M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1317 Press Nis.

273-274

Dated 12 K. May 1869

Not to be folded or roughly handled

Thur 19.2.30

Proceedings of the Madras Government, Revenue Department, 12th May 1869.

No. 273. Read the following letter from the Consulting Engineer for Railways, to the Secretary to Government, Public Works Department, dated Madras, 20th April 1869, No. 132:—

In accordance with the instructions contained in the Order of Government, Revenue Department, dated the 13th February 1869, No. 376, I have the honor to submit a letter* from the Acting Agent of the Great Southern of India Railway Company, and to state that, under the explanation given by Mr. Logan, I do not think that the Company can be held liable for the payment of compensation for the loss said to have been sustained by the Inamdars, to whom the Collector of Trichinopoly alludes.

* No. 2,974, 15th April 1869.

2. I entirely agree with the Board of Revenue that the Company is not entitled to profit by the oversight of its own Officers; but it is clear from Mr. Logan's letter that every endeavour was made three years ago to satisfy all just claims in the matter of water-way. Some limit of time must be fixed, after which claims of this nature cannot be entertained; and, in my opinion, it is neither equitable nor politic that the Company should be called on, long after the line has been opened to the public, to pay compensation for an alleged deficiency in the water-way originally provided.

From D. LOGAN, Esq., Acting Agent, Great Southern of India Railway, to the Consulting Engineer for Railways, dated Negapatam, 15th April 1869, No. 2,974.

In answer to your letters, No. 51 of the 17th February, and No. 84 of the 12th ultimo, I have the honor to state that I have no letter expressing the approval of the Superintending Engineer, 6th Division, with the amount of water-way proposed to be given on the Erode Extension; but I walked over the ground with that Officer (about the beginning of 1868) from the eastern limits of the Kulitallay Talook (within which the ground in question lies) up to the end of the Trichinopoly District. We had with us a list furnished by the Revenue Department, entitled "Statement showing the "roads, canals and tanks cut off by the Railway line, and those in lieu thereof which are required "by the villagers of the Kulitallay Talook". We were accompanied through the limits of each village by its Curnum. I cannot recollect nor can I find any trace of a claim having been made on behalf of the piece of ground within the limits of Voitally, now under reference.

2. The statement above ref erred to was made out by Ragoonath Row, Deputy Collector on Special Duty, for handing over land to the Railway Company. He knew every inch of the ground, and I think it unlikely that he would overlook any just requirement.

3. Again, after having myself gone over the ground with the Superintending Engineer (Captain Oakes), I received from Ragoonath Row a "statement showing the number of spots in the "Talook of Kulitallay, for which compensation will have to be made, if the existing water-ways are "not allowed". The first of these spots is within the limits of Maroodoor, some distance to the west of Voitally, of which mention was certain to have been made, had there been any question raised.

4. These "statements" and the joint personal investigation on the line of Railway by Captain Oakes and myself were made at my own special desire to the Collector of Trichinopoly, in order that no claim should be overlooked, and for the very purpose of thereafter preventing such references as the present; and I cannot help thinking that you will agree with me that it would be unjust as well as impolitic to allow such a claim, made three years after a full and public official investigation of the wants of the district intersected by the line of Railway, without, in the meantime, a hint as to the endurance of this alleged injury.

Proceedings of the Madras Government, Revenue Department,
12th May 1869.

TRANSFERRED to the Revenue Department with reference to the Order in that Department, No. 376, of the 13th February 1869.

(Signed) CHARLES A. ORR, Colonel, R.E.,
22nd April 1869. *Secretary to Government, P.W.D.*

No. 274. ORDER THEREON, 12th May 1869, No. 1,317.

Miscellaneous.

BEFORE passing final orders on these papers, the Government desire to know from the Collector of Trichinopoly when the claim for compensation was first raised, and upon what evidence he satisfied himself that the claim was a proper one.

2. It should also be explained how the water-way in question escaped notice in the statement referred to in paragraph 3 of the Agent's letter, under date 15th April 1869, recorded above.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Collector of Trichinopoly.
,, the Consulting Engineer for Railways.
,, the Board of Revenue.

Lrd. F. R. Bantleman.

Govt. of {1869} Madras.

REVENUE.

To

THE COLLECTOR OF TRICHINOPOLY.

&c., &c., &c.

Dated May, 12th.

Recd. *Encl.*

G. O., 12th May 1869, No. 1,317.

From the Collr of Trichinopoly
No 5 July 69 Ctr. 2269.

MAY.

Nos. 273-274.

Water-way proposed to be given on the Erode extension.—Collector of Trichinopoly to explain how this subject escaped his notice.

13th Feby/69 No 234/35

Revenue Dept

RAILWAY DEPARTMENT.

No. 1306.

I transferred to the Revenue Dept. with reference to the order in that Dept. No 376 dated the 13th Feby. 1869.

From

The Consulting Engineer for Railways,

To

The Secretary to Government, Public Works Department, Fort Saint George.

Sir

Dated 21st April 1869.
Received 22nd

No. 102.

Rec. clo: 15

No 1307 - Railway

Submitting a letter from the Acting Agent of the G.I.P. Ry on the subject of the Extra Supplies on the Goods Extension.

Transferred.

To the Revenue Dept.

22nd April/69.

Acting Agent Col RR
Secy to Govt
P.W.D.

Railway Department.

CONSULTING ENGINEER'S OFFICE,

No. 132.

Bombay 9th March 1869.

From

Major J. P. Mc. Mc. Mac & Stewart R.E.

Consulting Engineer for Railways,

To

Colonel C. A. Orr R.E.

Secretary to Government,
Public Works Department,
Fort Saint George

Sir,

In accordance with the instructions contained in the order of Government dated the 18th February 1869, No 376, I have the honour to submit a letter from the Acting Agent of the Great Southern of India Railway Company, and to state that under the explanation given by Mr Logan I do not think that the Company can be held liable for the payment of compensation for the loss said to have been sustained by the Inamdars

* Home Dept. No 2774. 15th April 1869.

... Inundations to whom the Collector of ... Irrigation policy alludes.

2 ... I entirely agree with the Board of Revenue that the Company ~~[illegible]~~ ... oversight of its own Officers; but it is clear from Mr Logan's letter ... that every endeavour was made, three years ago, to satisfy all just claims in the matter of waterways. Some ... of these must be forced still.

Such claims of this nature cannot be entertained; and in my opinion it is neither equitable nor politic that the Company should be called on, long after the line has been opened to the public, to pay compensation for an alleged deficiency in the waterway originally provided.

I have the honour to be
Sir
Your most obedient servant
[illegible] Hoyer &c

Madras
20th April
1869