

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	755	Press Mis
272-73 Dated	21-5-1870	12

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
21st May 1870.*

No. 272. Read the following Proceedings of the Board of Revenue, dated 11th February 1870, No. 989 :—

Read the following letter from the Acting Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 6th January 1870, No. 6.

I HAVE the honour to submit letter* from the Consulting Engineer for Railways, declining to pay the amounts of the enclosed two Bills, relating to the rent

of lands taken up by the Railway Company for the erection of bungalows under Class C.

2. Bill No. 22 relates to lands in Pudukcheri Amshom, Palghat Talook. The records of this Office do not show that these lands were taken up by the Company through Government agency. In 1862 the owner petitioned the Collector, praying for the payment of rent. The petition was referred to the Head Assistant Collector, who caused the lands to be inspected, and submitted an account of rent to this Office in 1864. The matter seems to have escaped notice in this Office till 1867, when the Bill was submitted to the Consulting Engineer, who returned it for insertion of further particulars; and further correspondence passed till the receipt of the letter now submitted. In 1864 the land was given up by the Company, and rent is therefore due up to 1863. The Railway Company's sole objection to its payment is that the claim was advanced after the lapse of several years. The owner preferred his claim for rent in good time, and as he was not responsible for the delay in the demand being communicated to the Railway Company, I have the honour to request that the Board will move Government to call on the Company to pay the rent claimed.

3. Bill No. 23 relates to lands taken up for bungalows between Valiar and Pattambi, for which rent is claimed for the year 1863. The Agent of the Madras Railway demurs to its payment on the grounds that the demand of rent was made long after it became due. I find, however, that rent was demanded in 1864, and demurred to by the Resident Engineer on the grounds that the buildings on all the lands, except those numbered 4, 6, and 24, were pulled down in and prior to 1863. As intimation of their having been pulled down was not given to this Office, and as the lands were not made over to their owners in 1863, rent is clearly payable. I beg therefore that the amount of the Bill (Rupees 130-7-7) may also be obtained from the Company for payment to the parties concerned.

ENCLOSURE No. 1.

From the Consulting Engineer for Railways, Madras, to the Collector of Malabar, dated 22nd July 1869, No. 516.

ADVERTING to your letter, No. 1,464, of the 28th ultimo, I have the honour to forward the enclosed copy† of a letter from the Agent of the Madras Railway Company, taking exception to your Bills, Nos. 22 and 23, for rent due for the years 1858 to 1863, under Clause 8, Act XI, of 1861, of the Government of India.

† No. 363, dated the 14th July 1869.

Page 8, second Supplement to Fort Saint George Gazette, May 17 of 1861.

*Proceedings of the Madras Government, Revenue Department,
21st May 1870.*

2. I shall be glad to communicate to Mr. Elwin any explanation you may wish to offer in the matter.

3. The Bills are herewith returned.

ENCLOSURE No. 2.

From the Agent and Manager, Madras Railway, to the Consulting Engineer for Railways, dated 14th July 1869, No. 362.

In acknowledging the receipt of your letter of the 2nd instant, No. 291, enclosing an original communication,† with enclosures, from the Collector of Malabar, I have the honour to point

out that the rent claimed in Bills Nos. 22 and 23 is for the years 1858 to 1863, and that as the authorities in Malabar neglected to prefer their claims in due course, I am justified under the provisions of Clause 8, Act XI. of 1861, of the Government of India, in taking exception to these Bills.

2. If claims of this nature are to be admitted after a lapse of two years, the Company will never know when its liability is to cease.

3. I shall be prepared to forward you a cheque for the amount of Bills Nos. 24 and 25.

ENCLOSURES Nos. 3 and 4.—Bills.

SUBMITTED to Government for such orders as they may see fit.

No. 273. ORDER THEREON, 21st May 1870, No. 755.

Miscellaneous.

THE Government resolve to direct the Consulting Engineer for Railways, through the Public Works Department,

to inform the Agent and Manager, Madras Railway, that the Government do not consider the Company justified in withholding the payment of Bills Nos. 22 and 23, and request that he will report the result.

(True Extract.)

(Signed) R. A. DALYELL,

Acting Secretary to Government.

To the Public Works Department.
,, the Board of Revenue.

Exd. F. R. Bantleman.

No. 536.

~~From~~ *Order of the Bd. of Revenue*Dated *11th February* 187*3*.

FOR ORDERS.

*The delay in claiming the rent for
the lands in Bills Nos 22 & 23. was
due to an oversight in the Malabar
Collector's Office -
The Agent & Manager ^{of the Madras Railway} would
take advantage of the Statute of
Limitation & refuse payment.*

Govt. of 1870 *Madras*.To
REVENUE.

THE PUBLIC WORKS DEPARTMENT.

Co., &c., &c.

Dated May, 21st.

Recd.

Encl.

G. O., 21st May 1870, No. 735.

MAY.

Nos. 272-273.

*Rent of certain lands taken up by Railway
in Malabar. - Consulting Engineer to be directed
through Public Works Department, to inform
Agent and Manager of the fact of the payment
being withheld, and to report the result.*

This seems to me a very unbecoming
course. I would direct the payment
to be made.

M.E.

A.V.

J.B.S.

Revenue Department.

W-755.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 21st May 1870
Read the following. Proceedings of the
Board of Revenue.

Submitting letter from collector
of Malabar District, bringing to notice
refusal of Company to pay rent of
certain lands taken up
for erection of Bungalows
in 1858 to 1863.

(H.C. 11 February 1870 No. 989)

The Consulting
Engineer for Railways will in-
form the Agent and Manager
Madras Railway that the
Government do not consider
the company justified in with-
holding the payment of Bills
Nos 22 and 23.

He

21 To the Public Works Dept 22
14. The Board of Revenue
22 May 11

Ed. M. S. S.