Revenue Department

Minutes of Consultations

27th May 1859

Book No - 70 & 71

Order N° 718 dated 27th May 1859

Proceedings of the Madras Government, Revenue Department, from 18th to 27th May 1859.

No. 70. Read the following Proceedings of the Madras Government in the Financial Railway Department, dated 21st May 1859, No. 287.

The Board to issue to the Collectors of the Districts specified, orders for the preparation of a correct register and record of title for all the lands taken up for Railway purposes in their Districts, &c., and to submit the form of Register and record of title which they would propose for adoption.

(Vide Financial Railway Proceedings from 18th to 27th May 1859, Nos. 25-26.)

No. 71. ORDER THEREON, 27th May 1859, No. 718.

Ordered that the foregoing Proceedings be recorded.

(Signed) J. D. BOURDILLON,
Secretary to Government.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from Captain C. C. JOHNSTON, Consulting Engineer for Railways; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 4th May 1859, No. 92.

Referring to para. 4 of Extract Minutes of Consultation, No. 165 of the 21st March last, and to paras. 18 and 19 of Major Strachey's letter No. 850, 21st January 1859, therein alluded to, I have the honor to suggest that the Revenue Authorities of the Districts marginally noted, should be at once directed to see, that "a correct Register and Record of title of all Railway lands is maintained."

Madras.	*Malabar.*
Chengleput.	*Cuddapah.*
North Arcot.	*Bellary.*
Salem.	*Trichinopoly.*
Coimbatore.	*Tanjore.*

2. With regard to "all rents or payment for clearances, &c., chargeable in behalf of Government against the Railway Company" being duly realized, I have to observe that whatever rent is due by the Railway Company for land (unconnected with the Way and Works,) is recovered from them periodically by the Revenue Authorities. They have, however, in some instances omitted to charge the Company with any rent, because the land taken up belonged to Government. On this subject the Board of Revenue* were of opinion "that the correct principle to pursue, is to charge the Railway Company "the regulated assessment of whatever Government land they may occupy, over and above what "Government are bound by contract to make over to them gratuitously." This principle is provided for by the Government of India in Class C, and will be strictly adhered to in future.

Vide *Financial (Railway) Consultation, for 9th November* 1858, *Page* 98.

* *Proceedings No.* 4,005, *dated 23rd October* 1858.

3. With the payments for clearances Government have had nothing to do. Colonel Pears explained the plan followed in this particular in his letter, No. 255, dated 14th July 1857, as follows:

"In proceeding to obtain possession of land with the view of making it over to the Railway Company, the Collector has, in the first instance, to arrange for the purchase of the land, and of all property standing thereon whether building or timber."

"Having paid the owner for both land and property standing thereon, the Collector proceeds, on the part of Government, to dispose of that property whether buildings or trees, and, as a matter of course, the sales are effected subject to the condition of removal by a certain date. If the Railway Company were purchasers, this condition would be unnecessary."

"All saleable property on the land being thus got rid of, the Government have nothing more to do with it; the land is made over to the Railway Company with whatever incumbrance, valueless buildings, jungle, &c., there may be upon it, and the Company provide for its clearance."

4. On the 1st August 1857, Government observed, that they were happy to learn "that "after land is once made over to the Railway "Company, that body must provide for the "clearance of whatever incumbrance there may "be on it."

Extract Minutes of Consultation, No. 374, dated 1st August 1857.

ORDER THEREON, 21st May 1859, No. 287.

Resolved that a copy of the above letter be furnished to the Board of Revenue in reference to paras. 18 and 19 of the letter of instructions communicated to them in Extract Minutes of Consultation, No 165, dated 21st March last, and that they be requested to issue to the Collectors of the several Districts noted in the margin of the first para: of the Consulting Engineer's communication, orders for the preparation of a correct register and record of title for all the lands taken up for Railway purposes in their Districts, and for keeping such record and register punctually up to date for the future, as also for the recovery from the Railway Companies of all rent due by them for lands that have been or may have to be provided at the cost of the Companies.

2. The Board will submit to Government the form of register and record of title which they would propose for adoption.

3. Two copies should be kept, one in the Offices of the several Collectors to whose District the lands belong, and the other in the Office of the Board of Revenue.

(True Extact.)

Chief Secretary.

To the Board of Revenue.
„ Consulting Engineer for Railways.
„ Revenue Department.

Exd. W. Komareck.

Revenue 1859 Depo.
Cons 27th May.

No 960

Proceedings of the
Madras Govt in the
Financial Depart

Dated 21st May 1859
Rec'd 27

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No 718.
Recorded
27th May 1859.

No 970 & 971.

No 970 Read the following Proceedings
Government for the Financial Dep
Department, dated 21st May 1859

Abstract — Public Proceedings from
to 27th May 1859 inclusive