M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 999 Press Mis.

Dated 29th July 1858.

Not to be folded or roughly handled

R 999

Proceedings of the Madras Government, Revenue Department, from 23d to 29th July 1859.

No. 33. Read the following Proceedings of the Board of Revenue; dated 8th July 1859, No. 2686.

Read order of Government 6th July 1859, Revenue Department, No. 891.

In the above order Government require the Board's report on Sir W. B. O'Shaughnessy's application that his department may be authorized to cut down all trees in contact with or likely to grow in contact with the Telegraph wires, leaving the question of compensation to be afterwards settled by the Collectors.

2. The Board see no objection to Government granting the required authority so far as its own forests and trees are concerned; but where the Telegraph wire runs for any distance along the avenues of a road, the Board think the matter should not be left entirely to that department. To prevent the unnecessary destruction of avenues in such cases, the consent of the Collector should be required, previous to the trees being felled, the Telegraph officers being intermediately allowed to lop branches interfering with the wire.

3. With trees belonging to private individuals Government cannot interfere *of right*, and cannot therefore grant authority to fell them without reference to the owners. It is to be regretted that provision was not made for this in the Telegraph Act No. XXXIV. of 1854.

4. As regards compensation, the Board recommend that in all practicable cases it should be settled and paid *first*. This can be done, if desired, by the Collectors, but the Board think the Telegraph Department could generally arrange it themselves without difficulty. The trees cut down will generally be of common kinds, Palmiras, Cocoanuts, Banjans, &c., the value of which is ordinarily well known, and the offer of a fair price in money at once would rarely be declined. In cases where disputes occur, the Collector's assistance might be called in, but it seems scarcely necessary to resort always to his agency to appraise single trees along a line of perhaps many miles. The Collectors, however, as already remarked, can do the work if desired, and they should at any rate direct the village and talook officers to afford the Telegraph Department every assistance in settling the price of the trees required.

(A true Extract.)

(Signed) J. D. SIM, *Secretary.*

No. 34. ORDER THEREON, 26th July 1859, No. 999.

The Government agree with the Revenue Board in the views expressed in these Proceedings.

The Telegraph Department are accordingly authorized to cut down trees which are clearly the property of Government, except where forming part of avenues, in which case they will be at liberty to lop only such branches as interfere with the working of the wires. In both cases however, a report ought to be made to the nearest village officer for the information of the Collector; but should the removal of an avenue tree be required, a reference must first be made to the Collector.

Compensation must first be arranged and paid in cases of private trees before felling; the negotiation being generally conducted by the Telegraph officers direct with the parties concerned; but the Collector's assistance may be sought in disputed cases. The village and talook officers will be instructed to afford every assistance to the Telegraph Department in settling the price of private trees.

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

Revenue Depart.

No. 999

Proceedings of the Madras Government

Under date the 26th July 1859

Read the following Report of the Board of Revenue

Reporting on Sir W. S. O'Shaughnessy's application that his Dept may be authorized to cut down trees in contact with, or likely to grow in contact with, the telegraph wires.

(Vide entry 9th July/59/ No 2686)

The Govt agree with the the Revenue Board in the views expressed in these proceedings.

The Telegraph Dept are accordingly authorized to cut down trees which are clearly the property of Govt, except where forming part of avenues, in which case they will be at liberty to lop only such branches as interfere with the working of the wires. In both cases however, a report ought to be made to the nearest village officer for the information of the Govr; but should the removal

of an avenue tree be required, a reference must first be made to the Collr.

~~As recommended by~~ the Board, Compensation must first be arranged and paid in cases of private trees before felling, the negociation being usually conducted by the Telegraph officers direct with the parties concerned; but the Collrs assistance may be sought in ~~all difficult~~ disputed cases. The village and talook officers will be instructed to afford every assistance to the Telegraph Dept in settling the price of private trees.

Copy
To The Supt Electric Telegraphs in India Dept
" Board of Revenue

Revenue 1859 – Dept.
Pro: of Govt. 29th July.

No. 999.

Pro: of the Madras Govt.
D/ 26th July 59.

Passing orders on
Cutting down trees that
interfere with Telegraph
wires.

No 33 & 34.