Read the following papers :—

No. 177. From the Acting Consulting Engineer for Railways, to the Secretary to Government, Public Works Department, Fort St. George, dated Madras, 30th January 1872, No. 50.

At the request of the Agent of the Great Southern of India Railway the Collector of Trichinopoly was requested, in December 1869, to make arrangements for taking over from the Railway Authorities certain lands (under Class C.), which were no longer required for railway purposes.

The Collector claimed rent on the lands for Fasli 1279, in consequence of their having been given up to Government after the cultivating season was past; and stating that for land not made over previous to the commencement of the cultivating season the assessment should be paid by the Railway Company.

Mr. Betts represented that the lands were handed over more than a month before the cultivating season was past, and objected to making payment. He urges also that no ruling of Government has been communicated to him, which upholds the above view of the Collector, and refers to orders relating to deterioration of land, namely, Minutes of Consultation No. 165, dated 21st March 1859 :—

* * * "On its restoration to Government the Revenue-officers will examine the condition of the land. If it has not deteriorated all claims against the Railway Company will then cease on account of it. If it has deteriorated the Revenue-officers will assess the amount of the injury, and the Railway Company will pay that sum which, like the rent, will be charged against the Railway capital. In both cases the Revenue-officers will then further dispose of the land in the best way possible."

2. There is no question now as to deterioration, but simply whether the Railway Company should pay the assessment; and I have the honour to request that I may have the orders of the Government.

Referred to the Revenue Department.

(Signed) J. CARPENDALE, Colonel, R.E.,
Secretary to Government, P.W.D.

3rd February 1872.

Refeered to the Acting Collector of Trichinopoly for report, through the Board of Revenue.

(Signed) W. HUDLESTON,
Secretary to Government.

3rd February 1872.

No. 178. Proceedings of the Board of Revenue, dated 8th June 1872, Miscellaneous No. 4,071.

Read the following letter from the Acting Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated 17th May 1872, No. 115.

With reference to the endorsement of Government on the accompanying letter from the Acting Consulting Engineer for Railways, dated the 3rd February

1872, I have the honour to state that a Bill was submitted to the Railway Company on 15th October 1870 for rent for the marginally noted Class C. lands. The Agent objected to pay more than half a year's rent for lands in Tracings Nos. 23, 45, 68, 108, and 114, and any rent at all for Tracing No. 53, alleging that the latter lands were made over to the Revenue Department in December 1868.

Tracing No.	Rent. Rs.	A.	P.
23	165	14	7
45	2	8	11
53	4	4	4
68	7	0	0
69	6	5	0
108	5	0	0
114	83	0	0
120A	9	8	0
129	20	13	1
Total...	304	5	11

2. The subjoined statement will show the dates at which the several lands were made over :—

Tracing No.	Date of Transfer.
23	7th December 1869.
45	
53	
68	13th July 1869.
108	27th November 1869.
114	
69	17th November 1870.
129 A...	
129	

3. As land No. 68 was made over on 13th July 1869 the charge of rent r Fasli 1279 was irregular, as it appears to me that the principle of accepting linquishments of other Government land should apply to these lands.

4. The date for receiving relinquishments in this district is August 15th, d the Railway Company should, therefore, pay for all lands which were not linquished before that date.

Submitted to Government with reference to the endorsement on a letter from Consulting Engineer for Railways, dated the 30th January 1872, No. 50.

2. The Board concur with the Collector.

170.

Order thereon, 13th June 1872, No. 941.

Miscellaneous.

Communicated to the Department Public Works.

2. The principle laid down by the g Collector is unquestionably that which must guide the decision in the case.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

Public Works Department.
Board of Revenue.

R. Bantleman.

Offr's 3rd Class

Railway Department — Consulting Engineer's Office

No. 50

From

Major H. L. Prendergast, R.E.,
Off. Cons. Engineer for Railways

To

Colonel A. Carpendale, R.E.,
Secretary to Government
Public Works Department
Fort Saint George.

Sir,

I have the request of the Agent of the Great Southern of India Railway, the Collector of Trichinopoly was requested on December 1869, to make arrangements for taking over from the Railway Authorities, certain lands (under class C) which were no longer required for railway purposes.

The Collector claimed rent on the lands for Fasly 1279, in consequence of them having been given up to Government after the

the cultivating season was past; and stating that for land not made over previous to the commencement of the cultivating season, the assessment should be paid by the Railway Company.

Mr. Potts represented that the lands were handed over more than a month before the cultivating season was past and objected to making payment. He urges also that no ruling of Government has been communicated to him, which upholds the above view of the Collector, and refers to Orders relating to determination of land, viz:

Ill. Cir. No. 166 dated 21st March 1869.

"On its transfer to Government the Revenue Officers will determine the condition of the land. If it has not determined all claims against the Railway Company will then cease on account of it. If it has determined the Revenue Officers will assess the amount of the injury and the Railway Company will pay that sum which like the rent will be charged against the Railway Capital. In both cases the Revenue Officers will then further dispose of the land in the best way possible."

2. There is no question now as to determination, but simply whether the Railway Company should pay the assessment? I have the honour to request that I may have the orders of the Government

I have the honour to be

Sir

Your most obedient servant

Madras
30th January 1873

Alex Skene Meyer, R.E.
Off. Cons. Engineer for Railways

Revenue Department

Miscellaneous exc. 4071.

Proceedings of the Board of Revenue
Dated 8th June 1872.

Read the following

No. 115.

From,

A. McC. Webster Esqre.
Actg. Collector of
Ticknopoly.

To,

James Grove Esqre.
Secretary to the
Board of Revenue.
Madras.

Sir,

With reference to the endorsement of Government on the accompanying letter from the Acting Consulting Engineer for Railways dated the 3rd/22nd February 1872, I have the honor to state that a bill was submitted to the Railway Company on 15th October 1870 for rent for the marginally noted class C lands the extent specified to pay more than half a year rent for lands in Facings exc. 23, 45, 68, 188, and 114, and any rent at all for Facing exc. 53 alleging that the latter lands were made over to the Revenue Department in December 1868.

Facing exc.	Rent Rs.	as.	P.
23	155	14	7
45	2	8	11
53	4	4	4
68	7	5	-
69	16	5	-
188	5	-	-
114	83	-	-
129 A	9	8	-
129	20	13	1
Total	304	5	11

The

2. The subjoined statement will show the dates at which the several lands were made over.

Tracing №	Date of transfer
28	7th December 1869
53	
68	13th July 1869
108	27th November 1869
114	
69	17th November 1870.
129	
129 A	

3. As Land № 68 was made over on 13th July 1869, the charge of rent for Feadh 1279 was irregular as it appears to me that the principle of accepting retrospective of other Government land should apply to these lands.

4. The date for receiving requirements in this district is changed to 1st and the Railway Company should therefore pay for all lands which were not relinquished before that date.—

Thave the
Bichimpoly Collectors Office } honor to be Sir
17th March 1872.— } Your most obedient Servant
My Collector
Instructed

Submitted to Government with reference to the Endorsement on a letter from the Consulting Engineer for Railways dated the 30th January 1872, № 50.

The Board concur with the Collector.—

True Copy Extract
J Grole
Secretary

For the Chief Secretary to Government
Revenue Department
with 1 enclosure.

E Campbell
Officiating

Revenue 1872. Oct.

No. 1961.

Proceedings of the Board of Revenue

Dated 8th June 1872
Despd 8th " "
Received 10th " "
ens.

Alic: ens. 4071.

No 9961 13th June 1872

Submitting letter from Collr. of Excise: wholly reporting objections raised by Rail Way Company to claim of Revenue Settlt. for assessment on certain Lands lately relinquished by the Company.

Refer order

No. 171-179

Sanctioned by Mr Secretary Grant
Mr Secretary Grant
Mr Secretary Grant