refer to the East Coast Railway authorities soon to know whether they would consent to the crossing of their line on the level, as if this were objected to, it would necessitate a considerable deviation from the present alignment of the Parla Kimedi Railway, with a long length of embankment and an over-bridge; but it is probable the proposed position of Rallavalsa Station need not be altered.

8. Rising from the crossing of the East Coast Railway, there is a short length of 1 in 200 which takes the line to the road again, and beyond that there is a gradient of 1 in 100 for 30 chains and with ordinary gradients and very light work, as the line keeps to the edge of the public road, the line approaches Tekkali. The final rise is 1 in 100 for 40 chains, and Tekkali Station is reached at 316 chains. As the road passes through the outskirts of the town, with many bends, the line crosses it at about 294 chains, and passing by the corner of the hospital compound, traverses a piece of high waste ground and joins the road again near 328 chains, and is continued along its edge on the right side. The position selected for Tekkali Station seems a good one; it is on land of small value, and it is particularly convenient as regards the business portion of the town.

9. There is a sharp rise from Tekkali Station, and at 340 chains, a small summit is reached from which there is a fall of 1 in 100 to 384 chains. Along this gradient work will be rather heavy with embankment about 10 feet high and cutting 6 feet deep, and though the line has been laid out along the edge of the road as before, it will be advisable to have the railway at such a distance from the road that it shall be quite clear of it. This change, however, will involve no serious extra expense except for compensation.

10. From 384 chains the line is an easy one and needs no remarks except to note that at the nallah at 480 chains, it enters the Parla Kimedi State. At this point, as the angle taken by the road is too sharp to allow of a curve keeping along it, a new bridge will be required by the railway; but it will be just alongside the road bridge, in fact, touching it.

11. At 534 chains it is proposed to have a "flag" station—Polavaram—where it is probable a small trade will develop in time, as the country is very well cultivated about this part with many populous villages around, and being at the outlet of a valley through which the main road runs, it is a centre of local traffic.

12. At 562 chains, the bund of the large Polavaram tank is crossed within a few yards of the road; hence there will be no interference with the tank, and it may be noted here that throughout the survey every endeavour has been made to avoid tanks, only in very rare cases are they touched and then in such a way that their storage capacity will not be seriously lessened. In some few instances the line has been carried through tanks; but that was quite unavoidable, and the tanks have been small ones, apparently of little value.

13. From 610 chains to 660 chains, there is a gradient of 1 in 100 with an embankment for a few chains at the beginning of a maximum height of 10 feet, and this is the heaviest incline on the whole line being 50 chains (or 5000 feet) of 1 in 100. Here again, that is from 644 chains to 690 chains, it will be advisable to locate the line, when construction is decided upon, at such a distance from the road that the road may not be disturbed, and the land all along here is waste.

14. The line continues from 690 chains to 740 chains with ordinary gradients and extremely light works, but at 740 chains, it leaves the road and with a curve to the right takes to the Timbur road, close to the village of Timbur, a little beyond the police station. This being a private road belonging to the State, it is intended that the line should take up the whole of the road, and from this point it has been laid out accordingly.

15. There is a gradient of 1 in 100 for 35 chains at this place and Timbur Station is fixed at 781·50 chains. It is not expected there will be much traffic at this station, but a "crossing" station, that is, a place where trains going in opposite directions may pass

one another, is necessary here, and it must consequently be a telegraph station. The station will be within a very short distance of the Timbur rest-house.

16. The line continues along the road to 920 chains, where, owing to the crookedness of the road and its bad condition it was thought better to take a more direct course and the road is again joined at 956 chains, where there is a bridge of three 17 feet arches. From here to 1040 chains gradients are easy and works light, but at this point again it is necessary to abandon the road, and run the line across the fields to the village of Peddalaogidi but the road is rejoined at about 1076 chains. It is proposed to have a flag station called Peddalaogidi at 1059 chains. Here the valley opens out and traffic may be attracted to the railway at this point.

17. Between chains 1080 and 1100 occurs a cutting nearly 15 feet deep in the deepest part, and with a gradient of 1 in 100 both ways. This is the one serious blemish of the line so far, as it is through a mere isolated hump and might be avoided by keeping the line to the lower ground south of the village; as, however, the deviation would have been considerable it was not deemed advisable to adopt it. The cutting, too, is not quite so formidable as it looks as there are large gravel pits on the line, not shown on the section, which would make an appreciable difference in the quantity of excavation, and the cutting, being almost entirely of good gravel, much of the spoil might be used for ballast.

18. No remarks are needed on the line for a considerable distance beyond 1120 chains except to point out the extreme crookedness of the road, which has necessiated frequent curves and "bends" in the proposed railway line. If the road is to be kept to, these are unavoidable, but at the time of construction it would be easy to eliminate many of the angles by deviating from the road a little here and there and this would much improve the railway line at very small, if any, extra cost. Near 1220 chains occurs the junction with the Saravakotta road, and the line keeps again to the edge of the road on the right side.

19. The only place suitable for a station for Pathapatnam is at 1244 chains on a gradient of 1 in 400. This is at least half a mile to the south of the village, and therefore, rather out of the way, but owing to the nature of the ground, it was unavoidable. As Pathapatnam is a very large village, with a considerable trade, a fair traffic may be expected, and a permanent station is proposed here.

20. From the northern end of the Pathapatnam station yard, 1254 chains, there is a down gradient of 1 in 100 for 48 chains, which ends close to the Parla Kimedi bridge. Along this line also curves and bends are far too numerous, and it would be advisable, when construction is contemplated, to realign this portion, though keeping it not very far from the road.

21. The Mahendra Thanay river, which waters the Parla Kimedi valley, is crossed at 1311 chains by a fine bridge of five 44 feet arches. It is proposed to lay the railway over this bridge, which is quite strong enough to carry the weight with safety, but it may be necessary to support the rails on longitudinal balks to prevent damage to the arches by vibration. The approach road to the south of the bridge must be diverted so as to follow the line of the railway and thus save an awkward crossing. The railway leaves the bridge by a short descent of 1 in 100 and follows the road, on the left side, to about 1328 chains where it turns off to the left and crosses the fields to about 1374 chains where it turns to the right by a curve of 1433 feet radius, tangential angle 2 degrees, which takes it to the south east corner of the Sithasagaram tank.

22. After leaving the Parla Kimedi bridge the same problem occurs as at the low ground between Naupada and Rallavalsa, which has already been referred to, para. 3; exceptionally high floods occur at long intervals which sweep down the valley and submerge the whole of it from one side to the other, but it is thought best to keep the railway only a little above the surface of the ground and to allow the floods to wash over it.

23. As the site selected for Parla Kimedi station is rather far to the west of the town it is proposed to have a flag station, which may be called Kimedi Police Lines station, at 1358 chains, which probably would be found a great convenience to people living at the east end of the town.

24. The line between the bridge and the Sithasagaram tank avoids all houses though passing close along this side of the outskirts of the town. Crossing the bund of the Sithasagaram tank the line, encroaching as little as possible on the tank, passes by a couple of curves to some high ground which has been selected as the proper site for the station. As the land here slopes considerably across the railway some expense will be incurred for excavation in levelling for extensions to the east of the station yard, but no better site was available, and these are matters which can well be left to the future. Parla Kimedi station is placed at 1428 chains (27 miles and 240 feet) from Naupada, and here, besides the usual sidings and arrangements for dealing with a considerable goods and passenger traffic, it is proposed to establish the railway workshops and the offices for the establishment required to carry on the working of the railway.

25. The Railway meets the road again at 1451 chains and keeps on the right side of it as before. From here to 1631·32 chains there is nothing which requires remark—gradients are fairly easy and works are extremely light.

26. The first alignment of the Railway, following the general idea of using the existing road as far as possible, was carried along the side of the road as before beyond this, but there was a rapid rise

to the high ground above the village of Mittooru (1665 to 1710 chains) which it was found would involve a continuous gradient of 1 in 100 for 95 chains, with a cutting through the high ground of considerable length and 20 feet deep. This alignment, too, gave no opportunity for a proper station site at Addabangi, and it was besides rather indirect. Under these circumstances a representation was made that a line at a lower level would be preferable, and sanction having been obtained, an alternative line was laid out, and as it has been found to answer all expectations, it has been finally adopted.

27. This new line leaves the old one at 1631·32 chains, near the village of Singapuram, and keeps to the right of the old line near the bottom of the valley. With four curves the line is carried through the small gorge which occurs at this part, gradients being easy and works light, and from 1724 chains, a straight run is made down the valley for 111 chains, where, close to the village of Istara a turn to the right is made through a wide spreading but shallow tank. This is an objectionable location, but it could not be helped without an extremely awkward deviation of the line, for a second tank, of equally large size, is situated to the north, and the village of Istara lies to the south of the tank ; as it is, the line crosses the tank above water level, so there will be no serious disturbance of existing water capactiy.

28. A flag station for Sitapuram is placed at 1798 chains. Sitapuram is a village of some importance, and, with the surrounding country, it may contribute a small quota of traffic to the railway. Beyond Sitapuram station, and in one or two other places on this straight a little rough ground is shown in the section, these are places where the line runs for a short distance close to water courses of no importance which can easily be diverted.

29. Addabangi station is fixed at 1976 chains, within a very short distance of the village. The village is however a small one, but as the meeting place of two important roads—Kimedi to Battili and Guma to Palaconda, besides having a number of large villages near, it may develop a fair traffic. Addabangi would be a crossing station with a Telegraph office.

30. There is little worth remarking upon between Addabangi and Varanasy station (2250 chains). Three large tanks occur which have been carefully avoided, and at one place, 2132 to 2153 chains, there is a cutting which runs to 12 feet deep at the deepest part. This is in gravel, and the spoil from it can be largely used as ballast.

31. Varanasy is an agricultural town of considerable importance, situated on the left bank of the Vamsadhara river. Its trade is small but no doubt the railway would tend to improve it, in any case it is a place which could not be denied a permanent station.

32. At 2291·42 chains the new line joins the old one, and it is as well to point out now that the adoption of the new line not only saves the heavy gradient of 1 in 100 for 95 chains with a heavy cutting, but nine curves and several "bends" are avoided, and there is as well a gain in length of 25·76 chains and all these advantages will be appreciable in working the line. The difference in length causes some confusion in the chainage on the section, but though the mileage is shown with the necessary correction, the old chainage is continued to the end.

33. After leaving Varanasy station the railway bends to the right and touches the road close to the Roman Catholic Chapel. It keeps along the road, again on the right side, for a few chains and then with a rather long curve, turns off to the right towards the hills, but the line is an extremely easy one till Kittangi is approached. Here there is some rough ground, the line being just at the foot of the hills, but works still continue light. This sort of country occurs frequently during the next few miles and could not be avoided, the space between the hills and the river Vamsadhara here is very narrow, only one or two hundred yards broad in places, and, as the comparatively flat ground near the river is liable to be flooded at any ordinary rise of the river there was no alternative but to keep to the higher though broken ground near the hills.

34. Kittangi station is at 2502 chains. It is a place of no importance in itself but on the opposite bank of the river is the large village of Liviri, with a shrine which is in great repute among the Ooriyas, and it comes in very well as a "crossing station."

35. The same sort of country continues onwards and needs no remarks. At 2689 chains the line crosses the Parubugundah nullah by a bridge of six 20 feet girder spans. This is the largest bridge on the railway to be constructed.

36. A station for Badigaum is arranged for at 2896 chains. Badigaum is a very small place, but a station about this point is necessary to serve the considerable town of Battili which is on the opposite bank of the river, and which, with proper encouragement, ought to give the railway much traffic. A temporary causeway across the soft sandy bed of the river Vamsadhara in the dry season would no doubt assist cart traffic greatly and there might be a ferry for passenger traffic during the rains.

37. Between 2950 and 3000 chains a particularly rough bit of country is traversed by the railway, but still the works are in no case heavy. At 2980·50 the boundary of the State is crossed and the line passes into Jeypur State. The main features of the country remain much the same but there is more jungle, and large swamps occur which have to be avoided.

38. In continuing the line of the Railway into the Jeypur country the choice seemed to be between keeping very close to the hills, so as to avoid the swamps, which are apparently only long reaches of the old river bed now deserted, or to take advantage of the bank

of the river being higher than the surrounding country, and put the line there—no middle course was possible. The country at the foot of the hills is very rough and as it is very jungly and uninhabited it was preferred to keep near the river, though at the risk, sometimes perhaps, of having the line submerged by a high flood. Little reliable information could be obtained as to high floods, but from the nature of the country, it is evident that when a heavy flood does occur it must spread almost up to the foot of the hills. To keep the railway above such floods would involve an enormous outlay, so, as in the cases of the two other similar places already referred to, the line has been kept very near the surface of the ground and any flood passing over it, would do no more damage than it would take three or four days to repair, and such a stoppage of trains on so small a line would not be a serious inconvenience particularly in the rains when traffic would be slack. High land is taken advantage of wherever possible, and there are only two places which need cause anxiety in case of serious floods. A few years' experience will decide where the line needs strengthening, by pitching and otherwise, and if the present location is found really troublesome or dangerous, it would be worth while to realign the last few miles along the high ground near the hills. A satisfactory site for Kapaguda (Gunipur) station to the east of the town, in the mango tope, has been selected. Kapaguda station is at 3211 chains (60 miles 17·24 chains) and the line ends 7 chains beyond that.

39. It may be of interest to note that of the total length of the railway, 60⅓ miles, there are 896 chains (about 17 miles) of the heaviest gradient, 1 in 100, and 532½ chains (about 10 miles) of level; the longest continuous lengths of 1 in 100 being 50 chains or 5000 feet in one place and 48 chains or 4800 feet in another. Wherever possible curves of 1910 feet radius (tangential angle 1½°) have been adopted, and the sharpest curve is of 573·7 feet radius (tangential angle 5°), 9 chains long, near Rallavalsa station. The "bends" frequently spoken of are very slight deviations from the straight of the line of the road, so slight that it was not worth while to treat them as curves. These places can be dealt with when the line is being constructed and many of them may then be eliminated by slight deviations from the present line.

40. Drawing No. 1 which accompanies these papers, gives a sketch of the general course of the Parla Kimedi Railway as laid out, specially with reference to the East Coast Railway which is also shown. Further extensions of the Parla Kimedi Railway as they suggest themselves, are indicated by red lines. The extension to Kasibugga, along the public road, is already spoken of, but the extension to the southword to Kalingapatam is now probably first put forward. The line would branch off at Parla Kimedi and run to Hiramandalam (13 miles), then to a point close to Nagaricuttacum (19 miles), then to Prusuntupur (27 miles), then to Ardevalsa station on the East Coast Railway (32 miles); from Ardevalsa to Chicacole (8 miles further) and finally to Kalingapatam (56 miles from Parla Kimedi). All these are places of considerable local importance and traffic is likely to be very satisfactory between Ardevalsa, Chicacole and Kalingapatam. A branch might also be made to Palaconda, and for a considerable distance beyond, up the Parvathipur valley. The only serious difficulty about the proposed extension to Kalingapatam is the crossing of the river Vamsadhara, but this could be postponed till the line was complete, a temporary line being run across the bed of the river in the dry season, and a ferry would do when the river was in flood. Another extension of the Parla Kimedi Railway which might some day be possible would be beyond Kapaguda, but this is too remote to need to be more than hinted at just now.

41. The railway shown in the map by a blue dotted line is the probable course of the railway which must soon be taken in hand to connect the East Coast Railway with the Central Provinces. The right bank of the Vamsadhara river seems undoubtedly the course this line should take as far down as Battili, and I am inclined to think that here it should turn off to the south-west, through a gap in the hills which exists there, and then make straight for Parvathipur, and so through Bobbili, and perhaps Salur to Vizianagaram. No doubt there is some rough ground to the south-west of Battili, but it is believed there would be no excessively heavy works required to get through it.

SPECIFICATION.

42. *Formation* 10 feet wide in all cuttings and embankments. Side slopes of embankments 1½ to 1, and the same has been allowed for cuttings, but it is expected that with these being mostly in gravel, a steeper slope will be possible, whereby there will be a saving. No borings were made, but it is expected that no cuttings will be in rock, in a few places boulders show on the surface, and it was not considered worth while to make any special allowance for them.

43. *Ballast* will be of gravel as far as Varanasy and beyond there of surface kunkur. Except between Naupada and Tekkali gravel is plentiful everywhere and in the valley of the Vamsadhara good kunkur is abundant.

44. *Waterways* it is proposed shall be all "openings" and standard drawings have been prepared for waterways of 2 feet, 4 feet, 6 feet, 10 feet, and 20 feet spans, for 15 feet the dimensions of the 20 feet opening will be adopted, the only difference being a reduction in the size of the girders, to suit the smaller span. All these culverts and bridges are of the simplest construction without copings or other ornamentation, and the class of masonry will be the same as that accepted on the East Coast Railway. The girders for 2 feet, 4 feet, and 6 feet openings will be of sâl timber, and those

of the larger spans of rolled steel of suitable dimensions. Foundations of all culverts and bridges are likely to be rather deep, but this has been provided for in the estimate.

45. *Road Bridges and Culverts.*—Most of these will require lengthening or broadening and patching up, but it is impossible to state exactly what is necessary. Each case must be treated as circumstances require, and an allowance of Rs. 500 per mile has been made for this work in the estimate, which it is expected will be ample. In some instances the arches with a little stopping and pointing with cement, will be quite capable of standing the weight and jar of passing trains, in others it may be advisable to remove the portion of the arch under the railway and build up the abutments and piers and pass the line across on timberings. Nearly all the road drains are very small, the generality of them being about 3 feet span. In laying out the railway care was taken, as far as possible, to put the centre line so far on the culverts that no lengthening at that end would be necessary and there would therefore be no risk of any irrigular settlement between the old work and the new. Any lengthening of the culverts will therefore, in nearly all cases, be done at the road end, and it will be necessary to decide what the clear breadth of the road should be under the altered circumstances. In some places it is even now extremely narrow, but it is suggested that the road should be 15 feet clear in breadth from the railway limit, making 25 feet the extreme formation breadth.

46. As the State road between Timbur and the junction with the Saravakotta road at Pathapatnam will be entirely taken up by the railway, no extension of the culverts on it will be necessary. It is suggested that when the railway works are in progress on the Timbur road, a good track at a low level should be made alongside the railway so as to serve for local traffic, which is considerable. This would be a great boon to the people and would cost very little.

47. *Station Buildings* are of two classes, larger and smaller. The former consist of two main rooms, 15 feet square, for booking office and waiting room, with an open shed between, 24 feet long, to be a "lower" class waiting place. Attached to the booking office is a small telegraph office and a lamp room, and corresponding rooms attached to the waiting room would serve as ladies' retiring room and lavatory. The main building would be roofed with tiles and the verandah which runs all round, would be roofed with galvanized iron on thin planking with a very low pitch. There will be no station platforms and the surface of the floor of the buildings would be one foot above rail level. Stations according to this design would be constructed at Rallavalsa and Parla Kimedi.

48. The smaller class of stations consist only of a room 12 feet square, with a varandah all round, part of which is enclosed to form a small record room and a lamp room. Stations of this design will be put up at Naupada, Tekkali, Timbur, Pathapatnam, Addabangi, Varanasy, Kittangi, Badigaum, Kapguda (Gunipur). Both classes of buildings will be as simple and cheap in construction as possible. Designs for them will be found in Drawing No. 3.

49. *Flag Stations* will be provided with only a small temporary shed of corrugated iron which can easily be removed in case of its being decided to close a station for want of traffic.

50. *Watering Stations* are provided for in the estimate at Rallavalsa, Timbur, Parla Kimedi, Varanasy and Kapguda. They will in all cases be of the most makeshift kind, small tanks on mounds or rough framing, supplied with water by means of a pikottah or a Persian wheel, worked by men, from a well or tank.

51. *Permanent-way.*—Rails to be of steel of the "Vignolles pattern," 30 lbs. to the yard. Joints to be fish plated in the usual manner, sleepers to be of steel, 30 lbs. each, of the "State Railway" pattern. Near Naupada, where there is a great deal of salt in the soil, it would be preferable to use sâl sleepers, but as these are cheaper than the steel ones there is no necessity to make any difference in the estimate. Rails would be 24 feet long, and there would be nine sleepers to the rail. The quantity of material per mile of permanent-way is taken to be 47 tons of rails, 26 tons of sleepers, and 4 tons of fastenings, and the cost £456, delivered at an Indian Coast port. This, at 15 pence per rupee exchange, gives Rs. 7,296 as the cost per mile in Indian Currency at the present day (1892). Prices of iron and steel, however, vary so much from time to time that this item cannot be taken as quite reliable.

52. *Rolling Stock—Locomotives.*—It is suggested from experience on the Morvi Railway, that five of these would be sufficient for the present project. A sketch of one of a new type for the Morvi Line is given in Drawing No. 5 to show how complete in every respect locomotives for small railways need to be, and that they are not mere toys. For the Parla Kimedi Railway it is proposed to have locomotives with 9-inch outside cylinders with large fire boxes to burn wood, which would be the only available fuel for some time to come. They would have 2 feet 6 inch wheels coupled, with a fixed wheel base of not more than 9 feet and a pair of trailing wheels on a bogie or traverse behind the fire box as well as a bogie or traverse in front.

53. *Special (First) Class Carriages.*—Three of these are provided for, one 30 feet long on "bogies," and two 18 feet long on four wheels, the former would have two saloons, separated by a sliding door, and in each saloon two cushioned seats 7 feet long. Each saloon would have a lavatory, and communicating through the lavatory, a small compartment for servants. Seats for 12 passengers. The smaller carriages would have similar accommodation with only one saloon, but in addition would have a small hinged table and two chairs. Seats for eight passengers. The general style of the smaller

carriage is shown in the sketch on Drawing No. 6. Construction would be plain and simple—straight sides, sheet iron panels, and windows of glass and fixed venetians. Under frames of steel as light as possible.

54. *Higher (Second) Class Carriages.*—Two four-wheel carriages, 18 feet long, of this class, are proposed. They have four longitudinal cane seated benches running along the sides and a small lavatory, with at the other end a small hinged table. Windows of glass and fixed venetians. A sketch of the carriage is given in Drawing No. 6. Under frames and construction generally the same as for special class carriage. Seats for 16 passengers.

55. *Lower (Third) Class Carriages.*—Seven "bogie" carriages, 30 feet long, and four small carriages, 18 feet long, are provided. Construction similar in every respect to the higher class, but less trouble will be taken about interior finish. In addition to the usual benches along the sides there will be a centre narrow bench. Windows of ordinary panel shutters, only rising a little above the lower edge of the sunshade so as to give light and air, with sufficient protection from sun and rain. Seating capacity of the bogie carriage about 60 passengers, and of the small carriage 30 passengers.

56. *Composite Carriages—Upper and Lower Classes and Post Office.*—These are of exactly similar construction to the ordinary bogie carriages, the two classes being separated by the post office, 5 feet long, in the middle. The upper class saloon has a lavatory and the lower class probably a small W. C. as shown in the drawing. Capacity—upper class 10 passengers, lower class 20 passengers. It is suggested that the lower class compartment of the composite carriages should be reserved for women and children. It will be noted from the sketches that in outward appearance all the carriages are alike. That there may be a decided distinction, it is proposed that the panels of the special (first) class shall be painted white, those of the upper (second) class French grey, and those of the lower (third) class light brown. All passenger carriages will have double roofs, the outer roof being of corrugated iron; and all rolling stock will have chilled cast iron disc wheels 22 inches in diameter on the tread.

57. *State and Inspection Carriages.*—Particulars of these are not necessary now, but judging from what has been done in the Morvi Railway workshop for H. H. the Thakore Sahib of Morvi, an extremely handsome and luxurious State saloon, 40 feet long on bogies, ought to be provided at the price entered in the estimate. The inspection carriage for the use of the Manager and other officials would be an ordinary special class carriage, 25 feet long on bogies, differently arranged inside but with similar fittings.

58. *Brake Vans* will be of ordinary construction as shown in the sketch, drawing No. 5, but will be 18 feet long.

59. *Horse Boxes.*—The sketch, drawing No. 5, shows a horse box for four large horses made for the private use of H. H. the Thakore Sahib of Morvi on his railway. Those to be made for the Parla Kimedi Railway will be similar in design but only 14 feet long for two horses.

60. *Covered Goods Vans.*—The sketch, drawing No. 5 gives a simple and light design for one of these with teak framing and sheet iron sides. It is proposed to have ten of these, five 30 feet long on bogies, and five, 18 feet long, on four wheels, but it would be preferable to adopt the usual State Railway pattern, constructed entirely of iron. It is proposed that with all goods wagons the load may be fixed so that the gross weight on each wheel may be up to 3½ tons. These vans would be of the "three flap" kind which would be suitable for carrying cattle, ponies, goats and sheep, or even passengers, if there was a great rush of traffic from any cause.

61. *Low Sided Wagons.*—Twenty-five each of these, 30 feet long on bogies, and 18 feet long on four wheels, are provided for in the estimate. No sketch of these is given, but they will be of ordinary simple construction, all of iron.

GENERAL REMARKS.

62. A very wise decision was come to, there is no doubt, when a narrow gauge was fixed upon for the railway which the Rajah of Parla Kimedi proposes to construct in his State. The standard gauge of 5 feet 6 inches would have been quite out of place in such a country and to carry so small a traffic and the metre gauge would almost equally have been a mistake, as it also requires a considerable traffic to make it pay and it could not have been laid along the road but must have been constructed entirely new. There is no probability of a "through" line being made where a railway is most wanted in the State, and therefore, with an isolated system such as this must be, the usual objections to a break of gauge do not apply; and, since a break of gauge is imperative, it was right to select the cheapest system which, at the same time gives ample accommodation. The great advantage of the 2 feet 6 inches gauge is that with stock of about the same capacity as that of the metre gauge, the cost of works and permanent-way materials is about half, and there are many other items affected to the same extent; thus, generally speaking, the cost of a metre gauge railway is about Rs. 50,000 per mile whereas a railway of 2 feet 6 inches gauge can be constructed for Rs. 20,000: it is hoped that the Parla Kimedi Railway will be completed for much less per mile. The advantage of having a railway which can be put along an ordinary public road and pass over its bridges and culverts is very great, and from this alone the estimate of the Parla Kimedi Railway shows a great saving.

63. One disadvantage may be urged against narrow gauge railways, that their train loads are small, but truck for truck they can carry as much as the metre gauge lines do, and, if their trains are short, they need not be longer; on the Morvi Railway, it is found that an average train load of goods of about 25 tons is sufficient to give a very fair profit. As it is, a train load of about 120 tons could easily be taken along any portion of the Parla Kimedi Railway and three or four such trains a day would be ample for all possible requirements. Then as to speed, Mixed trains, of goods and passengers, could be timed to run at 15 to 18 miles an hour and goods at, say, 12 miles, and a metre gauge railways can do very little better than that. I was a passenger on the Morvi Railway a few months ago, when the train was delayed nearly an hour at a station to allow another train to cross, and as it was necessary we should arrive at our destination at right time so as to catch the Mail train on another line, the driver, when he did get away, put on steam, and our speed rose to 30 miles an hour for a long distance. Even at that speed the train was as steady as possible, there was no oscillation or jolting in any of the carriages, and it was difficult to realize that such a speed could be attained on so narrow a gauge.

64. Another difficulty may be suggested in the possible risk to trains of accidents from passing carts where the line runs along the public road, but it is hoped that, with the establishment of the railway, road traffic will decrease to only the few carts working locally from village to village. Bullocks soon get accustomed to the passing trains, and even if they are timid, it must be remembered they "shy" off the road, and not towards the train, and once off the road on soft ground probably they would not run very far. For some years after opening, only day trains would be run on the Parla Kimedi Railway, and when it became necessary to start night trains, it would be easy to make special arrangements to secure safety at dangerous places. On the Morvi Railway, where both day and night trains are run, and for 20 miles it is along a busy public road, no accident of this kind has yet occurred.

65. There being no intention that the Parla Kimedi Railway shall compete with other lines for "through" traffic, but rely solely upon local requirements for its business, it is necessary to enquire what traffic it is likely to get. There are unfortunately no statistics available from which any reliable figures can be obtained, but the Sub-Magistrate of Tekkali very kindly made enquiries of the traders of that place as to the probable quantity of goods to be despatched from there and found the likely weight to be 3000 tons per annum; the goods being paddy, rice, horse gram, red gram, cholum, gingelly, castor seed, mustard seed, saffron and arrowroot. As this information is to be relied upon, we can take these figures as a guide and come to a close approximation of the trade of the other large places served by the railway. Mr. Thomson, the Salt Inspector at Naupada, also very kindly furnishd me with information about the expert of salt from his factory to Kimedi, Battili and the Jaipur country in that direction, and from this it appears that about 3000 tons of salt may be looked for from Naupada.

66. Roughly speaking then it may be accepted that the goods traffic of the principal stations of the Railway, and not taking into account that from the smaller ones, will be.—

	Tons.
Naupada (Salt.) ...	... 3,000
Rallavalsa ...	... 5,000
Tekkali ...	... 3,000
Parla Kimedi ...	... 5,000
Addabangi ...	... 1,000
Varanasy ...	... 2,000
Badigaum (Battili)	... 2,000
Kapguda ...	... 3,000
Total ...	24,000 Tons.

The 5000 tons put down against Rallavalsa represents all the "inwards" traffic to be expected from the East Coast Railway—twist, piece goods, kerosine and other oils, metals, copper and brass pots, paper, many kinds of grain, &c., and it may be expected there will be a considerable trade in dried fish between Naupada and Kimedi and Kapguda. From Kapguda there will be a large traffic in many kinds of goods, and considerable items would be timber and bamboos, tamarinds, hemp and many other sorts of jungle produce. Large quantities of firewood are now taken from Kimedi to to Tekkali, and it is probable building stone would be largely carried by railway. The goods traffic of the Morvi Railway, which is 94 miles long, was for 1890, those being latest returns available, 20,347 tons, about half of which was loose cotton, a bulky and not very paying load. On the Parla Kimedi Railway most of the traffic would be salt and grain which would allow the trucks to be loaded to their full capacity and therefore pay well.

67. It is difficult to make even a rough guess at the number of passengers likely to travel by the Parla Kimedi Railway; but the country is very populous, and with so many large towns on the line, there can be no doubt the passenger traffic will be very satisfactory. On the Morvi Railway in 1890, the average number of passengers per train varied from 100 to 120, and more than this number it is certain, could be relied upon here. Two trains would probably be run each way every day between Rallavalsa and Parla Kimedi from the beginning, and one train each way per day between Kimedi and Kapguda.

68. On the Morvi Railway only two classes—upper and lower—were adopted at first, but these, after a time, were found to be unsatisfactory, as a few people preferred to pay extra for superior accommoda-

tion. It is therefore proposed here to adopt the three classes "special," "upper" and "lower", but upper and lower class carriages would regularly be put on trains, special class carriages being kept at Rallavalsa and Kimedi to be attached only when specially asked for, and due notice being given by intending passengers.

69. Passenger rates, it is proposed, should be as follows :—

Special Class	...	1 anna per mile.
Upper ,,	...	6 pies ,,
Lower ,,	...	2 ,, ,,

The cheapest 3rd class fare in India is $1\frac{3}{4}$ pie per mile on the Tirhut and the North-Western Railways. On the Morvi line, 3 pies is charged, but there working expenses are high, owing to the cost of fuel (English coal from Bombay) and the general dearness of labour. Here fuel would be very cheap, and rates for labour are only about half those ruling in Kathiawar. It is therefore thought that so low a rate as 2 pies per mile for lower class passengers on this line would be sufficiently profitable, and it would certainly tend to induce great numbers to travel. The price of a "lower" class ticket from Naupada to Kapguda, a distance of 60 miles, would only be ten annas. The average cost of carrying a passenger a mile on the Morvi Railway in 1890 was from ·20 to ,25 of an anna.

70. It may be mentioned here that the sketches of rolling stock, which accompany this report, are based on the designs of the rolling stock of the Morvi Railway, with improvements suggested by Mr. Burke, the Locomotive Superintendent of that line.

71. In these proposals for the Parla Kimedi Railway it will be apparent that the object has been simply to provide a good reliable line furnished with a sufficient supply of strong rolling stock and no more ; the stations, though giving ample accommodation, are small and unpretending, and nothing is provided which is not absolutely necessary. No Station Master's quarters are given, or houses for any of the subordinates, as, work being only in the day time, it is expected the people will live in the nearest village, and it will only be when traffic increases that such an arrangement will be objectionable. From each year's profits, however, a portion should be set aside to provide extra accommodation for traffic, and to house the staff, and in this way in a few years the Railway will become fully equipped with all that is necessary and the expenditure will be hardly felt.

72. A very necessary portion of the scheme for the Railway, which must be provided from the first, is a small workshop for the erection and repair of rolling stock, and this is allowed for in the Estimate. The shed need only be one of a very temporary kind but strong and with a good roof. A list of the necessary machinery is appended, Appendix B, and it has been prepared with the kind assistance of Mr. Burke of the Morvi Railway. The first lot of wagons, and all the under-frames with bogies and wheels for the carriages, would be got out from England, but the bodies of the carriages would be made in the Railway workshop, and, ultimately, when everything was in proper order, and a good staff of workmen got together, it would be preferable to make all classes of stock in Kimedi. It would then only be necessary to get engines and wheels and a few special fittings from England, and the saving would be considerable. The workshop would thus become the best kind of a Technical School where every branch of joinery, iron working, casting, fitting, painting, and upholstery would be practically taught, and the advantage to the people of the State would be very great. H. H. the Thakore Sahib of Morvi takes the liveliest interest in matters of this kind and insists on none but his own subjects being employed on his railway, and the result is a first-rate body of workmen are being trained, who can put their hands to anything. The Morvi workshop was organized by Mr. Burke, the Locomotive Superintendent of the Railway, and is looked after by him, with the assistance only of a youth who has charge of the foundry. In this small workshop, however, they have made two locomotives complete, only the wheels and cylinders having been got from England, and they turn out very good work in every branch. When I was there last they were casting axle boxes and ornamental railings for a public garden, and in the pattern shop a pattern was in hand for a large cog wheel.

73. To carry on the working of the Parla Kimedi Railway, a staff of three officers would be required—a Manager and Engineer, a Locomotive Superintendent and an Auditor and Accountant. The last may be a Native or Parsee, and the others must be Europeans of good railway experience. It is impossible now to say what other people would be required ; but a small staff should be engaged in the beginning and increased as traffic improved and work became heavier. Superior establishment would be a heavy item on so small a line, but charges would no doubt be the same in proportion as those of the Morvi railway which were as follows, for 1890 :—

Maintenance of Way and Works.		15	per cent.	of gross receipts.
Locomotive charges	...	20	,,	,,
Carriages and Wagons	...	3	,,	,,
Traffic	...	13	,,	,,
General	...	13	,,	,,
Miscellaneous and Special	...	1	,,	,,
		65	,,	,,
Net earnings ...	...	35	,,	,,
Total	...	100		

and these nett earnings gave about 5 per cent. on the capital outlay. The railway had, however, only been opened about five years, and traffic was still increasing. The Morvi line, too, has been worked under serious disadvantages—the rails first got out were too light, being only 14 lbs., the engines also too small and the rolling stock small and flimsy in construction and not adapted to the requirements of the country. The light rails have now been replaced by 30 lb. ones, more powerful engines have been put on the line, and the rolling stock has all been reconstructed. All this meant heavy extra prime cost and trouble and expense in working. The Morvi Railway accounts for 1890 show that over 35,000 rupees was paid for coal alone in that year but on the Parla Kimedi Railway the cost of wood fuel to do the same work would have been no more than a third of that sum, whereby there would have been a saving of over 20,000 rupees under the head of Locomotive Charges. Maintenance of Way and Works too would show considerable saving owing to the much lower scale of wages there than in Kathiawar.

74. The quantity of materials to be got out from England is about 5300 tons which would probably come in one vessel. It is proposed to land the material at Poondi which is near the mouth of the backwater which extends from there to a considerable distance northwards. Mr. Thomson informs me that after a favourable monsoon the mouth of the backwater is well scoured out and there is a channel with plenty of water for boats of considerable size. Here, therefore, there is likely to be still water which would enable us to land engines and heavy packages without difficulty, and it is proposed to lay a temperary line across the sand from Poondi to Naupada, and, having put together an engine and a few trucks on the beach, a material train would be run to carry the material in land, and, with proper arrangement, the line could be laid at the rate of a mile a day.

75. It is a question whether it would not be worth while to arrange for a permanent extension of the railway from Naupada to Dabalapad which is a recognized stopping place for steamers, though they rarely call there. It must be remembered that though the opening of the East Coast Railway will certainly interfere very much with the steamer coasting trade between Calcutta and Madras, it will not affect in the least the trade with Rangoon and it is therefore probable, that with a railway to Dabalapad, trade there, both in goods and passengers, would become important. Great numbers of coolies ship from all these coast ports to Rangoon for the Rice season and return when it is over. Dabalapad is close to Poondi.

76. The Abstract Estimate which is appended shows the probable cost of the Parla Kimedi Railway complete with rolling stock and all essentials, to be Rs. 12,23,518 and the length being 60½ miles, this gives the average cost per mile of main line Rs. 20,223. The work would take about 18 months to complete, provided it can be steadily pushed on to the end.

77. Attached to this report are the following papers:—

Abstract Estimate of the probable cost of the Railway.

List of Stations with their mileages.

List of Machinery required for the Railway Workshop, and the following tracings:—

Sketch Map of Railway, Plan and Longitudinal Section of Railway.

Designs for Stations, &c.

Designs for Culverts and Bridges, sketches of Locomotives and other Rolling stock.

Sketches of Passenger Coaches.

(Signed) J. R. SANDFORD,
Civil Engineer.

PARLA KIMEDI,
April 18th, 1892.

POSTSCRIPT.

Through the kindness of Mr. W. H. White, C. E., the Manager of the Morvi Railway, I am in a position to add some further particulars of the working of that line down to June 30th, 1896, which will be of interest in connection with the proposed Parla Kimedi Railway as showing the steady growth of business on the Morvi line and its increasing prosperity financially. In considering these figures, it must be borne in mind that Kathiawar is a thinly-populated barren country and the Morvi Railway depends mainly on traffic between the four large towns upon it—Wadhwan, Wankaner, Rajkot and Morvi. The Parla Kimedi Railway on the contrary, besides serving more large towns, with a shorter length, runs through a district that throughout is very thickly populated and is wonderfully fertile with a most complete system of irrigation which allows the land to be almost always under crops, and it also taps a country which has practically inexhaustible stores of forest produce, such as timber (much of it sàl), bamboos, barks, fibre, gums, wax &c.

Line open on June 30th, 1896 .. .. 94·36 Miles.

Capital expenditure up to June 30th, 1896. ... Rs. 23,76,171

Gross earnings for half-year ended June 30th, 1894	Rs. 1,83,159	
,, ,, ,, Dec. 31st, 1894.	,, 1,37,188	
,, ,, for the year 1894		Rs. 3,20,347
,, ,, for half-year ended June 30th, 1895	,, 2,07,498	
,, ,, ,, Dec. 31st, 1895..	,, 1,62,473	
,, ,, for the year 1895		,, 3,69,971
,, ,, for half-year ended June 30th, 1896	,, 2,14,580	

WEIGHT OF GOODS CARRIED.

For half-year ended June 30th, 1894... ...	15,075 tons.	
,, ,, Dec. 31st, 1894... ...	6,439 ,,	
For year 1894		21,514 tons.
For half-year ended June 30th, 1895... ...	17,814 ,,	
,, ,, Dec. 31st, 1895... ...	10,204 ,,	
For year 1895		28,018 ,,
For half-year ended June 30th 1894... ...	19,157 ,,	

NUMBER OF PASSENGERS CARRIED.

For half-year ended June 30th, 1894... ...	142,746½	
,, ,, Dec. 31st, 1894... ...	141,774½	
For year 1894		284,521
For half-year ended June 30th, 1895... ...	150,761½	
,, ,, Dec. 31st, 1895... ...	158,351	
For yoar 1895		309,112½
For half-year ended June 30th, 1896... ...	168,719	

TABLE OF AVERAGES.

—	For half-year ending		
	June 30th, 1895.	Dec. 31st, 1895.	June 30th, 1896.
Average number of passengers per train.	126	120	141
Average sum paid per mile per passenger.	An. ·29	An. ·29	An. ·29
Average cost of carrying a passenger per mile	„ ·12	„ ·14	„ ·12
Average number of tons load per goods train	29·87	27·75	29·74
Average sum received per ton per mile...	An. 1·41	An. 1·28	An. 1·26
Average cost of carrying one ton per mile.	„ ·58	„ ·61	„ ·59

COST OF FUEL.

For half-year ended June 30th, 1894 ...	568 tons		Rs. 14,329	
„ „ Dec. 31st, 1894 ...	549 „		„ 12,817	
For year 1894		1,117 tons		Rs. 27,146
For half-year ended June 30th, 1895 ...	640 tons		„ 15,597	
„ „ Dec. 31st, 1895 ...	617 „		„ 16,175	
For year 1895		1,257 tons		Rs. 31,772
For half-year ended June 30th, 1896 ...	619 tons		„ 15,851	

PERCENTAGES OF COST OF WORKING ON GROSS EARNINGS

	For half-years ended				
	June 30th, 1894.	Dec. 31st, 1894.	June 30th, 1895.	Dec. 31st, 1895.	June 30th, 1896.
Maintenance of Way and Works ...	10·81	18·57	9·19	11·96	9·34
Locomotive Charges	15·11	16·65	13·48	16·56	16·26
Carriages and Wagons	3·21	3·23	1·74	2·07	1·58
Traffic Expenses	10·55	12·72	9·29	12·07	10·10
General Charges	8·68	12·73	8·64	7·46	8·24
Miscellaneous	·53	·34	·11	·19	·03
Total ...	48·89	64·24	42·45	50·31	45·55
Balance—Net earnings ...	51·11	35·76	57·55	49·69	54·45
Total units ...	100·	100·	100·	100·	100·

(Signed) J. R. SANDFORD,
Civil Engineer.

MADRAS,
April 9th 1897.

PROPOSED PARLA KIMEDI RAILWAY.

ABSTRACT ESTIMATE OF COST OF RAILWAY COMPLETE.

					Rate.			Per	Amount.		
					RS.	A.	P.		Rs.	A.	P.
29,04,699	C. ft.	Earthwork in embankments. } 35,38,299 C. ft. @			3	8	0	1,000	12,385	0	0
6,33,600	„	„ in sidings (4 miles,) estimated. }									
13,95,599	„	Excavation in cuttings ... ... „			4	0	0	„	5,582	0	0
19,58,220	„	Gravel and kunkur ballast including sidings. „			10	0	0	„	19,582	0	0
40	No	Single 2 feet Opgs. @ Rs. 115 0 0 each Rs. 4,600									
3	„	Extra „ „ „ „ „ 40 0 0 „ „ 120									
26	„	Single 4 „ „ „ „ 190 0 0 „ „ 4,940									
39	„	„ 6 „ „ „ „ 230 0 0 „ „ 8,970									
1	„	Extra „ „ „ „ „ 70 0 0 „ „ 70									
36	„	Single 10 „ „ „ „ 760 0 0 „ „ 27,360									
3	„	Extra „ „ „ „ „ 290 0 0 „ „ 870									
2	„	Single 15 „ „ „ „ 1,200 0 0 „ „ 2,400									
12	„	„ 20 „ „ „ „ 1,480 0 0 „ „ 17,760									
11	„	Extra „ „ „ „ „ 730 0 0 „ „ 8,030			...			...	75,120	0	0
42	Miles	Allow for repairs and alterations of road culverts. @			500	0	0	Mile.	21,000	0	0
2	No.	First class stations—Rallavalsa and Parla Kimedi. „			3,460	0	0	Ea.	6,920	0	0
9	„	Second „ „ Naupada, Tekkali, Timbur, Pathapatnam, Addabangi, Varanasi, Kattinghi, Badigaum and Kapguda ... ... „			1,100	0	0	„	9,900	0	0
5	„	Watering stations, Rallavalsa, Timbur, Parla Kimedi, Varanasi and Kapugudu ... ... „			1,000	0	0	„	5,000	0	0
3	„	Engine Sheds, Rallavalsa, Parla Kimedi and Kapugudu ... ... „			3,000	0	0	„	9,000	0	0
1	„	Workshop at Parla Kimedi ... ... Allow.			...			...	10,000	0	0
1	„	Bungalow for Locomotive Superintendent „			..			...	5,000	0	0
65½	Miles	30 lbs. steel rails, sleepers and fastenings ... @			7,296	0	0	Mile.	4,77,888	0	0
57	Sets	Steel points and crossings ... ... „			80	0	0	Set.	4,560	0	0
65½	Miles	Platelaying with transport ... ... „			400	0	0	Mile.	26,200	0	0
5300	Tons	Landing materials ... ... „			3	0	0	Ton.	15,900	0	0
		Workshop Machinery as per list—Appendix B. ...			...			...	28,000	0	0
*10	Miles	Temporary railway, Naupada to the coast. Allow.			500	0	0	Mile.	5,000	0	0
			Rs.	Rs.							
5	No.	Locomotives 9″ cylinders—two wheels coupled ... ... @	15,000	75,000							
1	„	State saloon (bogie) carriage 40 feet long	...	7,000							
1	„	Inspection carriage (bogie) 25 ft. long	...	3,000							
1	„	Special class saloon (bogie) 30 feet long	...	4,000							
2	„	Special class saloon (4 wheels) 18 feet long ... ... @	2,000	4,000							
2	„	Composites—Upper and Lower & P. O.—(bogie) 30 feet long. „	3,000	6,000							
2	„	Upper class—4 wheels 18 feet long ... ... „	1,750	3,500							
7	„	Lower class carriages (bogie) 30 feet long ... ... „	1,500	10,500							
4	„	Lower class carriages 4 wheels 18 feet long ... ... „	1,000	4,000							
2	„	Horse boxes, 4 wheels, 2 horses —14 feet long ... ... „	1,500	3,000							
4	„	Brake Vans—4 wheels—18 feet long ... ... „	1,250	5,000							
25	„	Low sided wagons (bogies) 30 feet long ... ... „	1,500	37,000							
25	„	Low sided wagons, 4 wheels, 18 feet long ... ... „	1,000	25,000							
5	„	Covered goods vans (bogies) 30 feet long ... ... „	2,500	12,500							
5	„	Covered goods vans 4 wheels 18 feet long ... ... „	1,500	7,500	...			...	2,75,000	0	0
					...			...	10,12,037	0	0
		Contingencies 10 per cent			...			...	1,01,203	0	0
		Supervision 10 „ „			...			...	1,01,203	0	0
		Survey 60½ miles @ Rs. 150 per mile			...			...	9,075	0	0
								Total Rs...	12,23,518	0	0

* This is excessive as the distance is only two or three miles.

NOTE.—Not included in the above.

(*a*) Telegraph.
(*b*) Compensation for land outside Parla Kimedi State limits.
(*c*) Office Buildings. It is probable buildings in Kimedi town will be available temporarily.

APPENDIX.

PROPOSED PARLA KIMEDI RAILWAY.

LIST OF STATIONS WITH THEIR MILEAGE.

Number.	Names of Stations.	Mileage.	Distance from Station to Station.	Gradient at Station.	Remarks.
		Ms. chs.	Ms. chs.		
1	NAUPADA	0-08·00	0-08·00	1 in 1600	Govt. Salt Depôt.
2	RALLAVALSA–Junction with East Coast Railway.	2-12·90	2-04·90	1 in 750	(Water).
3	TEKKALI (1) ...	5-52·00	3-39·10	1 in 400	
4	Polavaram	10-06·00	4-06·60	Level	Flag Station.
5	Timbur	14-42·30	4-36·30	1 in 650	Crossing Station (Water).
6	Pedda Laogidi	20-03·00	5-13·50	Level	Flag Station.
7	Pathapatnam (2) ...	23-29·60	3-26·60	1 in 400	
8	Kimedi Police Lines ...	25-38·00	2-08·40	1 in 400	Flag Station.
9	PARLA KIMEDI (3) ...	27-02·40	1-17·20	1 in 800	Crossing Station (Water).
10	Sitapuram	34-02·80	7-00·40	1 in 800	Flag Station.
11	ADDABANGI	37-22·40	3-19·60	1 in 600	Crossing Station.
12	VARANASY	42-32·40	5-10·00	Level	(Water).
13	Kittangi for Liviri ...	46-47·44	4-15·04	Level	Crossing Station.
14	BADIGAUM for Battili (4)	54-19·04	7-24·40	1 in 800	
15	KAPGUDA (Gunipur) (5)	60-17·24	5-51·00	1 in 600	(Water).

PARLA KIMEDI,
April 18th, 1892.

(Signed) J. R. SANDFORD,
Civil Engineer.

(1) Tekkali is a very important trading town of about 6,000 inhabitants, the residence of the Zemindar who takes his title from the place and who owns a considerable estate, and the Head-quarters of a Sub-Magistrate and other Government officials.

(2) Pathapatnam (old town) once the chief town of the Parla Kimedi State, now a prosperous agricultural town with an Indigo Factory belonging to Messrs. Arbuthnot & Co., near.

(3) Parla Kimedi a flourishing town of 16,000 people and centre of a very large miscellaneous trade. Residence of the Rajah of Parla Kimedi who has a fine palace designed by Mr. Chisholm which cost about Rs. 9,00,000. An Assistant Superintendent of Police lives here as well as the Rajah's Agent and several subordinate Government officials.

(4) Battili on the other side of the river Vamsadhara is a town of about 5,000 inhabitants, a great centre for trade with the Jaipur State and the Central Provinces. Head-quarters of several native officials of the Vizagapatam Collectorate.

(5) Kapguda a growing town of about 5,000 people and the centre of trade with the Central Provinces for which the valley of the Vamsadhara which here cuts through the Eastern Ghauts—the *only* opening between the Godavery in the South and the Mahanadi in the North, (Rajahmundry to Cuttack) a distance of about 330 miles—gives great facilities. Large numbers of vanjaras bring down their droves of bullocks from the districts east of Nagpur loaded with wheat and other grain and at Kapguda they exchange this for salt and other produce of the Madras Districts. Kapguda is the Head-quarters of several Government native officials. Gunipur is a continuation of Kapguda with a large "mutt" or Hindu monastry. The country around Kapguda for many miles is a portion of the Jaipur State with an area of 11,526 square miles of which the Collector of Vizagapatam is Political Agent.

APPENDIX B.

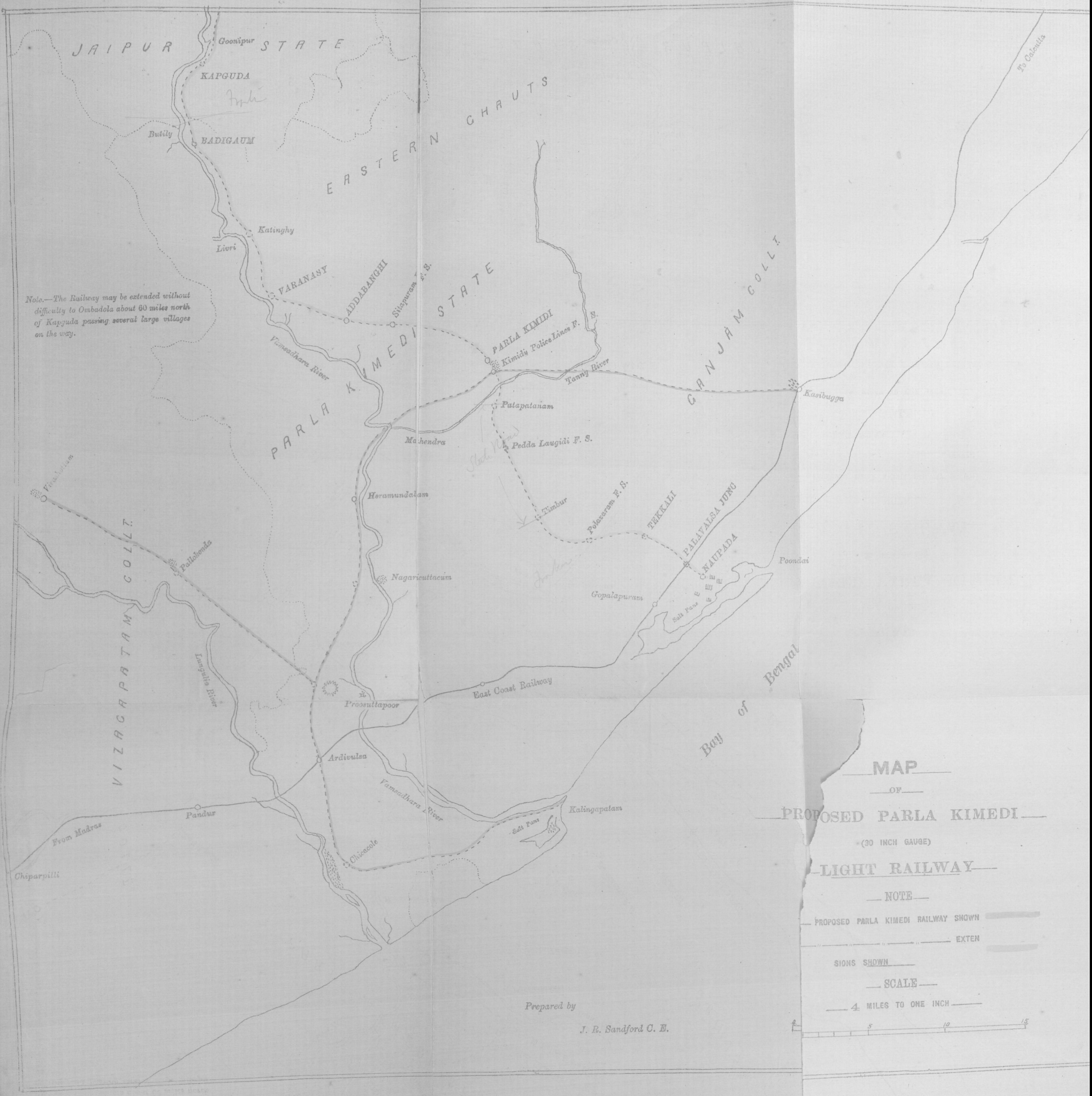
PROPOSED PARLA KIMEDI RAILWAY.

LIST OF MACHINES REQUIRED FOR WORKSHOP.

	Rs.
Wheel Lathe	4,000
12 feet Screw-cutting Lathe...	950
6 feet Lathe	1,200
Punching and Shearing Machine	1,400
Plate-bending Machine	800
Wheel Press	600
Screwing Machine	800
Large Drilling Machine	800
Small Drilling Machine	550
3 cwt. Steam Hammer	900
Saw Sharpening Machine	900
Fan with Cupola	800
Morticing Machine	950
Circular Saw Bench	450
Vertical Saw Frame	4,000
15 horse power Engine, Boiler and shafting	5,000
Sundries	3,900
Total Rs. ...	28,000

(Signed) J. R. SANDFORD,
Civil Engineer.

PARLA KIMEDI,
April 18th, 1892.



Note.—The Railway may be extended without difficulty to Ombadola about 60 miles north of Kapguda passing several large villages on the way.

Prepared by

J. R. Sandford C. E.

MAP

OF

PROPOSED PARLA KIMEDI

(30 INCH GAUGE)

LIGHT RAILWAY

NOTE

PROPOSED PARLA KIMEDI RAILWAY SHOWN

" " " " EXTENSIONS SHOWN

SCALE

4 MILES TO ONE INCH

Proosuttapoor

26
Ry.C.No. 221/98

1898
REVENUE DEPARTMENT
Enclosure No. 6
to Current No. 543

B.100
8-7-07

Proceedings of the Board of Revenue

(Land Revenue).

No.22 Misc., dated 5th January 1898

Read Endorsement of the Settlement Department, dated --- transferring to the Land Revenue Department, letter from the Collector of Ganjam, R.C.No.1739/Eng. of 1897, dated 26th November 1897, forwarding copies of correspondence & requesting that the permission of Govt. may be obtained for the construction of a light railway from ~~Naugada~~ Naupada to Parlakimidi at the cost of the Rajah of Parlakimidi

R

-------:0:-------

Resolution

Submitted for the orders of Government.

(True Extract)

Secretary.

To

The Secretary to Govt.R.D. through the Consulting Engineer for Railways, with Collector's letter and Enclosures in original and a copy of the Engineer's report.

Copy to the Separate Revenue Department, with a copy of the Engineer's Report.

Md.R.H.

189 .

Board of Revenue

(Land Revenue),

MADRAS.

To

Subject.

Ry C No 221/98 87

1898
REVENUE DEPARTMENT
4/543

SERIAL 1

Revenue (1898) Department.

Thro' The Consulting Engineer for Railways

ERs CURRENT No. 119

Recd 6-1-98

Note

N.B. Sanction of the Govt of India is required vide Serials 1, 2, & 7 of case 81/95 put up

Act put up

From

The Board of Revenue,
Land Revenue,
Madras.

No. 22 Misc.

Dated 5th January 1898.

Received

Registered

Enclosures 7

Spare copies 1

SUBJECT.

Submitting for the orders of Govt. Letter from the Collector of Ganjam requesting that the permission of Govt. may be obtained for the construction of a light railway from ~~[illegible]~~ Naupada to Parlakimedi, at the cost of the Rajah of Parlakimedi.

Order No. 28 R.M. dated 19th January 1898

Transferred to the Sec. Rev. Dept. with the following remarks. The Board of Revenue wish this transferred "through the Consulting Engineer to the Revenue Dept". though I do not see any reason for this procedure as this is a Railway matter. If the Sec. Rev. Dept. agrees in the above and will return the file to me I will deal with it. If however he prefers to deal with it I would suggest that it is necessary that Govt. should be assured that the Rajah has the money. It is also necessary to make sure that there will be no refusal on the part of any Local Authority to permit the side of the road being used. I scarcely think Mr Sandford will make the tramway for Rs 20,000 per mile. But it ought not to cost over Rs 22,000

F.R.S.

17/1/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
P. W.
10 FEB. 1898
MADRAS.

SERIAL No. 3

Revenue (1898) Department.

Railway

CURRENT No. ~~[illegible]~~ 221

Vide
Endo-mnt No. 6118/7th Feby 98.

Retransferred to the Ry Dept (P.W.D.) ~~with notes~~

W. L. Marjoribanks
ag and Secy
R.D.

To P.W.D. Ry with notes in original

From Issue 9.2.98

The Public Works Deptt
Railway Branch

83
No. 28 R.M.

~~For~~ **Orders.**

Please see the P.W.D. endt. on the last page in the current. It is submitted that as the papers relate to a Railway project, they may be transferred to the P.W.D.

Secy

Parlakimedi & agency } only a portion of Parlakimedi is in "Agency"
I dont think "Revenue" is concerned in the matter except as regards the salt factory & in that respect there is no objection but rather an advantage if the Rajah builds the Ry. The P.W.D. (Ry.) should apparently deal with the matter sending it to "Judicial" (agency) & perhaps "L & M" (with regard to the road in the non agency part) for concurrence or remarks

S.R.

D.N.
20.1.98.

[illegible]
27.1.98

P.T.O.

Dated 19 January 1898.

Received 20 "

Registered 20 "

Enclosures 7

Spare copies

Recd 10.2.98.

SUBJECT,

Transferring Proceedings from the Bd of Rev: No. 22 Misc. of 5 January 1898 regarding the construction of a light railway from Naupada to Parlakemedi at the cost of the Rajah.

It is only the Maliah portion of Parlakimedi that is in the Agency. I think the whole of the proposed line will run thro' the Collectorate but this can be easily verified. What is wanted is powers to take up land ~~in portion~~ where the line does not run through estate lands? (Please see the Railway & Land Acqn. Acts.)

S.R. 29/11/98

Secy

Before submitting the papers I made enquiries as to whether the tract thro' which the Ry is pass in Parlakimedi was "Agency" or not & was infd by Judicial that it was. This morning however the U.S. tells me it ~~form~~ he has found that it is not agency. Thus Judicial is not concerned. As to the 2nd point viz. powers to take up land where the line does not run through estate lands it is submitted that the line is proposed to be constructed under the Tramways Act XI of 1886. (Vide para 3 of the Collector's letter to the Bd) Under this act (§ 4) the Local Govt (or if the land is not within a municipality or cantonment) the Govt of India can sanction the line if approved by the local authority (District Bd in this case). The Rajah hopes to get the land outside his zamindari

BACK PAPERS.

G.O.	No.	Department.	te.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

by private arrangement. If he fails, the L.G. can direct that it be acquired under the Land Acquisition Act as if the promoter were a Company (Part VII of the new Act I of 94) Vide clause 3 of section 7 of the Tramways Act.

I submit that what is now wanted is that the ~~procedure~~ ~~under~~ provisions of sections 4 & 6, of the Tramway Act should be observed i.e. the consent of the local authority in the prescribed form be obtained, & objections invited & ~~the sanction of the L.G. [illegible]~~ ~~it is~~ it definitely ascertained whether the Land Acquisition Act will have to be applied. Then ~~the~~ India will have to be addressed for sanction to an order of the nature provided for in section 7. The matter so far ~~[illegible]~~ is for the "Ry" & "L & M" Depts. If the Land Acquisition Act is to be applied then the question as to whether any special establishment should be entertained therefor may be considered here.

3/12/98

The pp. shd be transfd to Ry. Dept

4/12/98

P.W. Railway Current No. 221 of 98

Urgent

H. E. The Governor

Parlakimedi Tramway.

I hope to get orders, before your Excellency starts on tour, to deal with this in the routine prescribed manner. It will be time enough later on, at leisure, to go into details. But all that for the moment is necessary is that I should have your Excellency's permission to ~~forward~~ ask the Govt of India whether they have any objection to our publishing a draft order authorising the Rajah of Parlakimedi to construct a steam tramway at his own expense from the East Coast Railway to the Capital of his State.

The publication of the draft order is to allow of objections being raised by persons interested. It need not be confirmed until all details are settled. But owing to the fact that the proposed line is outside Municipal

This proposal is a good one. I fully approve.

A.GH
12.2.98

Issue
JM

H.E.
12.2.98

R
14.2.98

limits, the Govt. of India's permission is necessary before we can make any further advance.

I put up a draft for approval. It is at this stage the merest routine.

FKs.

12/2/98

SERIAL No. 4

Public Works (1898) Department.

Railway Branch

CURRENT No. 221

B/ Previous papers

88

Order No. 258 Ry 15/2/98

As required by Sect. 4 of the Indian Tramway Act, XI of 1886, the Govt. of India will be addressed.

FKs.

12/2/98

H.S. No. 258 Ry 15/2/98

From The Revenue Department

Dis. No. 611

Dated 7th February, 1898.

Received 10th " "

Registered " " "

Enclosures

Spare copies

SUBJECT.

Light railway from Naupada to Parlakimedi.

Transferring papers re the construction of a — at the cost of the Rajah of Parlakimedi –

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

P 16/-

Print in full

9P

844
12.2.98

7 May R

No. 25 E. Ry.

SERIAL
No. 5

From The Joint Sec. Govt. of Madras
P.W. Dept. - Ry.

To The Sec. Govt. of India P.W.D.

Dated Madras the 15th Feb. 1898

Sir

An application has been received from the Rajah of Parlakimedi to be allowed to make a 2'.6" gauge tramway, under the Tramways Act. for a distance of about 25 miles, from Naupada Station of the E.C.Ry. in a north westerly direction, to Parlakimedi the chief town in his Estate. The Rajah desires to make the tramway ~~[illegible]~~ as a private undertaking, solely at his own expense, and as soon as possible. He asks for no guarantee and requires no feeder line terms.

2 As required by clause 4 of the Indian Tramways Act XI of 1886 I am directed to enquire whether the Govt. of India have any objection to offer to this Govt. publishing a draft order under the Act. to allow of the making of the proposed line.

3 - Should there be no objection on the part of the Govt. of India, the draft of

the proposed order shall in due course be sent forward. ~~to the Govt of India~~. But in the meantime, pending a reply to this letter, nothing would be gained by entering into further detail.

I am to add that it is said to be the Rajah's intention, later on, to apply for permission to extend his Tramway a further distance of 35 miles to the North west beyond Parlakimedi, and also a distance of three or four miles from Naupada station eastward into the salt factory at that place. A connection also with the Vizianagram Raipur line at Ambadola is spoken of as a thing of the future.

It is however considered best at this stage, to deal separately with the first part of his project, viz the 25 miles from Naupada Station to Parlakimedi, and to express a hope that the Govt of India will accord early sanction to the matter being dealt with by this Govt. under the Tramway Act. The Rajah is anxious that work should if possible be begun ~~[illegible]~~ ~~sanction of the~~ ~~Govt [illegible]~~ ~~[illegible]~~ immediately.

I have &

J. H. S.

Document accomp: 12/2/98 1/1/98

[illegible] 15/2/98

SERIAL No. 6

Public Works (1898) Department.

Railway

CURRENT No. 399

From The Govt. of India

Order

G.O. 742 R 28.9.97 [illegible]

No. 2 R.P.

SM

Before we can draw up a draft notification it seems necessary to get the formal consent of the local authority of the circle and of the road authority "(4 b of the Act) in this case the District Board. This should be done through L. & M. Dept.

Transfer to L. & M.

J. H. T. 22/3/98

Dated 14th March 1898

Received
Registered } 21. 3. 98

Enclosures

Spare copies

SUBJECT.

Tramway from Naupada station on the E.C.Ry to Parlakimedi

Stating that the Govt. of India see no objection to the construction of the propos — on certain conditions

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

108

All communications
should be addressed
to the Secretary.

Precis in file

No. 2 R.P.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY PROJECTS.

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
21 MAR 1898
MADRAS.

To

The Joint Secretary to the Government of Madras,
Public Works Department, Railway Branch.

Calcutta, the 14th March 1898.

Sir,

Ch. Eng. E

Patnt

I am directed to acknowledge the receipt of your letter No.259 R., dated 15th February 1898, reporting that an application has been received from the Rajah of Parlakimedi for permission to construct a 2'6" gauge tramway, under the Tramways Act (XI of 1886), from Naupada station on the East Coast Railway to Parlakimedi, a distance of 25 miles, without any guarantee or help from Government, and that the Rajah is believed to contemplate a small extension hereafter from Naupada station eastwards to the Salt factory at Naupada, and another from Parlakimedi to Ombadola on the proposed Vizianagram-Raipur Railway.

2. In reply I am to say that the Government of India see no objection to the construction of the proposed tramway on the 2'6" gauge from Naupada station to Parlakimedi, and an extension hereafter to the Salt factory at Naupada, on the understanding that a proviso is inserted in the order authorising the tramway, that the owners of the tramway shall not have any claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is clearly understood that permission to make this line to Parlakimedi does not imply any rights

towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

3. I am to add that the Government of India have decided to adopt for its own commercial feeder lines the 2 feet gauge when any gauge smaller than the parent gauge appears desirable.

I have the honour to be,
Sir,
Your most obedient servant.

F. R. Upcott

Secretary.

Documents accompanying :-
Nil.

J.B.M.

P. W. D. Railway Current No. 399 of 21-3-98.

Form No. 1.

PUBLIC WORKS DEPARTMENT,

RAILWAY BRANCH.

SERIAL No. 7

Papers to be read in Proceedings :—

Again G.O., dated 15th February 1898, No. 258-57 Ry.
Again G.O., dated 189 , No.
P. W. Current No. 399 of 189 , dated 21.3.98, from the Govt of India.
" " " 189 , " , "
" " " 189 , " , "

118

No 555 Ry of 8/4/98.

H. E. the Governor

ORDER.

The Board of Revenue will report for the information of Govt. whether the Rajah of Parlakimedi consents to the incorporation, in the order authorising the tramway, of a proviso to the effect that he shall have no claim to compensation if at any time hereafter the Imperial Govt. consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is to be clearly understood that permission to make a tramway ~~[illegible]~~ to Parlakimedi does not ~~[illegible]~~ imply any rights towards future permission being hereafter

A.S.H.
29.3.98

Reminder No. 555 Ry of 3/9/98
to Bd. of Rev.
Despd on 3/9/98

28.3.98

31.3.98

18/7/98

hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

2. The Board will also report the Rajah's decision with regard to the gauge of the proposed tramway. ~~The 2 foot gauge is recommended~~ by this Govt. for adoption as it has elsewhere proved itself to be sufficient for any traffic likely to come upon it on the alignment under reference.

The 2 feet gauge has been definitely adopted by the Govt. of India for its commercial feeder lines, and that gauge is recommended

3. The Board should ascertain from the Collector of Ganjam whether the approval of the Local Authorities referred to as necessary in Para 4 (1) (b) of Act XI of 1886 has been obtained by the Rajah.

F.R.S.
23/3/98

25/3/98

To
The Secy to Govt. Revenue Dept.
for favour of counter-initials. Thos.

I do not know that the Rev. Dept. desire to intervene further in the matter which has become a P.W. case.

F.R.S.

yes
25/3/98

To
the Board of Revenue
(Land Revenue)
through the Revenue Depth.

9/4/98

[43/509]

C. No. ....

.... DEPARTMENT.

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE SIR HENRY BLISS, K.C.I.E.

THE HON'BLE MR. ~~GROSE, C.I.E.~~ A. T. ARUNDELL

SUBJECT.

The Parlakimedi Tramway

FOR ORDERS.

Since writing my Note below dated 28-6-98 I have seen the Parlakimedi Rajah's Engineer Mr. Sandford. I ascertained that, before replying about the Govt. of India's letter, the Rajah has written home to consult Mr. Taylor, his Agent, who is in England. Mr. Sandford said that the Rajah is much perturbed about the stipulation as he fears it indicates the near likelihood of a competitive line. But I told Mr. Sandford that I personally thought such a thing is not contemplated but that the Rajah might if he wished ask us to get any doubt he may have on the subject cleared up.

Meanwhile the Rajah is going on fast with the Earthwork of his Tramway, quasi road, which he has I presume a right to do in his own Estate. But more than that he has done most of the Earthwork in (Ganjam Territory) also! I presume he has made it all right with the Collector and the District Board. I have noticed this in my Inspection report.

F.R.S.
18/7/98

He must presumably have been entering on Govt. land! Has anything been heard about this in the R.D.? I should say it wd. be well to find out what actually has occurred.

21/7/98

We certainly should ascertain

A.A.
22.7.98

I have done as desired in Hon. Mem's notes overleaf by means of the G.O. on the E.C.R. report. F.H.

F.H.S.

25/7/98

3

.... DEPARTMENT.

[43/500.]

C. No. ....

HIS EXCELLENCY THE GOVERNOR.
THE HON'BLE SIR HENRY BLISS, K.C.I.E.
THE HON'BLE MR. ~~GROSE, C.I.E.~~ A.T. ARUNDEL

SUBJECT.

The Parlakimedi Railway

Await E.R.'s return
J.A.
8/7/98.

FOR ORDERS.

1.— I invite H.E.'s and H.M.'s attention to the newspaper extracts flagged W. below. I suppose they were written by someone connected with the Rajah of Parlakimedi. But I entirely agree with the writer that the stipulation made in the Govt. of India's No. 2. R.P. dated 14th March 98 was extremely ill-judged, I mean the stipulation marked in red pencil.

W

S

I agree.
A.G.H.

2.— No harm would ~~they~~ have been done if, as in the case of a similar stipulation elsewhere, the Cochin case I think, they had said something of the following sort. "Though it is very unlikely that such a contingency will ever arise, yet it is necessary in the protection of interests of trade to make such stipulation pro forma".

3.— I have been afraid since our G.O. on that letter issued that mischief would come of it, and now I learn that the Rajah's scheme is in imminent danger of falling through on account of it.

4.— One can scarcely expect a Rajah to appreciate the very infinitesimal nature of the probability of the Govt. of India

[illegible]
[illegible] 29/6/98

even ordering the tramway to be ripped up and replaced, without compensation, by a railway. The chances are enormously against its being ever necessary to lay a larger gauge railway in place of it. But the Rajah can scarcely be expected to realize this.

5.- I have seen a letter which practically says that he must drop the scheme if this stipulation is not modified or withdrawn and quite right too from his point of view.

6.- I hope to see either Mr Taylor or Mr Sandford on the 7th when on tour, and will explain that such a stipulation is very little more than a mere formality, unlikely to have any results, but nevertheless perhaps for all that necessary. and that ~~if~~ rather than drop the scheme the Rajah would be well advised to ask for further explanations, which would give us a handle for addressing the Govt. of India.

7.- In another recent case also the Govt of India seem to me to have exhibited extreme lack of judgement, viz in practically telling Wilson & Co. that their projected Kurnwanath Ry. could never by any possibility pay. In saying this they were in entire ignorance of Findlay-Morris's great tea development. Wilson & Co naturally say that they wish the Govt of India had refrained from that sort of comment considering that they were not asked for a guarantee.

FKS 28/6/98

Mr. Spring should do this, provided that he takes care not to lay undue stress on the probability that the proviso may never be enforced. Such an intimation might be interpreted into an official guarantee that the proviso would not be enforced.

A.E.H

6/7/98

Yes.

A.E.H 2.7.98

India merely speaks of the possibility of making a railway to supersede the tramway. It does not say & cannot mean what Mr Spring suggests in para 4 of his note - the ripping up & replacing of the tramway. It wd be a railway competing with the tramway. India wd no doubt make

---

Tour C. No. 25/#Eng of 98

Ganjam Collector's office
Dated camp Berhampur
29th July 1898.

Print in full

From

H. D. Taylor Esquire
Acting Collector of
Ganjam

17 P

To

The Secretary to the
Commissioners of Land Revenue
Madras.

Sir,

I have the honor to reply to the Board's Reference No. 486 dated 2nd May 1898 on Proceedings of the Government of Madras, Public Works Department Railway Branch No. 555 SW 6 dated 9th April 1898 (herewith returned) — inquiring whether in the event of the Parlakimidi Light Railway being sanctioned, the Raja — would be willing to agree to certain conditions stated therein.

2. I enclose copies of two letters received from the Raja of Parlakimidi on the Subject No. 383/Eng of 1898 dated 15th July, and No. 403/Eng of 98 dated 27th idem.

3. The Raja states that he is perforce bound to agree to the conditions imposed by Government but at the same time expresses an opinion, in which I concur, that it is hard upon him when he has taken up a project, not from

motive of gain, but in pursuance of a policy indicated by the Right Honorable the Secretary of State for India, he should be denied all compensation, should Government subsequently construct or allow to be constructed another railway through the same line of country.

I think that this condition should be restricted to lines which it may be found necessary to construct departmentally by the State, and that a guarantee might be given that Government would not allow the construction of a line to compete directly with the Raja's line by private individuals or companies from any point between the Chicacole road and Sompet stations.

4. In regard to the gauge of the Railway the Raja states that he regrets that he is unable to adopt the proposal of the Imperial Government to reduce the gauge of the line from 30" to 24", as, in the anticipation that Government would welcome his enterprise in the construction of this railway and readily yield an assent to the scheme, he has already arranged for the construction and purchase of a rolling stock adapted to the 30" gauge.

5. In regard to the consent of the Local authority, Mr Sandford, the Engineer employed by the Raja to survey the line, was distinctly informed that the sanction of the District and

Taluq

Taluq Boards would not be accorded to the alignment of the proposed light railway on roads under their control, ~~as~~ so provision has been made for constructing the line parallel to the road ~~which~~ where it adjoins a Local Fund road.

For a considerable portion of its length the proposed line will run along a road constructed originally by the Parlakimidi Estate, for some time managed by and recently abandoned by the Taluq Board. The Public has acquired a right of way over this road and the Raja reports that this has been provided for.

6. I may note that in his zeal to complete the work, the Raja has already commenced work in anticipation of sanction. I was somewhat astonished to find on visiting Tekkali the other day that work was proceeding under circumstances amounting to trespass on lands outside the Parlakimidi Estate. The irregularity of ~~the~~ his procedure has been pointed out to the Raja and he has been requested to suspend operations until formal sanction is received and the land finally acquired.

So I thought
H.S.

7. I trust that the scheme may be sanctioned at an early date, together with the extension to the Naupada Salt factory.

factory, in preference to any scheme that may be brought forward by other parties.

8. In regard to the extension towards the proposed Vizianagram - Raipur railway, I feel sure that any such extension of the line from Parlakimidi would not in any way tap or divert produce coming down to the coast by such route, while it would bring on to that line a considerable inland traffic in salt from the factory at Naupada

I have the honor to be,
Sir,
Your most obedient Servant
H D Love
30.7.98
Ag. Collector

Tey

1898
REVENUE DEPT.
Encl. No. 4
Cur. No. [illegible]

No. 383/Eng of 1898.

Print in full

From
The Rajah of
Parlakimidi

To
The Acting Collector of
Ganjam

14 S.P

Dated Parlakimidi 15th July 1898.

Sir,

In continuation of my letter No. 356/Eng of 1898 dated the 29th ultimo, I have the honor to state that under existing circumstances I have no alternative but to accept the sanction subject to the conditions offered by Government. In doing so I would however earnestly beg Government to reconsider this decision. The proviso requiring me to relinquish my line at any time without compensation should Government or any one to whom the concession may be granted desire to adopt the same route for a railway on one of the standard gauges, is a very hard one and it is altogether discouraging. For some years I have been urged by some Government officials to construct a railway connecting my town with the East Coast Railway, and Lord Cross who was Secretary of State for India in 1889 in his minute on the

Administration

pleg

B

in ~~Rp~~ C.P. No

1429

13-6-90

Administration Report of my Estate wrote to the Government of India strongly recommending the construction of this very line. I was myself anxious to have my town connected with the East Coast Railway by rail and directly I was in a position to do so I devoted certain accumulated funds of the Estate to this object. The amount of these funds did not permit me to construct a line on one of the standard gauges which in such a hilly country would have been very expensive but I considered a railway on the narrow gauge would be sufficient for the wants of the people of my Estate and so I decided for it believing that a cheap narrow gauge railway was better for us than no railway at all.

Of course I should like to have a fair return for the capital expended but the present proviso practically makes the railway of no commercial value and offers no inducement to me or to others to risk further capital in extending the line and so giving more of my people the benefits of easy communication with the outer world.

As my railway is in an out of the way part of the country and not near any of the lines contemplated by Government to be constructed in the future I quite believe that Government will never take advantage of this proviso and close my line without giving me compensation but I have no security that some company or syndicate may not hold other views and step in and oust me from my property and the more successful my line may be the greater will be the risk I run of this occurring.

15 S/

I trust Government will be pleased to take what I have advanced into their favourable consideration and at least modify their terms. I am risking much in carrying out a very useful public work and the case being so exceptional I hope I shall not be considered unreasonable, if I look to Government for exceptional treatment.

With reference to the concluding para S No 6 of the orders from Government No. 555, Railway dated 8th April 1888, I beg to state that the line having been relaid out clear out of the road between Tekkali and Naupada Railway station the consent of the Chicacole Taluq Board to its construction in that direction is not necessary.

I have &c

(signed) S. S. S. G. Gajapaty

Rajah of Parlakimidi

(True copy)

H. D. Lanes

Ag. Collector

30/12/[illegible]

1

R 3259 of 58

1898
REVENUE DEPT.
Encl. No. 2

No. 403/Eng of 98.

Print in full

From

The Rajah of
Parlakimidi

To

The Collector of
Ganjam

1645 p

Dated Parlakimidi 27th July 1898.

Sir,

In reply to your letter R. G. B. No. 245/Eng of 98 dated the 18th Instant, I have the honour to state that I regret very much my inability to act upon the suggestion of Government — and make the gauge of my small railway twenty-four instead of thirty inches. At the time when the railway was first proposed, six years ago, thirty inches was accepted as the most suitable gauge for such a line and so it has been adhered to when I was able to decide to carry out the scheme. As it was my desire to have the railway ready for opening early by next year by His Excellency the — Governor of Madras, if at all possible, we, under advice from our Agent in London ordered the locomotives early and they are of the broader gauge so that no change is possible now.

2. The railway has been laid out to follow the road more or less closely —

between Tikkali and the borders of my Estate, a distance of about three miles, but the road has been broadened where necessary so as to allow a free passage to traffic.

I have &c
(Signed) S. S. S. Gajapaty
Rajah of Parlakimidi

(True copy)

Ag. Collector 30/7/98

2
R 3239/98

1898
REVENUE DEPT.
Encl. No. 3

Form No. (2).

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

G. O. No. 258-259 Ry dated 15th February 1898.

Letter from the Government of India, No. 2 R. P. dated 14th March 1898.

I am directed to acknowledge the receipt of your letter No. 259 R, dated 15th February 1898, reporting that an application has been received from the Rajah of Parlakimedi for permission to construct a 2' 6" gauge tramway, under the Tramways Act (XI of 1896), from Naupada station on the East Coast Railway to Parlakimedi, a distance of 25 miles, without any guarantee or help from Government, and that the Rajah is believed to contemplate a small extension hereafter from Naupada station eastwards to the Salt factory at Naupada, and another from Parlakimedi to Ombadola on the proposed Vizianagram-Raipur Railway.

2. In reply I am to say that the Government of India see no objection to the construction of the proposed tramway on the 2' 6" gauge from Naupada station to

Parlakimedi, and an extension hereafter to the Salt factory at Naupada, on the understanding that a proviso is inserted in the order authorising the tramway, that the owners of the tramway shall not have any claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is clearly understood that permission to make this line to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

3. I am to add that the Government of India have decided to adopt for its own commercial feeder lines the 2 feet gauge when any gauge smaller than the parent gauge appears desirable.

Order thereon No. 555 Ry dated 8th April 1898.

The Board of Revenue will report for the information of Government whether the Rajah of Parlakimedi consents to the incorporation, in the order authorising the tramway, of a proviso to the effect that he shall have no claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is to be clearly understood that permission to make a tramway to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

2. The Board will also report the Rajah's decision with regard to the gauge of the proposed tramway. The 2 feet gauge has been definitely adopted by the Government of India for its own commercial feeder lines, and that gauge is recommended by this Government for adoption as it has elsewhere proved itself to be sufficient for any traffic likely to come upon it on the alignment under reference.

3. The Board should ascertain from the Collector of Ganjam whether the approval of the Local Authorities referred to as necessary in Para 4(1)(b) of Act XI

of 1886 has been obtained by the Rajah.

F. D. Forster
Under Secretary.

To
The Board of Revenue (Land Revenue)
through the Revenue Department.

1898
REVENUE DEPT.
Encl. No. 1
6261

3/
13259 85

2,000
15-7-98.

Print in full

128

Proceedings of the Board of Revenue

(Land Revenue).

Full Board

No.2428 Misc. Dated 6th September 1898

-----------:o:----------

Read endorsement of Government, Revenue Department, R.No.718, dated 21st April 1898, forwarding G.O. Public Works Department, Railway Branch, No.555 Ry., dated 8th April 1898; and the following reference thereon No.486, dated 2nd May 1898:--

Forwarded to the Collr. of Ganjam for early report.

Read also letter from H.D.Taylor Esq., Ag. Collector of Ganjam to the Secretary to the Commissioners of Land Revenue,-- Madras, Tour C.No.25-Eng., dated 29th July 1898.

-----------:o:----------

Resolution

Sr 6

In G.O.No.555 Railway dated 8th April 1898, the --- Board was requested to ascertain and report (1) whether the Raja of Parlakimedi would consent to the insertion in the order sanctioning the construction of the proposed tramway from Naupada station on the East Coat Railway to Parlakimedi of a proviso to the effect (a) that he should have no claim to compensation if, at any future time, the Imperial Government should deem it necessary to make or allow to be made a railway to supersede the tramway, and (b) that it is to be clearly understood that permission to construct the -- present line does not imply any right to future permission being claimed for any extension beyond Parlakimedi to a point on the proposed Vizianagaram-Raipur Railway.

(2) Whether the Raja would adopt for the proposed tramway the two-feet gauge which the Government of India has decided to use for --

its own commercial feeder lines, and

(3) Whether the approval of the local authorities required under section 4 (1) (b) of Act XI of 1886 has been obtained by the Raja.

2/. The Collector of Ganjam to whom a reference was made now submits his report together with two letters addressed to him by the Raja on the 15th and 27th July last. The Raja, while stating that he has no alternative but to accept the conditions offered by Government, nevertheless urges that it would be hard measure to require him to relinquish his line without compensation in the event of Government undertaking, or permitting, the construction of another line through the same country. He points out that the project was undertaken by him in accordance with the advice tendered to him, as well as to the Court of Wards which was then in charge of the Estate, by the Right Honorable the Secretary of State in his despatch No.106 Rev., dated 7th November 1889. He is anxious lest the condition imposed by Government should be used to his ~~advantage~~ disadvantage not by the State itself, but by some Syndicate or Company claiming as a concessionaire through the State. The Collector, Mr. Taylor, considers that the condition referred to by the Raja may be allowed to hold good with reference to any railway line which the State may find it necessary to construct by departmental agency, but recommends that it should be waived in other cases. Mr. Taylor would, in fact, go to the length of giving the Raja a guarantee that Government will not permit the construction by any private body of a line directly competing with that of the Raja and starting from any point between the Chicacole Road and Sompet Railway stations. The Board's own view is that it would be ungenerous and impolitic to place any unnecessary obstacles in the way of the first private enterprise of the kind in this Presidency, and, though not prepared to support the Collector's recommendation, it does consider that the Raja should receive reasonable compensation if any railway which would practically supersede the tramway be built by the State or by a private company under the concession granted by Government. The expenditure which the Raja contemplates on the present line cannot be ~~on the present line cannot be~~ less than 10 lakhs and may be considerably more. It could hardly have been the intention of the Government of India that an expenditure of this magnitude, incurred under the auspices of the Secretary of State, should be liable to utter confiscation for the benefit of a Government or private line which might be subsequently constructed.

Court's Proceedings,
No.1429, ~~dated~~ dated
15th June 1890.

3/. Secondly, with regard to the width of the proposed tramway, the Raja expresses his inability to adopt the 2-feet gauge as he has already in anticipation of sanction arranged for the construction and purchase of rolling stock suited to the 30 inch gauge.

4/. Thirdly, Government enquires whether the consent of the local authority required under para 4 (1) (b) of Act XI of 1886 has been obtained by the Raja. The Raja merely states that the line having been relaid clear of the Local Fund Roads, the consent of the Chicacole Taluk Board is not necessary. The Collector reports that the Engineer employed by the Raja to survey the line was distinctly told that "the sanction of the District ~~Board~~ and Taluk "Boards would not be given to the alignment of the proposed light "railway on roads under their control, as (sic) provision has been "made for constructing the line parallel to the road where it ad- "joins a Local Fund Road". The Collector is apparently of opinion that the formal consent of the local authority required by section 4 (1) (b) is in the present case unnecessary, as the line does not run along any Local Fund Road. The Board observes, however, that the Act requires the consent of the local~~ity~~ authority in every case contemplated in section 4 (1) (b) and not merely in cases where it is proposed to lay a tramway over roads belonging to the local authority. The Collector will accordingly be requested to cause meetings of the Local Boards concerned to be convened in order that their consent to the construction of the tramway may be formally signified, whether such consent be necessary in their capacity as "Local authority" or as "road authority". The Board observes that no formal method of signifying such consent has been prescribed under sections 4 (2) and 24 of Act XI of 1886: it will be necessary for the Collector to see that the consent and any conditions attached thereto are explicitly and ~~kindly~~ lucidly set out.

5/ Pending receipt of the Collector's reply, the Board does not consider it necessary to delay the transmission of the Raja's application to Government.

(True Copy and Extract)

Lionel Davidson

Ag. Secretary.

To the Secretary to Government, Revenue Department, with
Collr's. letter (to be returned) and enclosures.
— the Collector of Ganjam.

Q.B.

$\frac{0}{18}$ 2,000—30-3-98.

P.W.D. Ry

SERIAL No. 14

Revenue (1898) Department.

CURRENT No. 6261

Called for

From

The Board of Revenue,
Land Revenue.
Madras.

No. 2428 Mis.

~~Order~~ Endt. R. No. 1386.

Transferred to the P.W. Dept. (Railway Branch)

(By order.)

ag. Under Secy to Govt.

Ootacamund,
17th Septr 1898.

Dated 6th Septr 1898
Received 9th "
Registered 9th "
Enclosures 4
Spare copies

To

The P.W. Dept (Ry. Branch)

SUBJECT.

Furnishing the information called for by Govt on certain points in connection with the construction of a tramway from Naupada Station to Parlakimedi.

Order No. 1283 R. dated the 18/10/98.

The Govt. of India will be addressed.

F.W.S.
26/9/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

SERIAL No. 15

R. Form. No. 12.

No. 1284 Ry

Government of Madras.

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

To

The Secy. to the Govt. of India,
P. W. Department.

18th October 1898.

19 P

Issue
JM
10/10

WP
7/10/98

AM
7.10.98

Sir,

In your letter No. 2-R.P. dated the 14th March 98. you expressed the willingness of the Govt. of India to consent to the issue by this Government of an Order under the Tramways Act for the construction by the Rajah of Parlakimedi of a steam tramway from Naupada station on the E.C.Ry. to Parlakimedi town. The proviso however was attached that no claim for compensation must hereafter be raised by the Rajah if at any time Government should consider it necessary to make or to allow to be made a railway to supersede the tramway, and that he must clearly understand that "permission to make this ~~tramway~~ line to Parlakimedi ~~tramway~~ does not imply any right towards permission hereafter being claimed for any extension beyond that place to a point on the proposed Vizianagram Raipur Railway." Your letter also contains a suggestion that the gauge should be 2 ft. instead of 2'.6".

2.— The accompanying copy of this Govt. Proceedings. No 1283 Ry. dated the 18/10/98, shows that as regards gauge the Rajah has already, by the purchase of rolling stock, committed himself to the 2'.6" gauge. As, so far as it is possible to foresee, there is no question here of future connection with 2 ft. gauge railways in the neighbourhood, the Rajah's choice of the larger gauge does not appear to this Govt. to be a matter of much moment. As regards the proviso however, which perhaps the Govt. of India looked on as merely a nominal one, the Rajah is much concerned at being obliged to subscribe to it. He can scarcely be expected to quite realise how very remote is the contingency of its being given effect to. He however realises clearly enough that the insertion of such a proviso in the published order for the construction of the tramway will practically have the effect of reducing to the value of old material the commercial value of his ten lakh tramway

3.– It seems advisable that the intention of the word "supersession" should be more clearly defined. and a study of the physical features of the locality make it ~~clear~~ evident that there can be no supersession unless practically the very alignment intended to be occupied by the tramway is selected for the competing railway of the future. For on the north the projecting spurs of the Eastern Ghats which terminate in the Mohendragiri peak opposite the port of ~~[illegible]~~ Baruva make the intrusion, from that side, of anything that could be characterised as a "superseding line a most remote contingency; while on the south the physical features between Calingapatam and Narsannapeta are such that no railway is conceivable between the Rajah's line and a railway running from Palkonda through the Vamsadhara valley to the Port of Calingapatam. The only possible superseding railway therefore would be one which would practically occupy the same ground as that in prior possession of the Rajah's tramway.

? Baruva

4.– Remote as is the contingency of this alignment being occupied by a superseding railway, it would in the opinion of this Govt. be only fair to the Rajah to specify that in the event of such a line being made, or allowed to be made by Government, his tramway should be acquired under the purchase clause of the Tramway Act. Such a provision seems to H.E. the Governor in Council to be only reasonable and the chances of its operating adversely to Government interest would appear to be extremely remote.

I have &

F.W.S.

28/9/98

Documents accompanying:-

Copy of Proceedings referred to

Despatched on 19.10.98

0
28/9/98

R 17.10.98

Form No. 10.

PUBLIC WORKS DEPARTMENT.

RAILWAY BRANCH.

C. No. ....

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE SIR HENRY BLISS, K.C.I.E.

THE HON'BLE MR. A. T. ARUNDEL, I.C.S.

SUBJECT.

The Parlakimedi Tramway.

FOR ORDERS.

7 Aug H

7 Aug S

7 Aug

H.E. and Hon. Members have already noted on my memo on the subject of the Rajah of Parlakimedi's discontent about the provision made by the Govt of India in their No. 2 R.P. dated the 14th March 98.

I therefore put forward the accompanying draft letter to the Govt of India for approval.

It is not very easy to precisely define what alignment a railway must occupy, or the limits of the zone which it must enter, before it can be said to "supersede" the tramway. The contingency of supersession is probably extremely remote, but the Rajah reasonably enough complains that the very existence of the provision in the Order will make his tramway of no commercial value. It will be well therefore to try to define the limits of the zone within which a railway must encroach before it can be said to supersede the tramway.

The physical conditions of the country make this less difficult than it might be if the country

10.

a level open plain. From the South side the only supersession possible would be the building of a railway from Parbatipur, or some point in its neighbourhood, on the Vizianagram Raipur Ry. via Palkonda and Parlakimedi to Naupada. A line from Parbatipur, or some point near it, on the V. R. Ry. to the port of Calingapatam could not be said to supersede the Rajah's tramway.

On the North side the spurs of the Eastern Ghats which end in the peak of Mahendragiri and which jut out opposite the little port of Baruva effectually prevent any likelihood of encroachment on that side. I mean that the physical formation of the country is such as to so circumscribe the trade-tract as to make it extraordinarily unlikely that anyone will want to make a railway on that side which could be described as a superseding railway.

I have embodied as much of this as seems necessary in the draft submitted for approval.

FRS.
27/9/98

Despd.
A.S.H.
2.10.98

Aug. 10.98

R.D.G.S. 245

16

0/18 2,000—[illegible]-3-98.

P. W.

~~Revenue~~ (1898) Department.

Railway

CURRENT No. ~~7344~~
1366

27 P

case taken by ER

ER

From

The Board of Revenue, Land
Revenue, Madras.

Order Endt: Mis. No. 4515.
d/19th November 1898.

No. 3002 Misc.

Transferred to the Public Works Department, in continuation of Endt: No. 1386 R. dated 17th September 1898.

(By order)

[illegible]

Ag: Under Secretary to Government

S No 1A

Dated 22nd. October 1898
Received 28/10
Registered 27/10
Enclosures 7
Spare copies

Recd 21-11-98

To,
The P.W.D. (Railway Branch)

SUBJECT.

Informing Government that the District Board, Ganjam, the Taluk Board, Chicacole, and the Municipal Council of Parlakimedi have consented to the construction of the tramway by the Rajah of Parlakimedi subject to certain Conditions.

P. T. O.

28

To P.W.D. Roads Branch.

Transferred U.O. with reference to the final paragraph of the Collector's letter with a request that Railway Branch may be informed whether the doubtful piece of road referred to is under the P.W.D. and if so, to request that authority to lay the Tramway on it may be communicated.

F.J.E.S.

29/11/98

No. 5392 C d/ 1st Decr 98.

Referred to the Suptg. Engineer, I Circle, for early report whether the portion of the road referred to is in charge of the P.W. Department.

A.W.
1.12.98

~~Secretary to Govt.~~ P.W.D.

No. 5765 C dated 21-12-98.

C
To
R

File forwarded in continuation of Endorsement No. 5735 C d/ 17th Decr. 1898 on telegram from the Suptg. Engr., I Circle, stating that the road in question was handed over to the L. F. Bd. in 1893.

20.12.98

BACK PAPERS.

G O.	No.	Department.	Date.

FURTHER PAPERS.

G O.	No.	Department.	Date.

M. Govindarajulu

RGO 268
Engl

Print in full

21 P

From

H. D. Taylor Esquire I. C. S.
Acting Collector of Ganjam

To

The Secretary to the Commissioners,
Land Revenue, Madras.

Dated, Camp Hingili, 5th October 1898

Sir,

With reference to para 4 of Board's Proceedings No. 2428, Miscellaneous, dated 6th September 1898, I have the honour to forward herewith copies of the Resolutions of the District Board, Ganjam, Taluk Board, Chicacole, and Municipal Council, Parlakimedi, being the Local-road authorities in respect of the areas through which and roads over which portion of the Parlakimedi Tramway may be expected to pass according to the present alignment, sanctioning its construction subject to the several conditions therein imposed.

2 For the elucidation of the condition imposed by the Taluk Board, Chicacole, I have

the honour to state that the conditions proposed by me in my reference were practically the same as those adopted by the District Board, Ganjam,

Viz, that the tramway should not run along any road in charge of the local Board except at recognised crossings at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, that no damage should be done to the avenues either by cutting the roots or damaging the trees by smoke.

Copy of my endorsement of reference to the President, Taluk Board, is enclosed for information.

3 In regard to the Parlakimedi Municipality I understand that for the present it is not proposed to carry the tramway ~~without~~ within Municipal limits, the proposed terminus being 1/2 mile away from the town.

I mention this as I doubt whether the general reservation of right to itself made by the Municipal Council in para 3 of its Resolution can be legally enforced.

4 In regard to the rest of the country through which and roads over which the tramway is aligned, there is some difficulty in deciding

deciding who is Road Authority. Both the District Board, and Taluk Board, Chicacole are no doubt the Local Authorities.

The road from Naupada to Tekkali, and again from where the Tekkali-Tembur road joins the Calingapatam-Parlakimedi road is under the control of the Taluk Board, Chicacole. In these portions the Taluk Board, Chicacole, is clearly the Road Authority.

5 The road from Tekkali via Tembur and on to the point where it joins the Calingapatam Parlakimedi road near Patapatnam is different. This consists really of two roads. The first portion is part of the road from Tekkali to Hiramandalam. This so far as I have been able to gather was originally constructed by the Public Works Department, land being finally acquired for the purpose in or about the years 1866 to 1870.

Its maintenance after completion was then handed over to the District Board, but the road was subsequently abandoned. It would appear however still to vest in the District Board.

The second portion of the Tekkali-Patapatnam road was constructed by the Parlakimed estate from estate funds, and always maintained by the Estate. Though used by the public which has acquired a right of way over it by easement, it is to all intents and purposes a private road, and the Raja himself would appear to be the road authority in respect of the same. I understand that it is only on portion of this road that the tramway is actually intended to run.

6 ~~And~~ As there may be some doubt as to who is the Road Authority in the case of the portions of the Tekkali-Hiramandalam road which was originally constructed by Government, and handed over to the Local Board, and abandoned by the latter. I think it desirable, in order to clear up any legal doubt, that the sanction of Government in the Public Works Department as road authority should also be accorded.

I have the honour to be,
Sir,
Your most obedient Servant
D Srinivasa [illegible]
for Acting Collector

R/
Pr Ry cir. 1366/98

1898
REV. NUE DEPT.
1
C. 7344

Endt. RCB 245 1898
Dated 5-10-1898

Print in [illegible]

AP

Endorsement on Board's Proceedings No 2428, Miscellaneous, dated 6th September 1898.

Para 4 of the Board's Proceedings — communicated to the President, Taluk Board, Chicacole, with the request that he will, at the next meeting, obtain the formal sanction of the Taluk Board to the construction of the tramway subject to such conditions as it may impose.

2 The consent sought for is required by the Board both in its capacity as Local Authority and Road Authority under section 4 i. b. of Act XI of 1886.

The chief precautions which seem desirable are that the tramway should not run along any road in charge of the Local Board except at recognised crossings at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, and that no damage should be done to avenues either by cutting the roots or damaging the trees by smoke.

3 Copies of para 4 of this Office

letter, Rev. No. $\frac{1739}{\text{Eng}}$ of 1897 dated 26th November 1897, para 5 of this Office letter Tour C. No. $\frac{25}{\text{Eng}}$ of 1898 dated 29th July 1898 to Board of Revenue and of letter G. B. No. $\frac{245}{\text{Eng}}$ of 1898 dated 20th August 1898 to the Raja of Parlakimedi are herewith sent.

(Sd) H. D. Taylor
Acting Collector

(True Copy)

J. Srinivasachari
for Acting Collector

Chakrapani
6-10-98

$\frac{22}{\text{Pr Wkg C No}}$ 1366/98

1898
REVENUE DEPT
Encl. No. 2
Cur. No. 7344

Enclo. to G.B. No. $\frac{245}{\text{ENG}}$ 1898
Dated 5-10 1898

~~24 P~~
235.P

Extract from the Proceedings of the District Board, Ganjam at its meeting held on Saturday, the 24th September 1898 at 2 P.M. in the Senior Assistant Collector's Office at Berhampore.

* * * *

21 Read Endorsement of the Collector of Ganjam G.B. No. $\frac{245}{\text{Eng}}$/98 dated 14th September 1898 communicating para 4 of the Board's Proceedings No. 2428 Miscellaneous, dated 6th September 1898, and requesting to obtain the formal sanction of the District Board to the construction of the Tramway by the Raja of Parlakimedi subject to such conditions as it may impose.

Resolution

Sanction to the construction of Tramway is accorded subject to the following conditions:—

(1) that the Tramway shall not pass along or cross any road under the control of the District Board or local authority or over any road for which the District Board is the road authority except at recognised crossings.

(2) That the Tramway shall be so aligned as not to interfere with the slopes, drainage, or embankments of the road or so as to

damage the avenues along the roadside.

(3) that proper provision shall be made for level crossings at reasonable intervals for the benefit of the ryots.

* * *

(Sd) H. D. Taylor.
President, District Board,
Ganjam

(True extract)

Chakrapani
6-10-98

J Srinivasa Rao
for Ag Collector
Ganjam

h

93
PmRy e No 1366/98

1898
REVENUE DEPT.
3
Ex.
7344
Cur.

Enclo. to GB 245 8
Dated 5-4 189 8

Print in full

264 S.P.

Extract from the Proceedings of the Municipal Council, Parlakimedi, at a special meeting held on Wednesday the 28th September 1898.

× × ×

× × ×

II Read Proceedings of the Board of Revenue and the footnote thereto in regard to the Parlakimedi estate light railway.

Resolution:— Sanction is accorded subject to the following conditions,

(1) that where the line runs parallel or adjacent to the Municipal roads the side drains and avenues should not be interfered.

(2) that where it crosses the Municipal roads, proper care should be taken so as not to cause any obstruction to the public traffic

(3) the Municipal Council however reserves to itself the option of imposing such other conditions as it may deem expedient from time to time.

× × ×

(Sd) S. S. Rajaguru
Chairman

(True extract)

Chakrapani
6-10-98

J Srinivasa Rao
for Acting Collector

k

E4
Proky cNo_1366/98

1898
REVENUE DEPT.
Encl. No. 4
Cur. No. 7344

Enclo. to 25 No. 245/Eng 1898
Dated 5-10-1898

25

Extract from the Proceedings of the Taluk Board of Chicacole passed at its meeting held on Saturday the 24th September 1898

* * * *

11 Read footnote R. G. B No $\frac{245}{Eng}$ of 1898 dated 14th September 1898 from the Collector of Ganjam to para 4 of the Proceedings of the Board of Revenue (Land Revenue) No 2428 Miscellaneous, dated 6th September 1898, requesting to obtain the formal Sanction of the Taluk Board to the construction of the tramway by the Rajah of Parlakimedi Subject to such conditions as the Board may impose.

Resolution

Sanctioned, subject to the provisions suggested by the Collector.

(Sd) R. A. Graham
President, Taluk Board,
Chicacole

(True extract)

D Srinivasa Rao
for Acting Collector

Chakrapani
6-10-98

25
Pro Ryeno 1366/98

1898
REVENUE DEPT.
Encl. No. 5
Cir. No. 7344

2,000
6-10-98.

Proceedings of the Board of Revenue

(Land Revenue).

No.3002 Misc.Dated 22nd.October 1898.

Read again Board's Progs.No.2428,dated 6.9.1898.

Read letter from H.D.Taylor Esq.,Ag.Collector of -
Ganjam to the Secretary to the Commissioners of Land Revenue,Madras,R.G.B.No.245/Eng.dated 5th October 1898.

Resolution

In para 4 of its Proceedings No.2428 dated 6th Septr.1898,
the Board pointed out to the Collector of Ganjam, that section 4 (1)
(b) of the Tramways Act (XI of 1886) required the consent of the -
local authority to the construction of the proposed tramway by the
Rajah of Parlakimedi even though the line was not intended to ---
traverse any Local Fund road,and the Collector was requested to --
cause meetings of the Local Boards concerned to be convened in or-
der that their consent might be formally signified, whether such --
consent was necessary in their capacity as "local authorities" or -
as "road authorities".

2. With the letter read above,the Collector submits three -
resolutions,one passed by the Ganjam District Board,the second by
the Chicacole Taluk Board and the third by the Parlakimedi Munici-
pality.The District Board and the Taluk Board have signified ----
their consent to the construction of the line subject in both ----
cases practically to the same conditions;namely:—
1.that the tramway shall not pass along or cross any road in -----
charge of the District Board or the Taluk Board, except at recog---
nized crossings;

2.

2.that the tramway shall not interfere with the slopes,drainage or ---
embankments of the road or damage the avenues along the road-side;and
3.that proper provision shall be made for level crossings at reasonable
intervals.The Municipal~~ity~~ Council of Parlakimedi has also assented to
the construction of the line within the municipal limits,subject to the
~~cond~~ conditions that side-drains and avenues shall not be interfered -
with where the line runs parallel to municipal roads and that ~~the~~ ----
obstruction to public traffic shall be avoided where the line crosses
such roads.But the Council has,at the same time,reserved to itself ---
the option of imposing such other conditions as it may deem expedient
from time to time.The Collector doubts whether this reservation of ---
power can legally be made by the Municipality.The Board shares his ---
doubts but the question does not arise at present as it is not -
at present proposed to carry the tramway within municipal limits.

3. Next, as regards the question whether the local authorities -
and the road authorities are identical throughout the length of the pro-
posed tramway,the Collector states that the first portion of the road
from Tekkali to Patapatnam via Tambur,was constructed by the Public
Works Department and handed over to the District Board by which it has
since been abandoned.The Collector adds that as there may be some doubt
as to who is to be deemed the"road authority" in respect of this por--
tion of the road,it is desirable that the formal sanction of the Govern-
ment in the P.W.Department should also be accorded.As regards the -----
second portion of the Tekkali-Patapatnam road,the Collector states ---
that it was constructed and maintained out of the funds of the Parlaki-
medi Estate and that though the public have acquired a right of way --
over it by easement,it is to all intents and purposes a private road,
the Rajah himself being the "road authority" in respect of it.

(True Extract)

24.10.98

~~For~~ Ag.Secretary.

To the Secretary to Government,R.D.,with letter & enclosures.

Q.B.

2,000

6

Revenue (1898) Department.

CURRENT No. 8430

From The Board of Revenue,
Land Revenue,
Madras.

Order

Please draft a telegram

10/12/8

No. 3499 Misc.

Dated 8th December 1898.

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Submitting to Government letter from the Collector of Ganjam requesting that the sanction of the Government of India for the construction of the tramway from Naupada to Parlakimedi may be obtained by telegram and that steps may be taken for the acquisition of the lands required for the same

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Proceedings of the Board of Revenue

(Land Revenue).

No. 3499 Miscellaneous dated 8 De

Read letter from H. D. Taylor, Esquire, Collector of Ganjam, R.C. No. 1701/Eng of 98 1 December 1898.

Resolution:

The Collector's letter read a will be submitted to Government in tinuation of Board's Proceedings Nos. dated 6. 9. 98 and 3002 dated 22. 10. 98

1. Endt 1386 R / 17-9-98

2. Endt 4515 / 15-11-98

2. The Collector requests that the sanction of the Government of India the construction of the tramway from Naupada to Parlakimedi may be obtained by telegram and that steps be taken for the acquisition of land required for the same, the Raja of Parlakimedi having consented to pay the cost of the Special Deputy Collector who may be appointed for the purpose.

the Collector's
oserves that under section
f the Tramways Act (XI of 1886)
cal Government may provide for
ands required for the tramway being
ired under the Land Acquisition

/True Extract/

Lionel Davidson

ag. Secretary.

he Secretary to Government, Revenue Department with letter and enclosure.

From No 63/Eng

H. D. ylor Esquire I.C.S
Acting Collector of
Ganjam

To

The Secretary to the Commissioners
of Land Revenue
Madras

Dated camp Ramagiri, 1st December 1898.

Sir,

I have the honor to forward herewith copy of letter no 636/Eng of 98 dated 28th ~~instant~~ ultimo from the Agent to the Raja of Parlakimedi, asking that very early sanction may be accorded to the construction of the branch railway from Naupada to Parlakimedi and that the necessary steps may be taken for the acquisition of the land required for the same so far as it ~~lies~~ lies outside the limits of the Parlakimedi Zemindary.

2. The difficulty lies in the fact that no land can be formally acquired for the purpose of the Railway, or tramway, until formal sanction to its construction has been accorded. The Raja has agreed to defray the cost of a special Deputy Collector to be appointed for the formal acquisition of the land in question

3. In view of the desirability of the early construction of this line, I would ask that Government be moved to obtain the formal sanction of the Government of India by wire.

The land to be acquired outside the limits of the Parlakimedi Zemindary li
partly in villages of the Nandigam Estate no
under the management of the Court of
war

, partly to the propriet[illegible] [illegible]huna-dhapur Khandam, and par[illegible] Collector's [illegible]ns Agraharamdars, Mokhasad[illegible]s and temple trustees.

There is of course no objection to the Raja proceeding with the work in anticipation of formal acquisition, with the sanction of the various proprietors concerned. I am addressing the Court of Wards separately on this matter with a view to granting formal permission to enter on land in villages belonging to ~~that~~ Nandigam estate.

Please
Comb. to 2[illegible]
[illegible]

5. The Raja apparently overlooks the fact that claims to compensation may arise within his own Estate in respect of lands held by Agraharamdars, Mokhasadars and holders of inam lands: and the Special Officer deputed to settle the matter will have to enquire ~~with~~ into all such claims, as well as claims for compensation in the case of lands outside the Parlakimedi Estate. One such claim has already been put in before me.

I have the honor to be
Sir
Your most obt Servt

H D Taylor
1-12-98
Acting Collector

[illegible]
Att

1898
REVENUE DEPT.
Encl. No. 1
8430

No 63
Eng

From

W. Taylor Esq
Agent to the Raja
of Parlakimedi

To

H. D. Taylor Esq ICS
Collector of Ganjam

Dated Parlakimedi 27/25 November 1898

Sir,

I have the honor to request you to be so good as to write, or wire, urgently to Government to sanction the branch railway from Naupada to Parlakimedi.

2. I was given to understand in Madras that the Raja having accepted the conditions laid down by the Government of India it was considered that no further sanction was immediately necessary. However, as you are aware, the work is at a standstill and the Raja is now keeping up a large Railway establishment with little or nothing to do.

3. The working season is now close at hand, and materials for the railway have already arrived, I therefore request that you will be so good as to get the required sanction as soon as possible and appoint some one to take over the required land between Naupada station and the boundary of this Estate as quickly as you can.

I have the honor
to be Sir
Your most obt Servt

(Sd) W. Taylor
Agent to the Rajah of
[illegible]

(True copy)
H D Taylor
[illegible]
Actg Collector

858
REVENUE DEPT
No. 2
8430

P.W. De

Read B.P. 3499
8-12-

Endt

Transferred
Public Works Dept.

10/XII/98

To the P. W. D (Railway)

10-12-98

10-12-98

18
19

Form No. 7.

TELEGRAM ~~URGENT~~ ~~ORDINARY~~ DEFERRED

FROM
The Con. Engr. for Ry.
Madras

TO
The Collector of
Ganjam.

177 D × Your letter to Board 1701 December first ~~[illegible]~~ Parlakimedi tramway. India has ~~nothing~~ no more concern ~~[illegible]~~ with ~~[illegible]~~ it until ~~Government~~ Madras has issued draft order under Tramways Act. ~~[illegible]~~ Preparation of this order by ~~[illegible]~~ Solicitor delayed for lack of information about ownership of certain piece of road. Superintending Engineer asked and again wired to, perhaps you can expedite. He has ~~[illegible]~~ papers, can do nothing until their return.

FKS

12/12/28

Despd
12/12/28

Note for D,

If during my absence at any time a reply should come from S.E.I. with the original papers sent to him, please take the whole file to the Govt. Solicitor and ask him to put an Order on the stocks, similar, ceteris paribus, to the Ammanayakanur Kennemuth Order. The papers in the file together with those to be returned will afford ample information to allow of the drafting of the Order.

FKS 12/12/28

D1

P. W
1,000—

[illegible]
in the case of the [illegible]
it was [illegible]
the [illegible]

[illegible]

D.

In the [illegible] Tramway Case the draft notification
[illegible] the L. [illegible] is therefore [illegible] known who
prepared the draft, but I [illegible]
In the case [illegible] we prepared the
draft [illegible] tramway notification.
[illegible] the afore notifications were [illegible] by
the Govt. Solicitor. In the present case [illegible]
ask Govt. Solicitor to [illegible] a draft notification on
the [illegible] of other tramway notifications.

[illegible]

[illegible], we can await the reply mentioned
& then I can settle what is to be done.
I do not suppose Mr. [illegible] would
draw up the notification himself. Probably
some clerk in his office would do it
& he would then [illegible] it.

~~Telegram~~

Public Wks **(189) Department.**

Railway

CURRENT No. ~~1041~~ 1492

19

JOINT SECRETARY TO GOVT. OF MADRAS RYS.
RECEIVED
19 DEC. 1898

No: 5735 C d/17 Decr 98.

To

R. + S No 16 sent in original

Forwarded with reference to your unofficial inquiry dated 29th Novr 1898.

The file will be sent on receipt.

Ask
17-12-98

17.12.98

From The Supt'g Engr I Circle

No.

Dated 14-12-98

Received 3/15

Registered

Enclosures Recd 19-12-98

Spare copies

SUBJECT

Batteli Hearamandalam Road. Informing that the — was commenced as a Famine Relief work in 1889 and handed over to the Local Fund Board 1893.

Transferring with remarks Board Pros: stating that the Dt. Board Engineer Ganjam, the Taluk Board Chicacole, & the Municipal Council of Parlakimedi have consented to the construction of the tramway by the Rajah of Parlakimedi subject to certain conditions

P. W. 29.
1,000—5-9-98.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

8250

Code Class D.S.

INDIAN TELEGRAPHS. Monthly Number.

To (Office) Madras.

From (Office) Aska.

Words	Day	Hour.	Minute.	Official Instructions
28/6	14.	10	20	Ofd.

To (Person) Madras. Works. Chepak. ~~[illegible]~~

From (Person) Supt. Engineer.

Wire 12 instant battili

Kearamandalam

road not charge

P W D commenced

famine work 89 handed

L. F. B. 93.

64 Word Form.

F. C 2.

Recd. from I.N. Sent to

At Hrs. Mts. by At Hrs. Mts. by

ADRAS 15-12-98

Telegraph Master

C G P—No. 6?0 T 20-4-98 100000.

-3,265 Bks.—25-9-29.

OFFICE OF THE

Dated 10-1- 1930

3 Hours 35 Minutes.

261/1

TELEPHONIC MESSAGE.

From Supdt Rec (A)

To M.Co

Pl. send up for Ccs 37A/30, Go 570 Ry d/12.5.99 1925. - d/14.11.01 with all back & forward pps, if any

Endorsed. 261.1.d.10.1.30.

Furnished

10.1.30

for Curator

10.1.30

To Rec A.

Form No. 6.

Public Works Department,
Railway Branch.

OFFICE NOTE No.

Dated 189 .

From

THE JOINT SECRETARY TO GOVERNMENT, P. W. D. (RAILWAY BRANCH),

To

~~THE~~ D.

~~Put up~~ It will be much more convenient for me to await the return of the other case. The Govt. Solicitor has completed revising it except the one clause relating to the District Board. However, I will try & see Mr. Barclay & ask him what course he prefers.

21/12/98.

A.R. will have to come to some arrangement with W's office people for getting these papers back sharp. ~~[illegible]~~

FKS

19/12/98

D.

Papers obtained from W's office & put up

[illegible]

D, have all the materials in this File for the preparation of a Draft Order under the Tramways Act, on similar lines to those of the Ammanayakkanur [illegible] Tramway Order now in the Govt. Solicitor's hands.

It will be convenient to the Govt Solicitor to take this up at the same time as the other, or so I presume.

Arrange therefore please to have the Order drafted as soon as possible.

The only papers still missing are those sent by W to S.E. 1st Circle. These may daily be expected to be returned. If there is delay give nobody any peace until you get them back.

FKS.

19/12/98

20

Public Works (1899.) Department.

Railway
CURRENT No. 62

From The Govt. of India

Order

No. 01-R.P.

Dated 6th January 1899.
Received }
Registered } 11-1-99
Enclosures
Spare copies

SUBJECT.

Steam tramway from Naupada to Parlakimedi

Approving, with remarks the proposal to build a ——— by the Rajah of Parlakimedi on the 2'-6" gauge.

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

All communications should be addressed to the Secretary.

Print in file

No. 01 R.P.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY PROJECTS.

~~30~~

29 T

To

The Joint Secretary to the Government of Madras,
Public Works Department, Railway Branch.

Calcutta, the 6th January 1899.

Sir,

I am directed to acknowledge the receipt of your letter No.1284 Railway, dated the 18th October 1898, relative to the construction by the Rajah of Parlakimedi of a Steam tramway from Naupada to Parlakimedi.

2. In Government of India letter No.2 R.P., dated the 14th March 1898, the construction of the proposed line was approved and it was suggested that the gauge should be 2 feet instead of 2' 6". It was also stipulated that in the event of the tramway being hereafter superseded by a railway, the Rajah would not be compensated.

3. You state, however, that by the purchase of rolling stock the Rajah has already committed himself to the 2' 6" gauge and that as he is much concerned at being obliged to subscribe to the stipulation referred to, it would in the opinion of the Government of Madras, be only fair to him to specify in the Draft Order under the Tramways Act that in case a railway was hereafter made, or allowed to be made by Government to supersede the tramway, the latter would be acquired under the purchase clause of that Act.

4. In reply I am to state that as rolling stock has been already purchased the Government of India agree to the proposal that the line should be built on the 2' 6" gauge. As regards the other objection raised I am to say that in

place

JOINT SECRETARY TO GOVT. OF MADRAS RYS.
RECEIVED
11 JAN. 1899

place of the condition alluded to in paragraph 2 above it may be stipulated in the Draft Order that should the Government of India ever consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram railway via Parlakimedi on a broader gauge than the 2' 6", the Rajah will be allowed to convert his line to the gauge required and it will then be worked for him with the rolling stock provided by the East Coast State railway or by whatever railway may be deemed advisable on such terms and conditions as may be then decided.

4. If however the Rajah should decline to exercise the option thus offered no claim will be entertained for compensation for any loss of traffic to the tramway.

I have the honour to be,

Sir,

Your most obedient servant,

F. R. Upcott

Secretary.

[illegible] 6.1.99

Documents accompanying:-

Nil.

B.C.

No. 149

21

Form No. $\frac{1}{B}$.

Copy at once for E.C.R. [illegible]

Madras, 12 Jany 1899.

307

From

THE CONSULTING ENGINEER FOR RAILWAYS,

MADRAS,

Reminders.

To

THE ~~AGENT S. I. Ry.~~ Collector of Ganjam

Reply No. 20R/[illegible]

dated 29.1.99

SIR,

With reference to your letter to the Secretary to the Board of Revenue, No. 25 dated 29th July 1898, I have the honour to inform you, with a view to your communicating the information to the Rajah of Parlakimedi, that the Govt of India have now consented to certain modifications, which will doubtless prove acceptable to the Rajah, of the conditions laid down in their letter No. 2. R.P. dated 14th March 1898. They have also accepted the 2' 6" gauge.

2. The new conditions are as follows viz. that should the Government of India ever consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur Vizianagram railway via Parlakimedi on a broader gauge than 2' 6", the Rajah will be allowed to convert his line to the gauge required, and it will then be worked for him with the rolling stock provided by the East Coast Railway or by whatever railway may be deemed advisable, on such terms and conditions as may be then decided. If however the Rajah should decline to exercise the option thus offered no claim will be entertained for compensation for any loss of traffic to the Tramway.

3. On the receipt of the Rajah's acceptance of these

12/1/99

modified terms there need be no further delay in the publication of a Draft Order in accordance with the provisions of the Tramway Act.

I have &c F.K.S.

12/1/99

Despatched on 12/1/99

Form No. $\frac{1}{B}$.

No. 150

SERIAL No. 22

not to [illegible]

Madras, 12th Jany 1899.

From

THE CONSULTING ENGINEER FOR RAILWAYS,
MADRAS,

To

THE ~~AGENT S. I. Ry.~~ Govt. Solicitor

Reminders.

Reply No.______
dated______

SIR,

I have the honour to request that you will prepare a Draft Order under the Tramway Act authorising the construction by the Rajah of Parlakimedi of the Tramway referred to in the accompanying file of papers. The Rajah's acceptance of the final terms specified by the Govt. of India shall go to you in due course when received. The papers herewith sent appear to me to contain all that is necessary for the preparation of the draft order on the general lines of that on which you are now engaged for the ×Ammanayakanur Kumuvanthe Tramway.

I have &

F.K.S.

12/1/99

12/1/99

× in orig

× The draft order referred to is now in press, a copy will be sent to you as soon as it is received.

18/1 J.C.L.

× Recd from Press 14/1/99

12/1/99.

[illegible]

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
26 JAN. 1899
MADRAS.

SERIAL 23

575
26.1.99.

No. 59

Madras 25th January 1899.

From,

Ernest Barclay
Government Solicitor
MADRAS.

To,

The Consulting Engineer for Railways
Madras.

Sir,

522

With reference to your letter of the 12th instant No.150, I forward herewith a draft Order authorizing the construction of a Tramway by the Rajah of Parlakimedi from Naupada to Parlakimedi. I also return the file of papers which accompanied your letter.

I have the honor to be
Sir
Your Obedient Servant
Ernest Barclay
Government Solicitor.

No 303 Dated 27.1.99.

Despatched on 27/1/99

Returned again to the Govt. Solicitor with reference to undersigned's letter No. 286 dated the 26th Jany. 99. for remodelling on the basis of the draft Madras Tramways order sent yesterday. Like that tramway this one partakes rather of the nature of a light railway, so that a great part of the Model used for the drafting of the order is inapplicable.

1899

Ganjam Collector's Office.

ENGLISH BRANCH.

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
4 FEB. 1899
MADRAS.

From

H. D. Taylor, Esquire, I.C.S.,
Acting Collector of
GANJAM.

To

The Consulting Engineer
for Railways
Madras

Dated Chatrapur, 29 } January 1899
Despatched — 31
Received

Dis. No. 20R/Eng. of 1899

Enc. one

Subject.

Forwarding copy of letter from the agent to the Rajah of Parlakimedi accepting certain condition laid down in sanctioning the light-railway for Parlakimedi.—

ENGLISH BRANCH.

Ganjam Collector's Office.

No.______ of 18
Eng.

Dated Chatrapur, 189 .

From

H. D. Taylor, Esquire, I. C. S.,
Acting Collector of GANJAM.

To

Sir,

I have the honor to be,
Sir
Your most obedient servant.

Acting Collector.

No. 20R
Eng 99

From

The Collector of
Ganjam

679
4.2.99

Print in full

To

328

The Consulting Engineer
for Railways
Madras.

Dated Chatrapur 29th January 1899.

Sir,

With reference to your letter No. 149 dated 12th instant, I have the honour to forward herewith a copy of letter, No. 40/Eng of 1899 dated 22nd instant from which it will be seen that the Rajah of Parlakimedi accepts the Conditions mentioned in your letter.

I have the honour to be
Sir
Your most obdt. servt.

J Srinivasa Row
For Collector
of Ganjam

30/1/99

No. 40/Eeg 1898

From W. Taylor Esquire
Agent to the Rajah
of Parlakimedi

318

To H. D. Taylor Esquire I.C.S.
Collector of Ganjam

Dated Parlakimedi 22nd January 1899

Sir

With reference to your letter Rc. No. 1701/Eng. 1898 dated the 19th Instant, communicating, to the Rajah, letter from the Consulting Engineer to Government No. 149, 521 dated the 12th Instant, I have the honour to ~~forward~~ inform you the Rajah has now great pleasure in accepting the conditions, regarding his line of light railway, as proposed by the Government of India.

The Conditions now laid down the Rajah consider reasonable and fair, and he shall be very glad if in the near future the amount of traffic over

N. 425 Dated 8 February 1899

In original to the Govt. Solicitor in continuation of Con. Engrs letter N. 303. dated 27-1-99. The File of papers, in original is also sent, in case they should be required again for reference.

Francis K. Spring. Co. Eg.
8/2/99

over his little line of railway, or any other consideration should lead the Government of India to propose to run a line of broad Gauge railway, through his estate from Raipur, either down the Valley of the Vamsadara to Kalingapatam, or to Naupada.

I have &c &c

(Sd) W. Taylor
Agent to the Rajah
of Parlakimedi.

(True copy)

D. Srinivasa Rao
for Collector
of Ganjam

Chatrapur }
January 1899 }

K

1 679 of 99
20R 29.1.99
K Ganjam

No. 98

Madras 10th February 1899.

793
11.2.99.

From,

Ernest Barclay
Government Solicitor
MADRAS.

To,

The Consulting Engineer for Railways
Madras.

Press 11/2/99

Sir,

1. With reference to your Memorandum dated 27th January 1899 No.303, I forward herewith an amended draft Order for the Parlakimedi Tramway drawn on the lines of the order for the Madura District Tramway.

2. With reference to your endorsement No.425 dated 8th instant, on a letter dated 22nd ultimo No.40/98, from the Agent to the Rajah of Parlakimedi to the Collector of Ganjam, I think the draft Order forwarded herewith contains the conditions agreed to by the Rajah, as set out in para 512 ~~12~~ 20 of the Report of Inspection of the East Coast Railway.

3. I should be obliged if, in future, when you require me to prepare or to settle an order for a tramway, you would, instead of sending me the whole file of papers relating to the matter, send me definite instructions as to the lines on which the order is to be drawn and the conditions to be contained therein. Your doing so would greatly facilitate my work and save me much time and labour, besides making it more likely that I should insert in the order all the conditions that are intended to be inserted and only those. In reading through a long file of papers relating to a subject with which, unlike yourself, I have had no previous acquaintance, it is not at all unlikely that I may over-look some point which requires consideration.

4. I return the file of papers sent me and

I have the honor to be
Sir
Your Obedient Servant

Press 11.2.99

Ernest Barclay
Government Solicitor.

Parlakimedi Tramway

Form No. 14.

ASSISTT. SECY. TO GOVT. 14 FEB 1899 LOCAL MUNL. EDL. & LEG. DEPT.

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

C. No.

NOTE FOR Secretary L. & M. Dept.

Note Please see type written copy below.

I send the Railway File of papers connected with the Parlakimedi Tramway. A draft of an Order under the Tramway Act will appear in the next Gazette, for objections and for such alteration week by week as may be necessary pending the issue of the final order a month hence or later.

I have not inserted in the draft order the usual Purchase Clause enabling the Local Authority after a certain number of years to compulsorily acquire the Tramway. L. & M. Dept will see a form of such a clause in the copy, put up below, of the Calicut Tramway and ~~the~~ the Madras Tramway Orders.

My reason for omitting the purchase clause is that I am not sure that we can give a Local Authority power to purchase a tramway running for the greater part of its length on a road made and I believe maintained by the Rajah on his own estate. But I do not know whether I am right in this and shall be glad if the L. & M. Dept will advise.

Moreover, I do not know how to fix the price if we are to insert a Purchase Clause. For the ~~existing~~ tramway is a private enterprise of the Rajah, and not the property of a [illegible]

Company, so that there will presumably be no published Capital and Revenue accounts. and I do not see how we are to make the Rajah keep them for year after year for no conceivable object so that in the most unlikely event of the Local Board wishing to buy up the tramway 30 years hence they may have some clue as to how much to pay. We will say Rs 23000 per mile (with a percentage added or not) straight away and don't trouble about accounts.

Personally I am averse from giving power of compulsory purchase in this case. I think we ought to leave the Rajah as free as possible. But I am not sure whether the Local Authority has any potential rights in the matter or not.

13/2/11

Parlakimedi Tramway

Public Works Department
Railway Branch.

NOTE FOR SECRETARY L & M DEPARTMENT.

1 I send the Railway file of papers connected with the Parlakimedi Tramway. A draft of an order under the Tramway Act will appear in the next gazette, for objections and for such alterations week by week as may be necessary pending the issue of the final order a month hence or later.

2. I have not inserted in the draft order the usual Purchase Clause enabling the local authority after a certain number of years to compulsorily acquire the Tramway. L & M Department will see a form of such a clause in the copy put up below, of the Calicut Tramway and the Madras Tramway Orders. A & B

3. My reason for omitting the purchase clause is that I am not sure that we can give a local authority power to purchase a tramway running for the greater part of its length on a road made and I believe maintained by the Rajah on his own estate. But I do not know whether I am right in this and shall be glad if the L & M Department will advise. C & D

4 Moreover, I do not know how to fix the price if we are to insert a Purchase Clause. For the Tramway is a private enterprise of the Rajah and not the property of a Joint Stock Company, so that

there

here will presumably be no published apital and revenue accounts, and I do ot see how we are to make the Rajah keep them from year after year for no conceivable object, but that in the most unlikely event of the Local Board wishing to buy up the tramway 30 years hence they may have some cue as to how much to pay. As well say Rs.23,000 per mile(with a percentage added or not) straight away, and don't trouble about accounts.

5 Personally I am averse from giving power of compulsory purchase in this case. I think we ought to leave the Rajah as free as possible. But I am not sure whether the local authority has any potential rights in the matter or not.

(Initialled) T. J. E. S.
13-2-99

Parlakimedi tramway

Local and Municipal Dep

H. M.

Note for the Secretary

Section 7 of the Indian Tramways Act 1886 which deals with the contents of an order made under Section 6 requires—

(1) that it shall empower the promoter to construct and maintain the tramway in the manner therein provided and shall specify the time within which the tramway shall be commenced and the time within which it shall be completed and opened for public traffic; and

(2) that it may also provide for all or any of the following among other matters that is to say:—

(a) . . . . . the limits of time within which, and the terms upon which, the local authority may . . require the promoter to sell with the undertaking . . .

× × ×

It does not therefore appear tha

he local authority has a right to laim that the order shall give power to purchase the tramway.

If, however, the legal advisers of Government are of opinion that purchase clause should be inserted in the order, it is submitted that, in the absence of published Capital and revenue accounts, the price of the undertaking may be fixed at a valuation to be made by the Superintending Engineer of the circle, with ~~[illegible]~~ per centage added to it by way of Compensation on account of the compulsory nature of the acquisition.

V.R.
18/2/99

H.M.

The draft order under the Act will be scrutinized when it is sent to this Dept. or when it appears in the Gazette. At present Mr. Spring enquires whether he may omit the usual purchase clause, as he is doubtful whether "we can give a local authority power to purchase a tramway running for the greater part of its length on a road made & I believe maintained by the Rajah on his own estate".

With ref. to this, S.22 of the

F.A. note please
F.

I presume the road is a public road vesting in the Dt. Bd. The fact that it runs through the Zemindari makes no difference. If it is not a public road the case is different. ALA

2.

Act allows the local authority
(a) within the time & upon the terms specified in the order
(b) or if no time or terms have been specified, ~~within~~ after 21 years at the then value
to purchase the undertaking with the sanction of the Local Govt.

In the case of the Madura tramway, the time of purchase has been fixed at 30 years, & the terms at 25 times the net profit of the preceding 5 years.

Hence if no purchase clause be inserted, this tramway will be less protected than that in Madura; & if Mr. Spring desires to protect it more or equally, he sd insert a clause giving favourable terms than are specified in S.22. He may be so informed.

H.T.
21-2-99.

This is enough.
ALA

I think the term of 21 years is enough. There were special reasons for extending the period more in the case of the Madura tramway.

ALA 23.2.99.

[illegible]medi Tramway

3rd time to ask.

JHM

Local and Municipal Dept.

Note for the Secretary

The following points are suggested for consideration in connection with the draft Tramway order:—

See reprinted on Madras Tramways case accepted by L & M Dept. The draft will stand

JHS
7/3/97

~~No objection~~
JHS JHK.

Notification. For the words "two-feet six-inch gauge" should be substituted the words "two feet six inches gauge" as in paras 27 and 28 of the order.

Preamble. (1) For the words "local authority" should be substituted the words "District Board of Ganjam", as under Section 4 (b) of the Indian Tramways Act 1886, the consent both of the local authority and the road authority is required for the application.

This means that the District Board is both "local authority" & "road authority". I see no objection to the change tho' it seems unnecessary. JHK.

The change is right. It will appear in the draft. JHS
7/3

(2) For the words "two-foot six-inch gauge" should be substituted the words "two feet six inches gauge" as in paras 27 and 28.

~~No objection either is correct I think~~ JHS JHK.

See above
JHS

Para 2. The words "unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided" shd be added at the end, as in the orders relating to the Madras and Calicut tramways.

Right JHS 7/3

Para 4 It seems better merely to say that "the Raja of Parlakimedi shall be the promoter for the purposes of this order and is in this ord

Right JHS 7/3

referred to as "the promoter", so as to cover the present Rajah and his heirs &c. Moreover, in all the other paras of the draft order, reference is made only to "the promoter." The case of assigns is provided for in paras 25. and 26.

Paras 8. 9. 10. 11. 13. 15. 16. 17. 18 19 and 20. For the words "local authority" wherever ~~they occur~~ should be substituted the words "road authority" with reference to section 7(2)(c) and (g) of the Act, under which the approval of the road authority is required for the conditions subject to which roads may be opened and broken up for the purpose of constructing and maintaining the tramway, and it is the road authority which has to be satisfied regarding the way in which the promoter maintains the roads traversed by the tramway.

Para 9(d). Between the words "tolls and fees leviable" and "in respect of any road" should be inserted the words "under the

Madras

The Govt. Solicitor is the best judge of this

FM JH

I do not agree altogether, I was under the impression that the "road authority" was generally subordinate to the "local authority" if they were separate. Paras 9(a) & (c) 15, 16, 17, 18, 19 & 20 perhaps would be better if road authority were substituted for "local authority". Paras 8, 10, 11 & 13 appear preferable as they are now.

JH

Mr Lyle must learn not to note in the above sense in his capacity of Under Secretary. There is no question of his being or not being "under the impression" in a matter of this sort. It is his duty to inform himself of the true state of things when noting for Secretary's orders, especially when all that needs to be known in the matter is in his own files.

FMS
7/3/97

The next edition of the draft order will be found to have the words Local & Road sorted out as already approved by L & M Dept for the Madras Tramways.

FMS
7/3/97

Para 9(c). In the third line the word 'is' should be altered to "are".

FM 7/3

I see no objection.

JH

FM

~~Why~~? Accepted

FM 7/3

Yes.

FM 7/3

Why? We can put "drain" as decided on in the Madura draft.

drain is proper

FM 7/3

From the gutter or drain if there is one or edge of buildings if there is no drain.

The draft will stand, see Madras order on para.

FMS 7/3

~~The words "assigns" et "heirs" &c~~
~~that is [illegible]~~

FM 7/3

Madras Local Boards Act 1884 or other law in force for the time being", so as to distinguish road tolls from the charges leviable for the use of the tramway which are also termed as tolls – vide section 3(10) of the Tramways Act.

Para 12. The word "greatest" appearing in the last line of this para should be omitted.

Para 13. (1) In line 2, the word "when" appears to be a misprint for the word "where".

(2) In line 4, the word "Channel" should be substituted for the word "gutter".

(3) Provision should be made in this paragraph for calculating the seven feet width of the road in cases where there are buildings on that side of the road on which the tramway is laid.

(4) Under this paragraph a width of only seven feet or less of metalled road will be left for

cart traffic at places where the breadth of the road is less than fourteen feet. It appears to be desirable in the interests of public safety to require that except at bridges, there shall be a minimum width of ten feet of metalled road clear of the rail of the tramway which is nearest the road centre, the additional width of road required being provided by the promoter.

Para 17. In line 3 between the words "formation" and "maintenance" insert the word "or."

Para 24. The words "The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway" should be added at the end of this paragraph as in the case of the corresponding paragraph in the Madura Tramways order.

V.R.
27/2/99

H.T.
1.3.99.

Let the Project make the road up of necessary to give 10 ft clear for carts.

There is no parallel in the case with the [illegible] and referred to in the Note in the Madura Tramways.

FHS
7/3

There is no doubt that as the draft stands, the promoter would never have to make up the road to a greater width than it happened to be when handed over. Thus if the existing road is only 7 feet he could take it all for the tramway. I think this requires correction.

JLR

No, I see the wording is the same as the Madura one viz "where the road is designed at . . . . ." It is a matter best settled by the local authority.

JLR

I think "formation maintenance" means maintenance of formation.

JLR

No. The comma is wanted. FHS
7/3

There seems no objection to this correction JLR
6.3.99.

FHS
7/3

JOINT SECRETARY TO
RECEIVED
4 MAR. 1899
GOVT. OF MADRAS RYS.

Communicate to Jt. Secy Rys.

HT 2.3.99.

To Pro Rys

HT
3.3.99

ASSISTT SECY TO G. O. M.
11 MAR. 1899
LOCAL MUNL. PUBL. & LEG. DEPT.

Secy. L & M.

Please see below the draft which will appear in next Gazette. I think that everything is now pretty right. and if your Dept. agrees, I would send the draft in this its final form to India for confirmation

FHS
10/3/99

JOINT SECRETARY TO
RECEIVED
13 MAR. 1899
GOVT. OF MADRAS RYS.

Yes -
~~The~~ The misprint in l. 2 of para 13 has not been corrected.

HT
11 3 99

Mr P.

Send a special line on to Press Supdt to correct this

FHS
13/3/99

R.G.B. No. 184/Eng 99

SERIAL No. 26

From

H. D. Taylor, Esquire, I.C.S.
Ag. Collector of Ganjam

Enc. 2

To

Francis J. E. Spring, Esquire, C.I.E.,
Consulting Engineer
for Railways,
Madras.

CONSULTING ENGINEER FOR RAILWAYS
RECEIVED
13 MAR. 1899
MADRAS.

Dated Chatrapur 9th March 1899.

Sir,

With reference to the Parlakimedi Tramway Notification dated 18th February 1899, I have the honour to enclose a memorandum containing my suggestions with regard to the draft order authorizing the construction of the tramway published under section 6, clause (1), of the Indian Tramways Act XI of 1886.

2. In this connection I have to submit that from the ~~limits~~ lists of Notifications and Rules available in this office, it does not appear that the Act

has

been extended, under section 2. clause (2) of the Act, to any District outside the City of Madras. The Act was extended only to the City of Madras in Notification No 288 dated 20th August 1886 published at Page 750 of Part I of the Fort Saint George Gazette dated 27th August 1886.

B

in G.O. 1747 Pub / 20-8-86

3. I take this opportunity also to note that no rules appear to have been framed by the Local Government under section 24, clause (1), of the Act and that it is desirable to frame such rules. The District Board will take steps for the issue of rules under clause (2) of that section after the final order is issued.

4. The work has been already commenced as you are doubtless aware. This I note with reference to paragraph 8 of the draft order.

5. I forward to you herewith a map showing the ~~limitation~~ line taken by the first two sections of the proposed tramway which I

Herewith

I have just received. This may be ret

to me in case one has already been dep

by the promoter with Government.

I have the honour t

Sir

Your most Obt serv

Memorandum

"District Board of Ganjam" has been substituted.
FM

Preamble to the draft order. As there is more than one local authority for the proposed tramway, the term "Local authorities" may be substituted for the term "Local authority".

The L. & M. Dept. says no.
FM

2. **Paragraph 4 of the draft order.** The name of the promoter should be given in full as Sri Gowra Chandra Gajapati Narayana Deva garu, Raja of Parlakimedi.

[illegible]
FM

The plan is apparently the one received to-day without covering letter.
FM
13/3/99

3. **Paragraph 8 of the order.** A time should be specified within which the plan should be laid before Government and the local authority. Until the plan is received, the local authority can take no action.

Safeguarded by the last clause of the paragraph. FM

4. **Paragraph 9 of the draft order.** In this paragraph it is stated that the tramway shall be constructed in such position on or off the several roads as the promoter may consider necessary or convenient for the efficient working of the tramway. This is not in accordance with the Resolutions of the District and Taluk Boards in which

consent was given to the construction of the tramway subject to the condition that the tramway shall not pass along or across any road under the control of the Boards except at recognised crossings. The tramway passes only along the Tekkali-Temburu and Temburu - Pātāpatnam road the latter section of which was constructed and maintained from the funds of the Parlakimedi Estate. The last clause of the para would, however, apparently ~~subjected~~ safeguard the local authority. I would add the words "and ~~-~~ road" between "Local" and "authority" in this sentence.

prfr. I think
FM

5. The following conditions imposed by the Local and ~~-~~ Road authorities have not been embodied in the draft order:-

(1) That the tramway shall be so aligned as not to interfere with the slopes, drainage, or embankments of the road, or so as to damage the avenues along the roadside,

(2) that proper provision shall be made for level crossings at reasonable intervals for the benefit of the ryots, and

(3) that where the tramway crosses the roads at authorised crossing-places, proper c should be taken so as not to cause any obstruction to the public traffic.

Do
FM

6. Paragraph 10 of the draft order. There should be a condition to the effect that the existing road bridges should not be interfered with without the consent of the road authority.

Do
FM

7. Paragraph 13. The words "is authorize to run" should be substituted for the words "is to run".

8. Paragraph 14. Under section 7 (1) of the Act, the time within which the tramway shall be commenced should also be specified, but this is not specified in the order, apparently because the work is already commenced.

[illegible]
FM

9. There is no condition in the draft order with reference to section 7(2)(a) of the Act giving the local authority the choice of electing to be substituted in the place

lace of the promoter in respect of the undertaking within a period to be specified. he District Board is, however, in low water as regards its finances; and as the insertion of a condition of this nature is not compulsory, it may be passed over. There may however, be a clause as regards future purchase of the tramway by the local authority as in the Madura Tramway Notification.

Quite necessary. The
general Tramways Act
provides for this.
F.W.

10. There should be a condition in the order, with reference to section 7(2)(i) of the Act, for the provision of such crossings, passing-places, sidings, junctions, and other works as may from time to time be necessary or convenient to the efficient working of the tramway.

Prov. see clause 9.

11. Paragraph 16. "Any road" is too general. It should be any road along which, with the sanction of the local or road authority, the line is to run, as specified in the plan.

12. Paragraph 20. I would add the word "or land" after "adjacent road". The present tramway will not run along roads for any distance. Provision should be made for payment of compensation in such cases.

But we are only providing
for the case of his being on the
road. If he requires a
[illegible] off the road he [illegible]

[illegible] land for it
with the rights of way is
contemplated in Sect. 7.
②
Nothing in this Act
can override the ordinary law
of the land [illegible]

13. Paragraph 23. In the traffic which the promoter shall be bound to carry an exception may be made as to the passengers and animals that may be suffering, or believed to be suffering, from infectious disease. There is a provision in section 16 of the Act with regard to the carriage of dangerous or offensive goods.

Provided for
F.W.

14. The tramway may also be extended to within the limits of the Parlakimedi Municipality. The question of exempting the rolling stock, workshops, &c from Municipal taxation with reference to section 44 of the Act, may also be considered.

Whether he so extends
the Local Govt. can
pass an order. There
is no harm in authorising
it, and so beforehand
depriving the municipality
of potential rights.
F.W.

15. With regard to the last clause in paragraph 15, I consider that some limit of time and area should be fixed within which such concession may be allowed, though the proposed tramway does not, so far as I

can

am aware, run through any Government land at any point. After the words "shall be at liberty" I would add "at any time within a period of 2 years from the date of this notification within the Taluqs of Tekkali and Parlakimedi" and at the end of the clause would add "The sanction accorded in the last clause shall apply to material removed by the promoter by departmental agency only, but not to contractors".

The concession should in any case be limited to the Taluqs of Tekkali & Parlakimedi.

Agreed
F.M.

Not necessary [illegible] [illegible] [illegible] [illegible]
F.M.

H. D. Love
10.3.99

A[illegible]

Dh

1899

Ganjam Collector's Office.
ENGLISH BRANCH.

From
H. D. Taylor, Esquire, I.C.S.,
Acting Collector of
GANJAM.

To
The Consulting Engineer
for Railways

Dated Chatrapur, 9th } March 1899
Despatched
Received

R Dis No. 184/Eng. of 1899

Enc. 2

Subject.

Forwarding a memorandum containing suggestions with regard to the draft order authorizing the construction of Tramway published under sub cl(1) of the Indian Tramways Act XI of 1886.

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to be sound; but I am in doubt about this and shall be glad of advice.

13/3/99

Depp.
y, it is
whole
in
the
ctive
t-
ging

Form No. 14.

SECY TO GOVT. L & M MAR 1899 POL & LEG DEPT

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH

C. No.

NOTE FOR L & M. Dept.

If Mr Taylor is right about the Tramways Act XI ~~[illegible]~~ 1886 not having been extended to any part of the Presidency, outside of Madras City, it is for Government to direct so far it be extended. I think that the time is ripe for extending it to the entire Presidency, by a single Gazette Notification I suppose.

2 Sec 24 clause 1 of the Act to which the Collector refers permits the Local Govt. to make rules about certain matters. I see no necessity for making such rules for the whole area till it may be desired, as above suggested, to bring under the action of the Act. Orders can be passed from time to time each case; some of them will be embodied in the intended draft orders.

3 With reference to Mr Taylor's suggestion about the preamble that the several local authorities interested should be set in, please see the Proceedings of the Dist. Bd Ganjam, of the Parlakimedi Municipality and of the [illegible] Taluk Board, which reached this Dept under our Magisterial endorsement Mis. No. 4515. dated 19th 98. So far as I can judge (the L & M Dept will [illegible] to say if I am wrong) no other authorities is necessary but that of the Dist. Board of Ganjam.

4 I added to the draft order the corrections suggested [by] Collector so far as they seem to me

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Parlakimedi Tramway

Local and Municipal Dept.

Note for the Secretary

The Tramways Act may, it is submitted, be extended to the whole of the Presidency, as suggested in para 1 of the note of the Public Works Department, but retrospective effect should be given to the notification as far as regards the Calicut Municipality, as an order authorizing the construction and maintenance of tramways in that town has already been published - Vide G.O. No 1218 Railway dated 5th October 1898

A

2 The suggestion in para 2 of the note may be accepted.

3 As from para 14 of the memorandum forwarded with the Collector's letter, it appears that the tramway is not intended to run within the limits of the Parlakimedi Municipality, there seems to be no necessity to make any reference in the preamble, to the

Consent of the Municipal Council.
It seems also unnecessary to make
mention of the Consent of the Tite
Board, as under Section 8 of of
Madras Local Boards Act V as
1884, the District Board istrict,
authority over the entire di mprised
that is including the area isdiction.
in the Taluk Boards per and the
Moreover, as the District concurrent
Taluk Boards have thus area,
jurisdiction over the same to occur
complications are likely ce of the
in the case of the purchase, by the
undertaking, for instance, ent of the
"local authority". The co therefore
District Board appears necessary to mention
to be all that is neces
in the preamble. tions referred

4. The condi Memorandum
to in para 5 of the the Collector's
forwarded with embodied in
other should
the draft order. Suggestions made
by
The other

by the Collector in the Memorandum
appear to have been properly dealt
with by the Public Works Department in its marginal notes.

V.R
18/3/99

20 3 99

Corrections sent to Press to day at 16-30

FKS
20/3

TELEPHONE.

From R
To Secy Local & Munl Depth.
Dated Time

Will you please return this office papers re the Parlakimedi Tramway as they are urgently required.

20.3.21

Desfd R 20/3
3-20 P.M.

REPLY.

From
To
Dated Time

Telephone

No. 391 Ry.

Government of Madras.

From

The H. C

Code Class. INDIAN TELEGRAPHS. Monthly Number.

To (Office) Telephone From (Office) Message

Words.	Day.	Hour.	Minute.	Official Instructions.
	20	15	24	

To (Person) Secy. L & M Dept From (Person) Joint Secy. P.W.D. Ry. Br.

Will you please return this office papers re the Parlakimedi tramway as they are urgently required

64 Word Form.

F. C 2.

Recd. from LN. At Hrs. Mts. by
Sent to LN. At Hrs. Mts. by
Telegraph Master.

UGP—No, 202 T—8 12 97—2000000

first, ... Hon. Member

20/3

TELEPHONE.

Telephone

From

The H. C

L & M. Deptt

To

The H. C

P. W. D.

The file relating to the Parliakemidi Tramway has been returned to you by a special messenger. as a

~~As the~~ telephonic message was received from your Secretary requiring it urgently; please note that the remark of this Department has to be submitted to the Hon'ble Mr. Arundel as indicated by our Secretary at the top of the note.

Recd 5-55 p.m

MK
20-3-99.

HC

AR

Get the clean proof from press first, and then send it to H.S. and Hon Member.

FKS 20/3

---

it at the expiration of the periods

R. Form No. 12.

No. 391 Ry.

Government of Madras,

PUBLIC WORKS DEPARTMENT,

RAILWAY BRANCH.

27

Print on file

348

To

The Secy. to the Govt. of India,

P. W. Department

7th April 1899.

Sir,

flag B

With reference to correspondence ending with your letter No. 01 R.P dated the 6-1-99, I am directed to forward a copy of the form in which the draft order for the Parlakimedi Tramway has now issued. It ~~will doubtless~~ may possibly receive some alterations, as the result of suggestions, between now and its ~~final publication in the form of a Notice~~ being made absolute. But meanwhile it is forwarded to the Govt. of India for favour of any orders or suggestions which they may have to make.

See remarks in office note. 23-2-99

23-2-99

Appd.
A.S.H.
1.4.99

2. – It will be observed that no purchase clause has been inserted. The reason is that as the tramway is to be constructed by the Rajah as a private venture and as the Purchase Clause of the Tramways Act quite sufficiently guards the right of the Local Govt to buy it at the expiration of the periods ...

in the Act, should they see fit to do so, it seemed unnecessary in this case to ~~say~~ embody in the order any special reference to those rights. There has in this case been no application from the Promoter that the period for purchase should be extended.

I have &c

21/2/99

Documents accompanying

Draft order referred to

Despatched on 8/4/99

Accompaniment to letter to

No 391 Ry 77 Ap

PARLAKIMEDI TRAMWAY.

Notification.

Fort St. George, ~~March 21~~ April 11, 1899.

Under the provisions of section 6 of the Indian Tramways Act, 1886, it is hereby notified that an application has been duly made to the Government of Madras by the Raja of Parlakimedi for sanction to the construction of a line of tramway on the two-feet six-inch gauge in the district of Ganjam, Madras Presidency. The following draft order authorizing the construction of such tramway by the promoter is therefore published for general information. Notice is hereby given that any objection or suggestion which any person may desire to make with respect to the above order will be considered if submitted so as to reach the Consulting Engineer, Madras, on or before the 15th of April 1899.

DRAFT OF AN ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF A TRAMWAY IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—
From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898, and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges

over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay, sand and gravel from Government lands within ten miles of the tramway, for the purpose of constructing the tramway or buildings connected therewith.

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect

to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W.Dept., Railway Branch.

MADRAS,
~~*21st March*~~ 1899.
11th April

PARLAKIMEDI TRAMWAY.

Notification.

April 11
Fort St. George, March 21, 1899.

Under the provisions of section 6 of the Indian Tramways Act, 1886, it is hereby notified that an application has been duly made to the Government of Madras by the Raja of Parlakimedi for sanction to the construction of a line of tramway on the two-feet six-inch gauge in the district of Ganjam, Madras Presidency. The following draft order authorizing the construction of such tramway by the promoter is therefore published for general information. Notice is hereby given that any objection or suggestion which any person may desire to make with respect to the above order will be considered if submitted so as to reach the Consulting Engineer, Madras, on or before the 31st of March 1899.
15th of April

DRAFT OF AN ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF A TRAMWAY IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1885, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter.".

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—
From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898, and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay ~~and other material~~ from Government lands for the purpose of constructing the tramway or buildings connected therewith.

Sand and gravel

within ten miles of the tramway

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect

to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W.Dept., Railway Branch.

MADRAS,
21st *March* 1899.

16th April

PARLAKIMEDI TRAMWAY.

Notification.

21st

Fort St. George, March 14, 1899.

Under the provisions of section 6 of the Indian Tramways Act, 1886, it is hereby notified that an application has been duly made to the Government of Madras by the Raja of Parlakimedi for sanction to the construction of a line of tramway on the two-foot six-inch gauge in the district of Ganjam, Madras Presidency. The following draft order authorizing the construction of such tramway by the promoter is therefore published for general information. Notice is hereby given that any objection or suggestion which any person may desire to make with respect to the above order will be considered if submitted so as to reach the Consulting Engineer, Madras, on or before the 15th of March 1899.

April

DRAFT OF AN ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF A TRAMWAY IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—

From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

Before the end of April 1899, the

8. *Approval of Plans.*—The promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the following conditions:—

the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam on the 24th Sept. '98 and subject to

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local authority.

(*a*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*b*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*c*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*d*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

the promoter has obtained permission to utilise existing road, bridges, but when

10. *Bridges.*—In all cases where in the opinion of the local authority, the existing road-bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

authorised

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is to run. In cases when there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. The promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay and other material from Government lands for the purpose of constructing the tramway or buildings connected therewith.

At any time within a period of 2 years from the date of this notification, within the Taluqs of Tekkali and Parlakimedi, the

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road subject to the following regulations:—

on which the tramway is authorised to run

---

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in Sect. 59 of the Railway Act IX of 1890. He may also refuse to carry animals suffering from infectious disease, as well as the class of persons referred to in Sect. 71 of that Act, except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W.Dept., Railway Branch.

MADRAS,
14th March 1899.

21/8

Form No. 14.

23 MAR 1899

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

C. No.

NOTE FOR Orders of Govt.

Everything that it seems necessary to do to make the Parlakimedi Tramways Order perfect in the light of the Collector's and of the Rev. & M. Dept's criticism, has I think now been done.

The draft order may therefore now go to the Govt. of India with the draft put up for approval.

F.J.E.S.
23/3/99

Secy. Rev. & M. Dept. for C.I.

H.T. 22.3.99
Subject to orders on flag P.

H.E. and circulate

The present, or latest form of the Draft Order may now go to India with the draft put up.

The proposed extension of the Tramways Act to the whole of the Presidency seems desirable and it may be extended by a Gazette Notification.

F.J.E.S.
25/3/99

App'd.
A.H.
1.4.99

But, please see my Note on the connected file.

A.S.H.

I agree with H.E.

A.H. 3.4.99.

H.S.
3-4-99

H.E. & Hon'ble
25.3.99

I have made the alteration suggested by H.E. in clause 15 of this (Parlakimedi) order. The office will now, immediately, get a few clean copies of the draft order, as now corrected, from Press, and will send them to India with the letter drafted. The latest correction will of course also appear in next gazette.

F.J.E.S.
6/4/99

Rd 6.4.99

Press asked 6/4

6.4.99

R. Form No. 7.

TELEGRAM ~~Urgent~~
~~Ordinary~~
Deferred

From Ooty.
R.

To ~~[illegible]~~ Simla
Works.

35P

1-A + No further modification proposed in draft Parlakimedi tramway order sent you with my 391. Ry. SN 27 April seventh. If approved please signify by wire so that Order may be made absolute.

FWS.
25/4/99

Despd
25/4/99

Print in full

368

Code Class. SS INDIAN TELEGRAPHS. Monthly Number. 887

To (Office) Ootacamund From (Office) Simla

Words.	Day.	Hour.	Minute.	Official Instructions.
17/5	28	18	7	Sfld

To (Person) Madras Works

From (Person) Works

49 r. p. applauding 391 railway anomaly parlakemedi tramway order approved.

Translation SN 27.

49 RP. Your letter numbered & dated as follows. 391 Ry 7th instant. Parlakimedi tramway order approved.

32 Word Form.

F.C.I.

Recd. from LN. At Hrs. Mts. by

Sent to OOTACAMUND LN. At Hrs. Mts. by

28-4-99 Telegraph Master.

Wire Collector of Ganjam

Despatched

2/A + The last published draft of Parlakimedi Tramway order having been approved by India will now be made absolute. Please inform Parlakimedi. Order will appear in due course.

FWS
1/5/99

Despatched
1/5/99

The Collector of Ganjam

3/A + The last printed copy of [illegible]

[illegible]

570
571

Communicated to

The Chief Engr
.. P.W. Dept
.. Rev. Dept
.. L. & M. Dept
Collector of Ganjam
Manager S.C.R.

See that the typography of the headings of the G.O. on page 15, and of the Order on page 16 [illegible] are uniform with those of the [illegible]

[illegible] F.L.S.

1888

1/5/88

R – For orders if the [illegible] sh'd be circulated.

11.5.58

No. It was settled long ago.

AR – Please send fair signature copies urgently.

12.5.58

A

Mr W Taylor's letter No. 678. Oct 19th
Mr H. D. Taylor's " No. 20[illegible] Oct 21
Mr W Taylor 709 Nov 19
Mr H D Taylor 1733 Nov 26
} 97 Print in full.

Proceedings of the Board of Revenue No. 22 Misc. Jan 5th 98
Transferring above correspondence to the Secy. to Govt. Rev. Dept.
Endorsement No. 611. Feb. 7th 98. Transferring above to P.W. Dept. Rj.
} 78 Pro. ready 3 [illegible] [illegible] [illegible]

Next print in file (see serial 5) G.O. No. 258. Rj. 15-2-98
and letter 259 Rj. 15-2-98.

India letter No. 2. R.P. dated 14th March 98

G.O. No. 555. Rj. 8-9-98

Board's Resolution No. 2478 Misc dated 6th Sept 98
with enclosures 383 and 403 from the [illegible] and No. 25 dated
27th July 98 from Mr H. D. Taylor.

Letter to India No. 1284. Rj. 18th Oct 98.

Print

Board's Resolution No. 3042. Misc. 22nd Oct 98 with
its enclosures, also with the endorsement [illegible] ending up with W's
No 5765 C. dated 21-12-99
Govt of India No. 01. R.P. dated 6th Jany 99 PTO.

Our letter 149. Jan 12th 99

Mr W. Taylor's letter No. 40. 22-1-99
Collector's letter 20. Jany 29th 99

} Print

Read also Correspondence between Country [illegible], Govt. Solicitor, Collector of Ganjam, and Department of Government, on the subject of objections and suggestions in regard to the draft [illegible] and published in the Ft. St. George Gazette, [illegible] of [illegible], as prescribed by the Tramways Act.

Do not print any of [illegible] Read [illegible]

Read our letter No. 391. R. 7th April 99.
our Telegram 1.A 25/4/99
India Telegram 49. R. 28/4/99
Order thereon, as below.

} Print in full

[illegible] Collector of Ganjam

2/A

---

570 R & 571 R

12/5/99

D A R

~~signature [illegible] despatch these copies let [illegible] the date of despatch & End~~

No 571

Dispatched today 16/5/99

[illegible]

Print

37P

Parlakimedi Tramway Order. Press Print this line in large black capitals.

ORDER—No. Ry., dated May ~~April~~ 1899.

Having, in accordance with the procedure laid down in section (6) of the Indian Tramways Act XI of 1886, duly considered all the objections and suggestions made with reference to the draft published from time to time in the *Fort St. George Gazette* of an order authorising ~~Messrs. Wilson & Co. of Madras~~ the Rajah of Parlakimedi to make certain tramways in the district of ~~Madura~~ Ganjam, His Excellency the Governor in Council is pleased, under the provision of section 4 of that Act, to now make an absolute order in the following form, authorising the promoter~~s~~ to proceed with ~~their~~ his enterprise.

This Order will be published in English and in Telugu in the Fort St George and Ganjam District Gazettes. A copy of this order will be forwarded to the Govt. of India.

Order authorising the construction and maintenance, and to regulate the working of the Parlakimedi Tramway, in the District of Ganjam. } Press. Capitals

Whereas &c. &c. &c. (as in the first draft published in the Ft St G. Gazette see previous page.

1/39

Final notification. the 20. thereon is still in [illegible]

PARLAKIMEDI TRAMWAY ORDER.

Notification.

Fort St. George, May 9, 1899.

Having, in accordance with the procedure laid down in section (6) of the Indian Tramways Act XI of 1886, duly considered all the objections and suggestions made with reference to the draft published from time to time in the *Fort St. George Gazette* of an order authorising the Rajah of Parlakimedi to make certain tramways in the district of Ganjam, His Excellency the Governor in Council is pleased, under the provision of section 4 of that Act, to now make an absolute order, in the following form, authorising the promoter to proceed with his enterprise.

This order will be published in English and in Telugu in the Fort St. George and Ganjam District Gazettes. A copy of this order will be forwarded to the Government of India.

ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF THE PARLAKIMEDI TRAMWAY, IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

> A single line with necessary passing places to be laid—
> From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

R/ Please see para 25 page 10 of proof G.O. printing.

8.5.99

Message sent 7.30 P.M. to Dy. Cn. Engr

At end of paragraph headed rates and fares in Parlakimedi order add following words, begin The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

FWS

Code Class. H.S.

INDIAN TELEGRAPHS

Monthly Number. 526

(Office) Ootacamund

From (Office)

Words 84/2 | Day 8. | Hour 14 | Minute 51 | Official Instructions. wgt.

Recd 8/5/99 4/50 pm

To (Person) The Cons. Engr for Rys.

Parlakimedi Case at Madras

From Deputy Cons. Engr. for Rys.

w/o D. Postmaster General asks that a clause be inserted in Parlakimedi order providing for mails being carried at State railway rates shall I insert.

Reply insert suitable mail clause in Parlakimedi Order without fail in Wednesday's Gazette.

FWS 8/5/99

OOTACAMUND 8-5-99

Telegraph Master.

Word Form.

F.C.L.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898 and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges

over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay, sand and gravel from Government lands within ten miles of the tramway, for the purpose of constructing the tramway or buildings connected therewith.

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect

to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W.Dept., Railway Branch.

MADRAS,
9th May 1899.

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PARLAKIMEDI TRAMWAY.

Notification.

Fort St. George, April 11, 1899.

Under the provisions of section 6 of the Indian Tramways Act, 1886, it is hereby notified that an application has been duly made to the Government of Madras by the Raja of Parlakimedi for sanction to the construction of a line of tramway on the two-feet six-inch gauge in the district of Ganjam, Madras Presidency. The following draft order authorizing the construction of such tramway by the promoter is therefore published for general information. Notice is hereby given that any objection or suggestion which any person may desire to make with respect to the above order will be considered if submitted so as to reach the Consulting Engineer, Madras, on or before the 15th of April 1899.

DRAFT OF AN ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF A TRAMWAY IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—
From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898. and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges

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16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect

to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W. Dept., Railway Branch.

MADRAS,
11th April 1899.

PARLAKIMEDI TRAMWAY ORDER.

Notification.

Fort St. George, May 9, 1899.

Having, in accordance with the procedure laid down in section (6) of the Indian Tramways Act XI of 1886, duly considered all the objections and suggestions made with reference to the draft published from time to time in the *Fort St. George Gazette* of an order authorising the Rajah of Parlakimedi to make certain tramways in the district of Ganjam, His Excellency the Governor in Council is pleased, under the provision of section 4 of that Act, to now make an absolute order, in the following form, authorising the promoter to proceed with his enterprise.

This order will be published in English and in Telugu in the Fort St. George and Ganjam District Gazettes. A copy of this order will be forwarded to the Government of India.

ORDER AUTHORIZING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF THE PARLAKIMEDI TRAMWAY, IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1886, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—
From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898 and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restoration of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges

over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road-metal, stone, lime, clay, sand and gravel from Government lands within ten miles of the tramway, for the purpose of constructing the tramway or buildings connected therewith.

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect

to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to and in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions herein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order, Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer being made to him or them, have refused or shall have failed to accept, an offer of Government or the road authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject of this order, Government shall not construct or allow the construction of any railway between Naupada and Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer being made to him or them have refused, or shall have failed to accept, an offer of Government to construct such railway and shall have failed to agree that it shall be worked by the agency of such neighbouring railway as Government may determine under an agreement between the management of such railway and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches, the promoter shall, notwithstanding anything in this order contained, be at liberty to convert the tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for the promoter by the Government of India with such rolling-stock as may be provided for that purpose by the administration of the East Coast Railway or of such other railway as the Government of India may determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, the promoter and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any condition, regulation or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, electric power or any mechanical power by any such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local authority to the promoter shall be in writing and may be served on the promoter by being delivered to the promoter or to his representative at Parlakimedi or elsewhere and every notice so served shall be deemed to have been duly given to the promoter, anything hereinbefore contained to the contrary notwithstanding. The promoter shall, from time to time, give notice in writing to Government and to the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi where any such notice by Government or a local or road authority may be delivered or left as aforesaid and of any change of such agent or office.

FRANCIS J. E. SPRING,
Joint Secy. to Govt., P.W.Dept., Railway Branch.

MADRAS,
9th May 1899.

1st proof R S 9/5/99

No. 570 Ry., 12th May 1899.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following papers :—

From—The Agent to the Rajah, Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 19th October 1897, No. 678-Eng.

I have the honour to inform you that the Rajah of Parlakimedi intends to construct a line of light railway to connect the capital of his estate with the East Coast Railway.

2. The line will run from Parlakimedi town to the East Coast Railway somewhere near the Naupada station, the distance being about 25 miles.

3. The Rajah has had a survey and estimates prepared for a 30-inch gauge railway from Naupada salt factory to Parlakimedi, and continued up the valley of the Vamsadara river through his estate, and on thence for 4 or 5 miles to Gunupur in Jeypore.

4. I beg to request you will be so good as to get the necessary sanction of Government for the construction of the whole of this line, though the Rajah's intention at present is only to connect his capital town with railway as stated above.

5. I send by book post three copies of the Engineer's report on the survey of the feeder line to which I have referred for the information of Government.

6. The line, now in contemplation, the Rajah intends to construct entirely at his own expense, and as soon as possible.

From—The Acting Collector, Ganjam.
To—The Agent to the Rajah, Parlakimedi.
Dated—Berhampur, 21st October 1897, T. C. No. 203-F.

I have the honour to acknowledge receipt of your letter No. 678/Eng. of 1897, dated 19th instant, with three enclosures.

2. I am forwarding a copy of your letter with one enclosure to the Board of Revenue with the request that Government sanction may be obtained for the construction of the railway proposed.

3. In the concluding paragraph of your letter, you state that the Rajah proposes to construct the line at his own expense, but you do not state (1) whether any guarantee from Government is proposed, (2) whether it is desired to construct the line on the "feeder line" system under which, as each section of your line is opened, profits will be granted per mile based on the total mileage or earnings of the East Coast Railway as a whole.

I understand however that you desire the line to be worked entirely as a private line at the sole cost and risk of the Rajah who will also take all benefits accruing therefrom.

4. I have forwarded a copy of your enclosure to the Manager, East Coast Railway, for his remarks in regard to points raised in paragraphs 4 to 7 of Mr. Sandford's report. It seems to me that Mr. Sandford assumes too much, and that the East Coast Railway authorities may be disinclined to alter their levels or incur expenditure for the benefit of the Parlakimedi Railway.

5. I cannot recommend the extension of the line from Naupada to Debhalapad near Pundi and Government has already declined to construct a line to the more important part of Gopalpur, while Pundi has only recently been finally closed as a port.

6. The question as to alignment after leaving Parlakimedi, and whether the line should be continued to Gunupur direct, and march off towards Salur, Bobbili and Parvatipur is a matter of opinion. The latter route would probably prove the more remunerative.

7. I request that I may be furnished with a statement showing the details of the lands, Government, zamindari or inam, which it will be necessary to acquire for the purpose of the railway, until it reaches Parlakimedi zamindari.

8. I request that I may be furnished with two more copies of Mr. Sandford's report for communication to the District Board, and Salt and Abkári Department, respectively.

From—The Agent to the Rajah of Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 19th November 1897, No. 709.

In reply to your letter No. 203 of 1897, dated the 21st ultimo, I have the honour to inform you that the Rajah of Parlakimedi intends to construct the line of light railway connecting the capital of his estate with the Naupada station, on the East Coast Railway, as a private undertaking, and solely at his own expense. He asks for no guarantee from Government, nor does he wish to construct it on the "feeder line" system.

2. It is proposed that the line be constructed under the Tramway Act XI of 1886. The railway will be ~~2 feet~~ ~~6 inches~~ gauge worked by steam.

2 ft. 6 in. /

3. The line will in no circumstances be extended to Debalapad, whether it shall be extended to Naupada salt pans, or on to Battili, will be matter for future consideration.

4. It is hoped that the land required in the Tekkali taluk can be acquired by agreement with the zamindar; but should it be desirable to take it up under the Land Acquisition Act, I will bring the matter to your notice as soon as possible.

5. Three more copies of Mr. Sandford's report are sent to you under another cover. Thanking you, on behalf of the Rajah, for the interest you take in the matter.

From—The Acting Collector of Ganjam.
To—The Secy. to the Comr. of R. S. and D. of the Dept. of L. R. and Agri., Madras.
Dated—Camp Chelligodo, 26th November 1897, R.C. No. 1739/Eng.

I have the honour to forward herewith copies of letters No. 678/Eng., dated 19th October 1897, and No. 709, dated 19th November 1897, from the Agent to the Rajah of Parlakimedi, requesting that the permission of Government may be obtained for the construction of a light railway, in connection with the East Coast System, from Naupada station to Parlakimedi, together with copy of my letter in reply to the first of the abovementioned communications.

5/

2. The scheme has my thorough support and the proposed alignment cannot be improved upon. It will be a great thing for the large and fertile zamindari of Parlakimedi to be brought into direct communication with the East Coast Railway, by a line constructed and worked solely by private capital, without any expense to the State.

3. It is proposed that the line should be constructed to a 2 ~~feet~~ 6 ~~inches~~ gauge and worked by steam, under the ~~Steam~~ Tramway Act XI of 1886. To this there is no objection to offer. The line will run for a considerable portion of its length along the Tekkali-Patapatnam road *viâ* Tembore, on private road constructed and maintained by the Rajah of Parlakimedi.

ft. / in

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at

4. With reference to section 20 I would state that, in my opinion, a second bridge should be constructed specially for the line in question, as it is undesirable that the line should be allowed at any portion of its length to run along a road, or over a bridge, maintained out of Local funds. It is too doubtful whether the present bridge would bear the weight of a heavily laden train.

5. With reference to the proposed connection with the East Coast Railway near Naupada, I have communicated with the Manager, East Coast Railway, and enclose copy of his reply. The junction must be effected at Naupada station and not at any other point.

6. The line will run for a considerable portion of its length through the Tekkali zamindari, and unless the Agent to the Rajah can arrange with the Tekkali zamindar and other proprietors for the private acquisition of the necessary land, it will be necessary to appoint a Special Deputy Collector for the purpose of acquiring the same for a period of at least three months. I have no doubt that the Rajah of Parlakimedi would be willing to contribute to Government the cost involved by the appointment of the officer and his establishment. It is with reference to this point that I have submitted the application through the Board.

7. The line will be of the greatest possible benefit ~~both~~ to the people of the district and will materially benefit the Government salt trade at Naupada. The question of possible extension to Varanasi, Battili and into the Vizagapatam district may be deferred for the present, but if carried out the line would form a valuable link between the Naupada salt factory and the proposed Vizianagram-Raipur Railway. 8

8. I request that the sanction of Government to the proposed scheme may be obtained at a very early date, so that work may be commenced at the conclusion of the present harvest. I may note that though the prospects of the paddy crop are very good, prices are not likely to regain their ordinary low level in the course of the next year, being at present nearly 100 per cent. above normal. The price of ragi especially is likely to rule excessively high throughout the next year, so that the work will be extremely beneficial to the labouring classes of that portion of the district through which the proposed line will pass.

9. I enclose three copies of Mr. Sandford's report, one for submission to Government, one for Board's reference, and one for communication to the Separate Revenue Department, to which the proposed tramway may be of interest.

Proceedings of the Board of Revenue, Mis. No. 22, dated 5th January 1898.

Transferring above correspondence to the Secretary to Government, Revenue Dept. ~~Department.~~

Endorsement No. 611, dated 7th February 1898.

Transferring above to Public Works Department, Railway.

Order—No. 258 Ry., dated 15th February 1898.

As required by section 4 of the Indian Tramway Act XI of 1886, the Government of India will be addressed.

From—The Joint Secy. to the Govt. of Madras, P.W. Dept., Railway Branch.
To—The Secretary to the Government of India, Public Works Department.
Dated—Madras, 15th February 1898, No. 259 Ry.

An application has been received from the Rajah of Parlakimedi to be allowed to make a 2′ 6″ gauge tramway, under the Tramways Act, for a distance of about 25 miles, from Naupada station of the East Coast Railway in a north-westerly direction, to Parlakimedi, the chief town in his estate. The Rajah desires to make the tramway as a private undertaking, solely at his own expense, and as soon as possible. He asks for no guarantee and requires no feeder line terms.

2. As required by clause 4 of the Indian Tramways Act XI of 1886, I am directed to enquire whether the Government of India have any objection to offer to this Government publishing a draft order under the Act, to allow of the making of the proposed line.

3. Should there be no objection on the part of the Government of India, the draft of the proposed order shall, in due course, be sent forward. But in the meantime, pending a reply to this letter, nothing would be gained by entering into further details.

4. I am to add that it is said to be the Rajah's intention, later on, to apply for permission to extend his tramway a further distance of 35 miles to the north-west beyond Parlakimedi, and also a distance of three or four miles from Naupada station eastward into the salt factory at that place. A connection also with the Vizianagram-Raipur line at Ombadola is spoken of as a thing of the future.

5. It is, however, considered best at this stage to deal separately with the first part of his project, viz., the 25 miles from Naupada station to Parlakimedi, and to express a hope that the Government of India will accord early sanction to the matter being dealt with by this Government under the Tramways Act. The Rajah is anxious that work should if possible be begun immediately.

From—The Secretary to the Government of India, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Calcutta, the 11th March 1898, No. 2 R.P.

I am directed to acknowledge the receipt of your letter, No. 259 R., dated 15th February 1898, reporting that an application has been received from the Rajah of Parlakimedi for permission to construct a 2′ 6″ gauge tramway, under the Tramways Act (XI of 1886), from Naupada station on the East Coast Railway to Parlakimedi, a distance of 25 miles, without any guarantee or help from Government, and that the Rajah is believed to contemplate a small extension hereafter from Naupada station eastwards to the salt factory at Naupada, and another from Parlakimedi to Ombadola on the proposed Vizianagram-Raipur Railway.

2. In reply I am to say that the Government of India see no objection to the construction of the proposed tramway on the 2′ 6″ gauge from Naupada station to Parlakimedi, and an extension hereafter to the salt factory at Naupada, on the understanding that a proviso is inserted in the order authorising the tramway, that the owners of the tramway shall not have any claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is clearly understood that permission to make this line to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

3. I am to add that the Government of India have decided to adopt for its own commercial feeder lines the 2 feet gauge when any gauge smaller than the parent gauge appears desirable.

Order—No. 555 Ry., dated 8th April 1898.

The Board of Revenue will report for the information of Government whether the Rajah of Parlakimedi consents to the incorporation, in the order authorising the tramway, of a proviso to the effect that he shall have no claim to compensation if at any time hereafter the Imperial Government consider it necessary to make or to allow to be made a railway to supersede the tramway, and that it is to be clearly understood that permission to make a tramway to Parlakimedi does not imply any rights towards future permission being hereafter claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway.

2. The Board will also report the Rajah's decision with regard to the gauge of the proposed tramway. The 2 feet gauge has been definitely adopted by the Government of India for its own commercial feeder lines, and that gauge is recommended by this Government for adoption as it has elsewhere proved itself to be sufficient for any traffic likely to come upon it on the alignment under reference.

3. The Board should ascertain from the Collector of Ganjam whether the approval of the local authorities referred to as necessary in paragraph 4 (1) (*b*) of Act XI of 1886 has been obtained by the Rajah.

Proceedings of the Board of Revenue (L. R.), dated 6th Sept. 1898, Mis. No. 2428.

Read—endorsement of Government, Rev. Dept., R. No. 718, dated 21stApril 1898.

Abstract.—Forwarding Government Order, Public Works Department, Railway Branch, No. 555 Ry., dated 8th April 1898.

Reference on the above, No. 486, dated 2nd May 1898.

Forwarded to the Collector of Ganjám for early report.

From—H. D. TAYLOR, Esq., Acting Collector of Ganjam.
To—The Secretary to the Commissioners of Land Revenue, Madras.
Dated—Camp Berhampur, 29th July 1898, Tour C. No. 25/Eng.

I have the honour to reply to the Board's Reference No. 486, dated 2nd May 1898, on Proceedings of the Government of Madras, Public Works Department, Railway Branch, No. 555, dated 9th April 1898 ~~(herewith returned)~~, inquiring whether, in the event of the Parlakimedi light railway being sanctioned, the Rajah would be willing to agree to certain conditions stated therein.

2. I enclose copies of two letters received from the Rajah of Parlakimedi on the subject, No. 383/Eng. of 1898, dated 15th July, and No. 403/Eng. of 1898, dated 27th idem. July.

3. The Rajah states that he is perforce bound to agree to the conditions imposed by Government, but at the same time expresses an opinion, in which I concur, that it is hard upon him, when he has taken up a project, not from motive of gain, but in pursuance of a policy indicated by the Right Honourable the Secretary of State for India, he should be denied all compensation, should Government subsequently construct or allow to be constructed another railway through the same line of country. I think that this condition should be restricted to lines which it may be found necessary to construct departmentally by the State, and that a guarantee might be given that Government would not allow the construction of a line to compete directly with the Rajah's line by private individuals or companies from any point between the Chicacole road and Sowpet Stations.

4. In regard to the gauge of the railway, the Rajah states that he regrets that he is unable to adopt the proposal of the Imperial Government to reduce the gauge of the line from 30″ to 24″, as, in the anticipation that Government would welcome his enterprise in the construction of this railway and readily yield an assent to the scheme, he has already arranged for the construction and purchase of a rolling-stock adapted to the 30″ gauge.

5. In regard to the consent of the local authority, Mr. Sandford, the Engineer employed by the Rajah to survey the line, was distinctly informed that the sanction of the district and taluk boards would not be accorded to the alignment of the proposed light railway, on roads under their control; so provision has been made for constructing the line parallel to the road where it adjoins a Local Fund road.

For a considerable portion of its length the proposed line will run along a road constructed originally by the Parlakimedi estate, for some time managed by and recently abandoned by the taluk board. The public has acquired a right of way over this road, and the Rajah reports that this has been provided for.

6. I may note that in his zeal to complete the work, the Rajah has already commenced work in anticipation of sanction. I was somewhat astonished to find on visiting Tekkali the other day that work was proceeding under circumstances amounting to trespass on lands outside the Parlakimedi estate. The irregularity of his procedure has been pointed out to the Rajah, and he has been requested to suspend operations until formal sanction is received and the land finally acquired.

[illegible]

7. I trust that the scheme may be sanctioned at an early date, together with the extension to the Naupada salt factory in preference to any scheme that may be brought forward by other parties.

8. In regard to the extension towards the proposed Vizianagram-Raipur railway, I feel sure that any such extension of the line from Parlakimedi would not in any way tap or divert produce coming down to the coast by such route, while it would bring on to that line a considerable inland traffic in salt from the factory at Naupada.

ENCLOSURES.

From—The Rajah of Parlakimedi.
To—The Acting Collector of Ganjam.
Dated—Parlakimedi, 15th July 1898, No. 383/Eng. of 1898.

In continuation of my letter No. 356/Eng. of 1898, dated the 29th ultimo, I have the honour to state that, under existing circumstances, I have no alternative but to accept the sanction subject to the conditions offered by Government. In doing so I would, however, earnestly beg Government to reconsider their decision. The proviso requiring me to relinquish my line at any time without compensation should Government or any one to whom the concession may be granted desire to adopt the same route for a railway on one of the standard gauges, is a very hard one and it is altogether discouraging. For some years I have been urged by some Government officials to construct a railway connecting my town with the East Coast Railway, and Lord Cross, who was Secretary of State for India in 1889, in his minute on the Administration Report of my Estate, wrote to the Government of India strongly recommending the construction of this very line. I was myself anxious to have my town connected with the East Coast Railway by rail and directly I was in a position to do so, I devoted certain accumulated funds of the estate to this object. The amount of these funds did not permit me to construct a line on one of the standard gauges which in such a hilly country would have been very expensive, but I considered a railway on the narrow gauge would be sufficient for the wants of the people of my estate, and so I decided for it believing that a cheap narrow gauge railway was better for us than no railway at all. Of course I should like to have a fair return for the capital expended, but the present proviso practically makes the railway of no commercial value and offers no inducement to me or to others to risk further capital in extending the line and so giving more of my people the benefits of easy communication with the outer world.

As my railway is in an out-of-the-way part of the country and not near any of the lines contemplated by Government to be constructed in the future I quite believe that Government will never take advantage of their proviso and close my line without giving me compensation, but I have no security that some company or syndicate may not hold other views and step in and oust me from my property and the more successful my line may be the greater will be the risk I run of this occurring.

I trust Government will be pleased to take what I have advanced into their favourable consideration and at least modify their terms. I am risking much in carrying out a very useful public work, and the case being so exceptional, I hope I shall not be considered unreasonable, if I look to Government for exceptional treatment.

With reference to the concluding paragraph of the order from Government, No. 555 Ry., dated 8th April 1898, I beg to state that the line having been relaid out clear of the road between Tekkali and Naupada Railway station the consent of the Chicacole Taluk Board to its construction in that direction is not necessary.

From—The Rajah of Parlakimedi.
To—The Collector of Ganjam.
Dated—Parlakimedi, 27th July 1898, No. 403/Eng. of 1898.

In reply to your letter R.G.B. No. 245/Eng. of 1898, dated the 18th instant, I have the honour to state that I regret very much my inability to act upon the suggestion of Government and make the gauge of my small railway twenty-four instead of thirty inches. At the time when the railway was first proposed, six years ago, thirty inches was accepted as the most suitable gauge for such a line, and so it has been adhered to when I was able to decide to carry out the scheme. As it was my desire to have the railway ready for opening early by next year by His Excellency the Governor of Madras, if at all possible, we, under advice from our Agent in London, ordered the locomotives early and they are of the broader gauge so that no change is possible now.

2. The railway has been laid out to follow the road more or less closely between Tekkali and the borders of my estate, a distance of about three miles, but the road has been broadened where necessary so as to allow a free passage to traffic.

Resolution.—Mis. No. 2428, dated 6th September 1898.

In G.O., No. 555 Ry., dated 8th April 1898, the Board was requested to ascertain and report—

(1) Whether the Rajah of Parlakimedi would consent to the insertion in the order sanctioning the construction of the proposed tramway from Naupada station on the East Coast Railway to Parlakimedi of a proviso to the effect (*a*) that he should have no claim to compensation if at any future time the Imperial Government should deem it necessary to make or allow to be made a railway to supersede the tramway, and (*b*) that it is to be clearly understood that permission to construct the present line does not imply any right to future permission being claimed for any extension beyond Parlakimedi to a point on the proposed Vizianagram-Raipur Railway.

(2) Whether the Rajah would adopt for the proposed tramway the 2 feet gauge which the Government of India has decided to use for its own commercial feeder lines.

(3) Whether the approval of the local authorities required under section 4 (1) (*b*) of Act XI of 1886 has been obtained by the Rajah.

2. The Collector of Ganjám, to whom a reference was made, now submits his report together with two letters addressed to him by the Rajah on the 15th and 27th July last. The Rajah, while stating that he has no alternative but to accept the conditions offered by Government, nevertheless urges that it would be hard measure to require him to relinquish his line without compensation in the event of Government undertaking or permitting the construction of another line through the same country. He points out that the project was undertaken by him in accordance with the advice tendered to him, as well as to the Court of Wards which was then in charge of the estate, by the Right Honourable the Secretary of State in his despatch No. 106, Revenue, dated 7th November 1889. He is anxious lest the condition imposed by Government should be used to his disadvantage not by the State itself, but by some Syndicate or Company claiming as a *concessionaire* through the State. The Collector, Mr. Taylor, considers that the condition referred to by the Rajah may be allowed to hold good with reference to any railway line which the State may find it necessary to construct by departmental agency, but recommends that it should be waived in other cases. Mr. Taylor would, in fact, go to the length of giving the Raja a guarantee that Government will not permit the construction by any private body of a line directly competing with that of the Rajah and starting from any point between the Chicacole road and Sompet Railway stations. The Board's own view is that it would be ungenerous and impolitic to place any unnecessary obstacles in the way of the first private enterprise of the kind in this Presidency, and, though not prepared to support the Collector's recommendation, it does consider that the Rajah should receive reasonable compensation if any railway which would practically supersede the tramway be built by the State or by a private company under the concession granted by Government. The expenditure which the Rajah contemplates on the present line cannot be less than 10 lakhs and may be considerably more. It could hardly have been the intention of the Government of India that an expenditure of this magnitude, incurred under the auspices of the Secretary of State, should be liable to utter confiscation for the benefit of a Government or private line which might be subsequently constructed.

Court's Proceedings, No. 1429, dated 13th June 1890.

3. Secondly with regard to the width of the proposed tramway, the Rajah expresses his inability to adopt the 2 feet gauge, as he has already in anticipation of sanction arranged for the construction and purchase of rolling-stock suited to the 30 inch gauge.

4. Thirdly, Government enquires whether the consent of the local authority required under paragraph 4 (1) (*b*) of Act XI of 1886 has been obtained by the Rajah. The Rajah merely states that the line having been relaid clear of the local fund roads, the consent of the Chicacole Taluk Board is not necessary. The Collector reports that the Engineer employed by the Rajah to survey the line was distinctly told that "the sanction of the District and Taluk Boards would not be given to the alignment of the

proposed light railway on roads under their control, so provision has been made for constructing the line parallel to the road where it adjoins a local fund road". The Collector is apparently of opinion that the formal consent of the local authority required by section 4 (1) (*b*) is in the present case unnecessary, as the line does not run along any local fund road. The Board observes, however, that the Act requires the consent of the local authority in every case contemplated in section 4 (1) (*b*) and not merely in cases where it is proposed to lay a tramway over roads belonging to the local authority. The Collector will accordingly be requested to cause meetings of the local boards concerned to be convened in order that their consent to the construction of the tramway may be formally signified, whether such consent be necessary in their capacity as "local authority" or as "road authority". The Board observes that no formal method of signifying such consent has been prescribed under sections 4 (2) and 24 of Act XI of 1886: it will be necessary for the Collector to see that the consent and any conditions attached thereto are explicitly and lucidly set out.

5. Pending receipt of the Collector's reply, the Board does not consider it necessary to delay the transmission of the Rajah's application to Government.

From—The Joint Secretary to the Govt. of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, Public Works Department.
Dated—18th October 1898, No. 1284 Ry.

In your letter No. 2 R.P., dated the 14th March 1898, you expressed the willingness of the Government of India to consent to the issue by this Government of an order under the Tramways Act for the construction by the Rajah of Parlakimedi of a steam tramway from Naupada station on the East Coast Railway to Parlakimedi town. The proviso, however, was attached that no claim for compensation must hereafter be raised by the Rajah if at any time Government should consider it necessary to make or to allow to be made a railway to supersede the tramway, and that he must clearly understand that "permission to make this line to Parlákimedi does not imply any rights towards permission hereafter being claimed for any extensions beyond that place to a point on the proposed Vizianagram-Raipur Railway." Your letter also contains a suggestion that the gauge should be 2 feet instead of 2′ 6″.

2. The accompanying copy of this Government's Proceedings, No. 1283 Ry., dated the 18th October 1898, shows that as regards gauge the Rajah has already, by the purchase of rolling-stock, committed himself to the 2′ 6″ gauge. As, so far as it is possible to foresee, there is no question here of future connection with 2 feet gauge railway in the neighbourhood, the Rajah's choice of the larger gauge does not appear to this Government to be a matter of much moment. As regards the proviso, however, which perhaps the Government of India looked on as merely a nominal one, the Rajah is much concerned at being obliged to subscribe to it. He can scarcely be expected to quite realize how very remote is the contingency of its being given effect to. He, however, realizes clearly enough that the insertion of such a proviso in the published order for the construction of the tramway will practically have the effect of reducing to the value of old material the commercial value of his ten lakh tramway.

3. It seems advisable that the intention of the word "supersession" should be more clearly defined, and a study of the physical features of the locality make it evident that there can be no supersession unless practically the very alignment intended to be occupied by the tramway is selected for the competing railway of the future. For on the north the projecting spurs of the Eastern Ghât which terminates in the Mohendragiri peak opposite the port of Baruva make the intrusion, from that side, of anything that could be characterized as a superseding line a most remote contingency; while on the south the physical features between Calingapatam and Naupada are such that no railway is conceivable between the Rajah's line and a railway running from Palkonda through the Varasadhara valley to the port of Calingapatam. The only possible superseding railway, therefore, would be one which would practically occupy the same ground as that in prior possession of the Rajah's tramway.

4. Remote as is the contingency of this alignment being occupied by a superseding railway, it would, in the opinion of this Government, be only fair to the Rajah to specify that in the event of such a line being made, or allowed to be made, by

G Casaveeko

Government, his tramway should be acquired under the purchase clause of the Tramways Act. Such a provision seems to His Excellency the Governor in Council to be only reasonable, and the chances of its operating adversely to Government interests would appear to be extremely remote.

Proceedings of the Board of Rev., (L. Rev.), Mis. No. 3002, dated 22nd October 1898.

Read—again Board's Proceedings, No. 2128, dated 6th September 1898.

From—The Acting Collector of Ganjam.
To—The Secretary to the Commissioners of Land Revenue.
Dated—Camp, Hingili, 5th October 1898, R.G.B, No. 245/Eng.

With reference to paragraph 4 of Board's Proceedings, Mis. No. 2428, dated 6th September 1898, I have the honour to forward herewith copies of the resolutions of the District Board, Ganjam, Taluk Board, Chicacole, and Municipal Council, Parlakimedi, being the local road authorities in respect of the areas through which and roads over which portion of the Parlakimedi tramway may be expected to pass according to the present alignment, sanctioning its construction subject to the several conditions therein imposed.

2. For the elucidation of the condition imposed by the Taluk Board, Chicacole, I have the honour to state that the conditions proposed by me in my reference were practically the same as those adopted by the District Board, Ganjam, viz., that the tramway should not run along any road in charge of the local board, except at recognized crossings, at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, that no damage should be done to the avenues either by cutting the roots or damaging the trees by smoke.

Copy of my endorsement of reference to the President, Taluk Board, is enclosed for information.

3. In regard to the Parlakimedi Municipality, I understand that, for the present, it is not proposed to carry the tramway within municipal limits, the proposed terminus being half mile away from the town.

I mention this as I doubt whether the general reservation of right to itself made by the municipal council in paragraph 3 of its resolution can be legally enforced.

4. In regard to the rest of the country through which, and roads over which, the tramway is aligned, there is some difficulty in deciding who is road authority. Both the District Board and Taluk Board, Chicacole, are no doubt the local authorities.

The road from Naupada to Tekkali, and again from where the Tekkali-Tembur road joins the Calingapatam-Parlakimedi road is under the control of the Taluk Board, Chicacole. In these portions the Taluk Board, Chicacole, is clearly the road authority.

5. The road from Tekkali *via* Tembur and on to the point where it joins the Calingapatam-Parlakimedi road near Patapatnam is different. This consists really of two roads. The first portion is part of the road from Tekkali to Hiramandalam. This, so far as I have been able to gather, was originally constructed by the Public Works Department, land being finally acquired for the purpose in or about the years 1866 to 1870.

Its maintenance after completion was then handed over to the district board, but the road was subsequently abandoned. It would appear however still to vest in the district board. The second portion of the Tekkali-Patapatnam road was constructed by the Parlakimedi estate from estate funds and always maintained by the estate. Though used by the public which has acquired a right of way over it by easement, it is to all intents and purposes a private road, and the Raja himself would appear to be the road authority in respect of the same. I understand that it is only on portion of this road that the tramway is actually intended to run.

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6. As there may be some doubt as to who is the road authority in the case of the portion of the Tekkali-Hiramandalam road which was orginally constructed by Government, handed over to the local board and abandoned by the latter, I think it desirable, in order to clear up any legal doubt, that the sanction of Government in the Public Works Department as road authority should also be accorded.

B

ENCLOSURES.

Here print the endorsement below [illegible]

EXTRACT from the Proceedings of the District Board, Ganjám, at its meeting held on Saturday the 24th September 1898, at 2 P.M., in the Senior Assistant Collector's office at Berhampur.

* * * * *

21. Read endorsement of the Collector of Ganjam, G.B. No. 245/Eng., dated 14th September 1898, communicating paragraph 4 of the Board's Proceedings, Mis. No. 2428, dated 6th September 1898, and requesting to obtain the formal sanction of the district board to the construction of the tramway by the Raja of Parlakimedi, subject to such conditions as it may impose.

Resolution.—Sanction to the construction of tramway is accorded subject to the following conditions:—

(1) That the tramway shall not pass along or cross any road under the control of the district board or local authority or over any road for which the district board is the road authority except at recognised crossings.

(2) That the tramway shall be so aligned as not to interfere with the slopes, drainage or embankments of the road or so as to damage the avenues along the roadside.

(3) That proper provision shall be made for level crossings at reasonable intervals for the benefit of the ryots.

* * * * *

EXTRACT from the Proceedings of the Municipal Council, Parlakimedi, at a special meeting held on Wednesday, the 28th September 1898.

* * * * *

II. Read Proceedings of the Board of Revenue and the footnote thereto in regard to the Parlakimedi Estate Light Railway.

Resolution.—Sanction is accorded subject to the following conditions:—

(1) That where the line runs parallel or adjacent to the municipal roads the side drains and avenues should not be interfered.

(2) That where it crosses the municipal roads, proper care should be taken so as not to cause any obstruction to the public traffic.

(3) The municipal council, however, reserves to itself the option of imposing such other conditions as it may deem expedient from time to time.

with /

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EXTRACT from the Proceedings of Taluk Board of Chicacole passed at its meeting held on Saturday, dated the 24th September 1898.

* * * * *

II. Read footnote R.G.B. No. 245/Eng., dated 14th September 1898, from the Collector of Ganjam, to paragraph 4 of the Proceedings of the Board of Revenue (Land Revenue), Mis. No. 2428, dated 6th September 1898, requesting to obtain the formal sanction of the taluk board to the construction of the tramway by the Rajah of Parlakimedi subject to such conditions as the Board may impose.

Resolution.—Sanctioned, subject to the provisions suggested by the Collector.

Endorsement by the Collector of Ganjam.

~~Endorsement on~~ Board's Proceedings, Mis. No. 2428, dated 6th September 1898.

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Print at B. above

Paragraph 4 of the Board's Proceedings communicated to the President, Taluk Board, Chicacole, with the request that he will, at the next meeting, obtain the formal sanction of the taluk board to the construction of the tramway subject to such conditions as it may impose.

2. The consent sought for is required by the board both in its capacity as local authority and road authority under section 4, (*i.b.*) of Act XI of 1886.

The chief precautions which seem desirable are that the tramway should not run along any road in charge of the local board except at recognised crossings at which due provision must be made for the safety of road traffic, that there should be no damage done to the slopes of the road so as to injure the drainage, and that no damage should be done to avenues either by cutting the roots or damaging the trees by smoke.

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3. Copies of paragraph of this office letter, R.C. No. 1739/Eng., dated 26th November 1897, paragraph 5 of this office letter Tour C. No. 25/Eng., dated 29th July 1898 to Board of Revenue, and of letter, G.B. No. 245/Eng., dated 20th August 1898, to the Rajah of Parlakimedi are herewith sent.

Resolution—Mis. No. 3002, dated 22nd October 1898.

In paragraph 4 of its Proceedings, No. 2428, dated 6th September 1898, the Board pointed out to the Collector of Ganjam, that section 4 (1) (*b*) of the Tramways Act (XI of 1886) required the consent of the local authority to the construction of the proposed tramway by the Rajah of Parlakimedi even though the line was not intended to traverse any Local Fund road, and the Collector was requested to cause meetings of the Local Boards concerned to be convened in order that their consent might be formally signified, whether such consent was necessary in their capacity as "Local authorities" or as "Road authorities."

2. With the letter read above, the Collector submits three resolutions—one passed by the Ganjam District Board, the second by the Chicacole Taluk Board and the third by the Parlakimedi Municipality. The district board and the taluk board have signified their consent to the construction of the line subject in both cases practically to the same conditions, namely,—

(1) That the tramway shall not pass along or cross any road in charge of the district board or the taluk board, except at recognized crossings;

(2) That the tramway shall not interfere with the slopes, drainage or embankments of the road or damage the avenues along the roadside; and

(3) That proper provision shall be made for level-crossings at reasonable intervals. The Municipal Council of Parlakimedi has also assented to the construction of the line within the municipal limits, subject to the conditions that side drains and avenues shall not be interfered with where the line runs parallel to municipal roads and that obstruction to public traffic shall be avoided where the line crosses such roads. But the council has, at the same time, reserved to itself the option of imposing such other conditions as it may deem expedient from time to time. The Collector doubts whether this reservation of power can legally be made by the municipality. The board shares his doubts but the question does not arise at present as it is not at present proposed to carry the tramway within municipal limits.

3. Next, as regards the question whether the local authorities and the road authorities are identical throughout the length of the proposed tramway, the Collector states that the first portion of the road from Tekkali to Patapatnam, *viâ* Tambur was constructed by the Public Works Department and handed over to the district board by which it has since been abandoned. The Collector adds that as there may be some doubt as to who is to be deemed the "road authority" in respect of this portion of the road, it is desirable that the formal sanction of the Government in the Public Works Department should also be accorded. As regards the second portion of the Tekkali-Patapatnam road, the Collector states that it was constructed and maintained out of the funds of the Parlakimedi estate and that, though the public have acquired a right of way over it by easement, it is to all intents and purposes a private road, the Rajah himself being the "road authority" in respect of it.

Endorsement from—The Acting Under Secretary to Government, Revenue Dept.
To—The Public Works Department, Railway Branch.
Dated—19th November 1898, Mis. No. 4515.

Transferred to the Public Works Department, in continuation of endorsement, No. 1386 R., dated 17th September 1898.

From—The Joint Secretary to Government, Public Works Dept., Ry. Branch.
To—The Secretary to Government, Public Works Department, Roads Branch.
Dated—29th November 1898.

Transferred unofficially with reference to the final paragraph of the Collector's letter, with a request that Railway Branch may be informed whether the doubtful piece of road referred to is under the Public Works Department, and, if so, to request that authority to lay the tramway on it may be communicated.

From—The Secretary to the Government of Madras, Public Works Department.
To—The Superintending Engineer, I Circle.
Dated—1st December 1898, No. 5392 C.

Referred to the Superintending Engineer, I Circle, for early report whether the portion of the road referred to is in charge of the Public Works Department.

From—The Secretary to the Government of Madras, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—21st December 1898, No. 5765 C.

File forwarded in continuation of Endorsement No. 5735 C., dated 17th December 1898, on telegram from the Superintending Engineer, I Circle, stating that the road in question was handed over to the Local Fund Board in 1893.

From—The Secretary to the Government of India, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Calcutta, 6th January 1899, No. 01 R.P.

I am directed to acknowledge the receipt of your letter No. 1281 Ry., dated 18th October 1898, relative to the construction by the Rajah of Parlakimedi of a steam tramway from Naupada to Parlakimedi.

2. In Government of India letter No. 2 R.P., dated 14th March 1898, the construction of the proposed line was approved and it was suggested that the gauge should be 2 feet instead of 2′ 6″. It was also stipulated that in the event of the tramway being hereafter superseded by a railway, the Rajah would not be compensated.

3. You state, however, that by the purchase of rolling stock the Rajah has already committed himself to the 2′ 6″ gauge and that as he is much concerned at being obliged to subscribe to the stipulation referred to, it would, in the opinion of the Government of Madras, be only fair to him to specify in the draft order under the Tramways Act that in case a railway was hereafter made, or allowed to be made by Government to supersede the tramway, the latter would be acquired under the purchase clause of that Act.

4. In reply I am to state that as rolling stock has been already purchased the Government of India agree to the proposal that the line should be built on the 2′ 6″ gauge. As regards the other objection raised I am to say that in place of the condition alluded to in paragraph 2 above it may be stipulated, in the draft order, that should the Government of India ever consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway *viâ* Parlakimedi on a broader gauge than the 2′ 6″, the Rajah will be allowed to convert his line to the gauge required and it will then be worked for him with the rolling stock provided by the East Coast State Railway or by whatever railway may be deemed advisable on such terms and conditions as may be then decided.

5. If however the Rajah should decline to exercise the option thus offered, no claim will be entertained for compensation for any loss of traffic to the tramway.

From—The Consulting Engineer for Railways, Madras.
To—The Collector of Ganjam.
Dated—Madras, 12th January 1899, No. 149.

With reference to your letter to the Secretary to the Board of Revenue, No. 25, dated 29th July 1898, I have the honour to inform you, with a view to your communicating the information to the Rajah of Parlakimedi, that the Government of India have now consented to certain modifications, which will doubtless prove acceptable to the Rajah, of the conditions laid down in their letter No. 2 R.P., dated 14th March 1898. They have also accepted the 2′ 6″ gauge.

2. The new conditions are as follows, viz., that should the Government of India even consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway *viâ* Parlakimedi on a broader gauge than 2′ 6″ the Rajah will be allowed to convert his line to the gauge required, and it will then be worked for him with the rolling stock provided by the East Coast Railway or by whatever railway may be deemed advisable, on such terms and conditions as may be then decided. If, however, the Rajah should decline to exercise the option thus offered, no claim will be entertained for compensation for any loss of traffic to the tramway.

3. On the receipt of the Rajah's acceptance of the modified terms there need be no further delay in the publication of a draft order in accordance with the provisions of the Tramways Act.

From—The Agent to the Rajah of Parlakimedi.
To—The Collector of Ganjam.
Daded—Parlakimedi, 22nd January 1899, No. 40-Eng.

With reference to your letter, R. C. No. 1701-Eng. of 1898, dated the 19th instant, communicating, to the Rajah, letter from the Consulting Engineer to Government, No. 149, dated the 12th instant, I have the honour to inform you the Rajah has now great pleasure in accepting the conditions, regarding his line of light railway, as proposed by the Government of India.

The conditions now laid down the Rajah considers reasonable and fair, and he shall be very glad if in the near future the amount of traffic over his little line of railway, or any other consideration should lead the Government of India to propose to run a line of broad gauge railway, through his estate from Raipur, either down the valley of the Vamsadara to Kalingapatam, or to Naupada.

From—The Collector of Ganjam.
To—The Consulting Engineer for Railways, Madras.
Dated—Chatrapur, 29th January 1899, No. 20-R. Eng.

With reference to your letter No. 149, dated 12th instant, I have the honour to forward herewith a copy of letter, No. 40-Eng. of 1899, dated 22nd instant, from which it will be seen that the Rajah of Parlakimedi accepts the conditions mentioned in your letter.

Read also the following papers :—

Correspondence between Consulting Engineer, Government Solicitor, Collector of Ganjam, and Departments of Government, on the subject of objections and suggestions in regard to the draft of an order published in *Fort St. George Gazette* week by week, as prescribed by the Tramways Act.

From—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, P.W. Dept.
Dated—7th April 1899, No. 391 Ry.

With reference to correspondence ending with your letter, No. 01-R.P., dated the 6th January 1899, I am directed to forward a copy of the form at which the draft order for the Parlakimedi Tramway has now arrived. It may possibly receive some alterations, as the result of suggestions, between now and its being made absolute. But meanwhile it is forwarded to the Government of India for favour of any orders or suggestions which they may have to make.

2. It will be observed that no purchase clause has been inserted. The reason is that as the tramway is to be constructed by the Rajah as a private venture and as the Purchase Clause of the Tramways Act quite sufficiently guards the right of the Local Authority, to buy it at the expiration of the periods mentioned in the Act, should they see fit to do so, it seemed unnecessary in this case to embody in the order any special reference to those rights. There has in this case been no application from the Promoters that the period for purchase should be extended.

Telegram from—The Joint Secy. to the Govt. of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, P.W. Dept.
Dated—Ootacamund, 25th April 1899, No. 1 A.

No further modification proposed in draft Parlakimedi tramway order sent you with my 391 Ry., April seventh. If approved please signify by wire so that order may be made absolute.

Telegram from—The Secretary to the Govt. of India, P.W. Dept.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Simla, 28th April 1899, No. 49 R.P.

Your letter numbered and dated as follows: No. 391 Ry., 7th instant. Parlakimedi tramway order approved.

Order No. 570 Ry., dated 12th May 1899.

PARLAKIMEDI TRAMWAY ORDER.

Having, in accordance with the procedure laid down in section (6) of the Indian Tramways Act XI of 1886, duly considered all the objections and suggestions made with reference to the draft published from time to time in the *Fort St. George Gazette* of an order authorising the Rajah of Parlakimedi to make certain tramways in the district of Ganjam, His Excellency the Governor in Council is pleased, under the provision of section 4 of that Act, to now make an absolute order in the following form, authorising the promoter to proceed with his enterprise.

This order will be published in English and in Telugu in the Fort St. George and Ganjam District Gazettes. A copy of this order will be forwarded to the Government of India. stet

ORDER AUTHORISING THE CONSTRUCTION AND MAINTENANCE, AND TO REGULATE THE WORKING OF THE PARLAKIMEDI TRAMWAY, IN THE DISTRICT OF GANJAM.

Whereas, in pursuance of the provisions of the Indian Tramways Act, 1886, the promoter hereinafter named has applied, with consent of the District Board of Ganjam, for powers to construct, maintain and use a tramway on the two-foot six-inch gauge in the district of Ganjam, the Government of the Presidency of Madras being, for the purposes of the following order, the Local Government within the meaning of the said Act, deems it expedient that the powers so sought should be granted, upon the terms and subject to the conditions and provisions hereinafter contained, that is to say:—

1. *Title.*—This order may be called and cited as the Parlakimedi Tramway Order, 1899. It shall come into force at once.

2. *Interpretation Clause.*—The several words and expressions to which meanings are assigned in the definition clauses of the Indian Tramways Act, 1885, have in this order the same respective meanings, unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order the expressions "the tramway" and "the undertaking" shall mean tramway and works and undertaking by this order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886, and any subsisting statutory modification thereof, and the word "Government" shall mean the Government of Madras.

3. *Law applicable to the Tramway.*—The tramway shall be constructed, maintained and worked, subject to the provisions of the Act, of the rules from time to time in force under the Act, and of this order, and no powers or rights shall be deemed to have been conferred on the promoter or to have been relinquished by Government except as in this order expressly provided.

4. *The Promoter.*—The Raja of Parlakimedi, or his heirs, representatives or assigns, shall be the Promoter for the purposes of this order, and is in this order referred to as "the promoter."

5. *Construction of the Tramway.*—Subject to the provisions of this order, the promoter may construct and maintain the tramway hereinafter described, the route of which is shown on the maps deposited by the promoter with Government and the local authority respectively, with all equipment, works, buildings and conveniences connected therewith or for the purposes thereof, and may work and use the same.

6. *Tramway authorized.*—The tramway authorized by this order is—

A single line with necessary passing places to be laid—

From the east side of the Naupada station of the East Coast Railway to Parlakimedi, a distance of about 25 miles.

7. *Land.*—The promoter may, by agreement from time to time, purchase or take on lease or otherwise acquire such lands as he may require for the purposes of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided such lands are sold or disposed of, through the Collector of Ganjam, under Government of India Circular No. I, Railway, of 1897. Land may, with the approval of Government, be acquired for the promoter under the provisions of the Land Acquisition Act, 1894.

8. *Approval of Plans.*—Before the end of April 1899 the promoter shall lay before Government and the local authority a plan showing the proposed mode of constructing and laying down the tramway and a statement of the materials intended to be used therein, and the promoter shall not commence the construction and laying down of the tramway or any part thereof, until such plan and statement have been approved by Government and the local authority; provided that if, at the end of one calendar month from the time of laying such plan and statement before Government and the local authority, the Government and the local authority respectively, as the case may be, shall not have signified in writing its disapproval, the plan and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the local authority, unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

9. *General Conditions.*—The tramway shall be constructed, maintained, worked and used subject to the conditions prescribed in the Proceedings of a meeting of the District Board of Ganjam held on the 24th September 1898, and subject also to the following conditions:—

The tramway shall be constructed in such position on or off the several roads, and the passing places shall be of such length and shall be constructed and maintained at such places or between such points on the line as the promoter may consider necessary or convenient for the efficient working of the tramway, and the promoter may, after the construction of the tramway or any part thereof, construct and maintain all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as the promoter may, from time to time, consider necessary or convenient for the efficient working of the tramway or for providing access to any buildings, premises, or works of the promoter. Provided always that the promoter's proceedings under this clause shall be subject to the approval of the local and road authority.

(*a*) The tramway shall be so aligned as not to injuriously interfere with the slopes drainage or embankments of any district road, or so as to damage avenues of trees along the roads. Proper provision shall be made for level crossings at reasonable intervals for the accommodation of the occupants of adjoining lands. Where the tramway crosses District roads at authorised crossing places proper provision shall be made so that ordinary road traffic shall not be unfairly obstructed.

(*b*) Subject to any other provisions of this order, the promoter shall, at his own expense, at all times maintain and keep in good condition and repair, to the reasonable satisfaction of the local authority, the rails and the substructure upon which the same rest and all roads, including slopes and bridges, on which the tramway is laid. Provided always that, if the promoter fail to comply with the provisions of this sub-section the local authority, if it think fit, may, at any time after seven days' notice to the promoter or his agent for the time being, open and break up any part of any road or any bridge on which the tramway shall be laid and do the works necessary for the repair and maintenance or restora- tion of such road or bridge, and the reasonable expenses incurred by the local authority in so doing shall be repaid to the local authority by the promoter.

(*c*) In case the promoter shall find it necessary for the purposes of the tramway to construct, and shall construct, any new bridge in place of any road-bridge existing at the date of this order, then and in every such case such new bridge shall be so constructed by the promoter as to admit of road traffic crossing the same.

(*d*) In case any question or dispute shall arise between the road authority and the promoter as to whether any rails or any substructure on which the same rest or any road or any part of any road or any slope or any bridge on or over which, respectively, the tramway shall be laid are maintained in good condition and repair as hereinbefore provided or is suitable for road traffic; then and in every such case such question or dispute shall be referred to the Government Superintending Engineer for the time being of the circle in which such rails, substructure, road, slope or bridge shall be, and the decision of such Superintending Engineer upon any such question or dispute shall be final and conclusive and altogether binding and operative on the road authority and the promoter respectively.

(*e*) The local authority shall at all times be at liberty to collect and retain all tolls and fees leviable under the Madras Local Boards Act, 1884, or other law in force for the time being, in respect of any road upon which the tramway shall be laid and the promoter shall not be entitled to such tolls and fees or any of them.

10. *Bridges.*—In all cases where the promoter has obtained permission to utilize existing road bridges, but where in the opinion of the local authority, such bridges are not sufficiently strong to carry the tramway, the promoter shall make at his own cost such additions to or alterations of any such bridges as may be required by, and the work shall be carried out and completed to the satisfaction of, the road authority. Provided that the promoter may, at his option, construct at his own cost, for the purposes of the tramway, separate bridges of such design and in such manner as shall first be approved by an officer duly appointed by Government in this behalf and shall complete the same to the satisfaction of the said officer.

11. *Specification.*—The tramway shall be constructed on a gauge of 2 feet 6 inches. Wherever the tramway runs on or crosses a roadway the upper surface of the rails of the tramway shall be level with the surface of the roadway; and, subject to this provision, the rails of the tramway shall be such as Government shall approve, and the tramway shall be constructed, laid and maintained according to such general specification as to the kind of rail, foundations, manner of laying and repair thereof as may be approved by Government.

12. *Improvement of rails and substructure.*—The promoter shall from time to time adopt and apply such improvements in the tramway or any part thereof, including the rails and the situation of the rails and the substructure upon which the same rest, as Government may from time to time require, having regard to the security of the public and advantage to the ordinary traffic.

13. *Width of road to be used.*—The promoter may use for the construction of the tramway seven feet in width of one side of all roads over which the tramway is authorised to run. In cases where there are no buildings on that side of the road on which the tramway is laid, the said width of seven feet shall be measured from the drain on that side of the road or, where the road is in embankment, from the edge of such embankment; but, for the purpose of crossing bridges, the tramway may approach the centre of the road as far as shall, in each case, be deemed unavoidable by the road authority.

Provided always—

(1) That there shall nowhere, except at bridges, be a less width of metalled road than ten feet clear of that rail of the tramway which is nearest to the road centre.

(2) That the promoter fix and at all times maintain in a suitable manner, and subject to the approval of the local authority, guard rails flush with the surface of the rail and of the road wherever any road or street crosses that in which the tramway is laid.

14. *Period for completion.*—Subject to any extension of time that Government may see fit to grant, the promoter shall substantially complete and open for traffic the tramway before the expiration of two years from the date of this order.

15. *Altering road surface.*—Should the promoter consider it desirable or necessary for the efficient working of any part of the tramway to alter any of the levels or gradients of any of the roads upon which the same is constructed or, for the same purpose, to alter, repair or strengthen any of the bridges over which the same passes the promoter may, with the approval of the road authority, execute the same at his own cost; and where the road is already paved or metalled the promoter may, if he think fit, at his own cost, when constructing the tramway or any part thereof on such road, relay such paving or metalling: and the promoter shall, at his own cost, provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable or being insufficient for relaying. At any time within a period of two years from the date of this notification, within the taluks of Tekali and Parlakimedi, the promoter shall be at liberty, free of charge, subject to the approval of the Collector in the case of existing Government quarries, to take road metal, stone, lime, clay, sand and gravel from Government lands within ten miles of the tramway, for the purpose of constructing the tramway or buildings connected therewith.

16. *Notice of interference with roads.*—For the purpose from time to time of making, forming, laying down, maintaining and renewing the tramway or any part or parts thereof, the promoter may open and break up any road on which the tramway is authorised to run, subject to the following regulations:—

(1) The promoter shall give to the road authority seven days' notice of his intention, such notice to state the portion of road proposed to be opened or broken up.

(2) The promoter shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority, unless the authority concerned refuses or neglects to give such superintendence at the time specified in the notice or discontinues superintendence during the progress of the work.

17. *Making good damage to roads.*—When the promoter shall have opened or broken up any portion of any road, he shall with all convenient speed complete the work on account of which he opened or broke up the same and, subject to the requirements of the formation, maintenance or renewal of the tramway, shall fill in the ground and make good the surface to the satisfaction of the road authority and shall clear away all surplus rubbish and materials. The promoter shall, in the meantime, cause the place where the road is opened or broken up to be guarded and watched and properly lighted at night and shall provide for the free passage of road traffic during the progress of the work.

18. *Alteration of road level.*—If hereafter the road authority should alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid, the promoter shall, from time to time, alter the rails of the tramway so that, subject to any other provisions of this order, the uppermost surface of the road shall be on a level with the surface of the road as altered. Provided always that any such alterations as aforesaid by the road authority shall be so made as to alter as little as possible the working conditions of the tramway, and, in any case, so as not to stop or prevent the use or working thereof.

19. *Rights of Authorities and Companies to break up roads.*—Nothing in this order shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any local or road authority for any of the purposes for which such authority is constituted, or in any Company, body or person for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water or any tubes, wires or apparatus for telegraphic or other purposes; but, in the exercise of such power, such local or road authority and every such company, body or person shall be subject to the following restrictions that is to say:—

(1) They shall cause as little detriment or inconvenience to the promoter as circumstances may admit.

(2) Before they commence any work whereby the traffic on the tramway will be interrupted, they shall give to the promoter notice of their intention to commence such work, specifying the time at which they will begin to do so; and such notice shall be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the promoter any compensation for injury done to the tramway by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid, unless negligence shall be shown.

(4) Whenever, for the purpose of enabling them to execute such work, the local or road authority or company, body or person shall so require, the promoter shall either stop traffic on the tramway or on that part thereof to which the notice shall refer where such traffic would otherwise interfere with such work, or shall shore up and secure such tramway or such part thereof at his own risk and cost during the execution of the work there. Provided that such work shall always be completed with all possible expedition by the local or road authority or company, body or person and any differences as to the necessity of such work shall be settled in manner provided in clause 35 of the Act for the settlement of differences between the promoter and other companies or persons.

(5) No local or road authority, company, body or person shall execute such work, so far as it immediately affects the tramway, except under the superintendence of the promoter or his agent, unless the promoter refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the progress of the work; and every such authority, company, body or person shall execute such work at its or his own expense and to the reasonable satisfaction of the promoter.

20. *Temporary diversions.*—Where, by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid, it is necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof, or when the use of the tramway or any part thereof is interrupted by floods or other cause, the promoter may, subject to such conditions and in accordance in all respect with such reasonable regulations as the local or road authority may from time to time make, construct in the same or any adjacent road, and maintain so long as occasion may require a temporary tramway or tramways in lieu of the tramway or part thereof so removed or discontinued or the use of which is so interrupted.

21. *Motive Power.*—The carriages used on the tramway may, subject to the provisions of this order, be moved by animal power, steam power, electricity conveyed either through overhead or under-ground wires, or any mechanical power. Provided that the exercise of the powers hereby conferred with respect to the use of steam, electricity or any mechanical power shall be subject to the design and condition of all vehicles, engines and hauling contrivances or machinery being approved by Government and to any rules which may be made for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use on the tramway of steam, electricity or any mechanical power. Provided also that, if electrical power be used, communication by the existing Government telephone and telegraph lines shall be safeguarded as provided in any rules made by the Governor-General of India in Council in exercise of the powers conferred by the Electricity Act, 1887, or any subsisting statutory modification thereof.

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22. *Improvement of Rolling-stock.*—The promoter shall, from time to time, adopt and apply such improvements in the engines and carriages, and in the fittings, appliances and apparatus thereof, as Government may consider necessary or advisable for the safety or convenience of the public.

23. *Traffic upon tramway.*—Subject to ar in accordance with the provisions of this order, the tramway may be used for the purpose of conveying passengers, animals, goods, minerals, mails and parcels, and the promoter shall be bound to carry all traffic for which the rolling-stock on the tramway may, in the opinion of Government, be sufficient and suitable. But the promoter may refuse to carry the class of goods referred to in section 59 of the Railway Act, IX of 1890. He may also refuse to carry animals suffering from infectious diseases, as well as the class of persons referred to in section 71 of that Act except in accordance with the conditions therein laid down or referred to.

24. *Rates and fares.*—The promoter shall be entitled to charge the public, for services rendered by way of conveyance on the tramway or any part thereof of passengers, animals, and goods of different classes and descriptions, at rates which the promoter shall be at liberty to vary at his discretion between the minima and twenty-five per centum above the maxima sanctioned from time to time for the East Coast Railway. The promoter shall strictly adhere to the goods classification from time to time in use on the East Coast Railway. The charge to be made for the carriage of mails shall not be higher than that in force from time to time on the East Coast Railway.

25. *Mortgages.*—Nothing in this order contained shall prevent the promoter borrowing money on the security of mortgages of the undertaking or any part thereof, or shall make the consent or approval of Government necessary to the validity or effect of any such mortgage.

26. *Promoter's right to lease the line.*—Subject to the provisions of this order and to the approval of Government, the promoter may, by lease or leases, demise to any person or persons, corporation or Company the right of user by such person or persons, corporation or Company of the tramway or any part thereof and of demanding and taking in respect of the same the rates and fares authorized by this order. Provided always that all duties and obligations imposed on the promoters by this order shall be equally binding on the lessees.

27. *Promoter to have first refusal of new tramways.*—So long as the promoter or his assignees continue to own or work the 2 feet 6 inches gauge tramway which is the subject of this order Government or the local authority shall not construct, and shall not consent to any application for power to construct, further or other tramways on the same or a smaller gauge between Naupada an Parlakimedi until the promoter or his assignees shall, within six calendar months of such offer bein made to him or them, have refused or shall have failed to accept, an offer of Government or the roa authority that the promoter should construct and work such further or other tramways.

28. *Promoter to have first refusal to construct new Railways.*—So long as the promoter or hi assignees continue to own or work the 2 feet 6 inches or smaller gauge tramway which is the subject o this order, Government shall not construct or allow the construction of any railway between Naupada an Parlakimedi until the promoter or his assignees shall, within six calendar months of the offer bein made to him or them have refused, or shall have failed to accept, an offer of Government to constru such railway and shall have failed to agree that it shall be worked by the agency of such neighbouri railway as Government may determine under an agreement between the management of such railw and the promoter or his assignees.

29. *Possible change of gauge.*—In case the Government of India should at any time hereafter consider that communication is necessary between Naupada and Parlakimedi or between Naupada and the Raipur-Vizianagram Railway, *viâ* Parlakimedi, on a broader gauge than 2 feet 6 inches the promoter shall, notwithstanding anything in this order contained, be at liberty to convert th tramway to such gauge as may then be required, and the tramway shall thenceforth be worked for th promoter by the Government of India with such rolling-stock as may be provided for that purpose b the administration of the East Coast Railway or of such other railway as the Government of India ma determine and on such terms and conditions as may then be determined by the Government of India.

30. *Liability to submission to future Acts.*—Notwithstanding anything in this order contained, th promoter and any person using the tramway shall be subject and liable to the provisions of any gener Act now in force, or which may hereafter be passed, relating to tramways, or by which any tax or du may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed there and to any condition, regulation or restriction which may be imposed upon the use of tramways, or up the use on tramways of animal power, steam power, electric power or any mechanical power by such general Act as aforesaid.

31. *Serving of notices.*—Any notice required to be given by Government or by any local auth to the promoter shall be in writing and may be served on the promoter by being delivered t promoter or to his representative at Parlakimedi or elsewhere and every notice so served sha deemed to have been duly given to the promoter, anything hereinbefore contained to the con notwithstanding. The promoter shall, from time to time, give notice in writing to Government a the local authority of some agent at Parlakimedi to whom, and of some office in Parlakimedi wher such notice by Government or a local or road authority may be delivered or left as aforesaid and change of such agent or office.

(True Extract.)

J. H. S.

Jt ~~Under~~ Secretar

Exd.

No. 571. Ry dated 12th May 1899.
Forwarded to the Govt of In
(By order)

s.o. on the 29/5

Cony Engr for Ry ✓
P. W. Depts ✓
Revenue Depts ✓
Local & Muni Depts ✓
Collector of Ganjam ✓
Manager E. C. Ry ✓

Despatched on 26/5/99.