taken out.	For what purpose.			Initials of Referencer.	Date returned.
	Department.	C. No.	Year.		
1.7.83	S4	4191		3W	
Restoration 8 1/85 / 20					

Revenue (1899) Department.

PRESS SERIES.

G.O. No. 623

DATED 15" Septr. 1899.

[Despatch Abstract.]

Ruling that Railway Companies in the Madras Presidency may be allowed the privilege of removing sand free of Seigniorage from the beds of ri in places where it can be ta without objection and subject conditions that the Dt. Colle see fit to impose

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Madras
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village,

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BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	D

G.O.	No.						Da

250

Urgent

Revenue (1899) Department.

CURRENT No. 650

Order

From

The Board of Revenue
Land Revenue

No. 39 Misc.

Dated 25th January 1899.

Received 26th

Registered 26th

Enclosures

Spare copies

SUBJECT.

Submitting to Govt. Board's view regarding the removal, free of cost, of sand ballast by the Madras Railway Company from the bed of the Cooum river near the Kannapalaiyam village, Chingleput District

R. 4.30 P.M.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS

G.O.	No.	Department.	Date.

2810

Madras Railway Company,

2,000
6-10-98.

Proceedings of the Board of Revenue

(Land Revenue).

Forest No. 59 Misc., dated 25th January 1899

Read Endorsement of the ag. Under Secretary to Government, Revenue Department, No. [illegible] dated 10th December 1898 and the following [illegible] Reference No. 1436, dated 16th December 1898.

Forwarded to the Collector of Chingleput for very early report.

Also letter from D. W. G. Cowie Esq. ag. Collector of Chingleput, dated 12th January 1899, Ref. No. 2357/For. forwarding report on the petition of the Agent and Manager, Madras Railway Company, regarding the removal of sand ballast from the bed of the Cooum River.

Resolution

With reference to Government Endorsement No. 1725, dated 10th December 1898, the Board submits that the land from which sand is to be taken was made over on certain conditions to the Railway Company long before the issue of G.O. No. 379 dated 25-5-'97 for the removal of sand by the Railway Contractors from the locality. The question whether the removal ma permitted free of charge so long as the Conditions the original grant are not violated is one for overnment to decide.

The Collector of Chingleput whose remarks on te subject were invited by the Board states that e levy of Seigniorage for gravel stone, sand &c rom the Contractors employed by the Railway ompanies would Considerably augment the forest Revenue of the district and is of opinion that no oncession should be shown to such Contractors. The original Concession, it should be stated, was granted on the Collector's own authority and was withdrawn by him with reference to para 3 of B.P. Forest No. 425 dated 6th July 1898 disposed in G.O. No. 3387 dated 17th August 1898. The oard itself sees no objection to the Continuance the practice which has so long been followed, but with reference to para 2 (ii) of G.O. No. 379 dated 25.5.97, this arrangement requires the Sanction of Government. The Board has no information as to whether similar Concessions have been granted in other Cases, and it is possible that Govt. may desire to investigate the matter further before sanctioning a free grant constituting a precedent which may lead to other applications of the same nature.

(True Extract)

Lionel Davidson

Ag. Secretary

To

The Secretary to Govt. Rd. with a file of enclos: returned.

Madras Railway Company,
Chief Engineer's Office,

No. C.600. Madras, 2nd December 1898.

To Agent & Manager.

Dear Sir,

Free quarrying by Railway Contractors on Government land.

With reference to your No. $\frac{11309}{11226}$ of 28th October 1898, the District Engineer, 1st District, informs me that our Contractor has been prevented from excavating sand for ballast in the bed of the Cooum r[illegible]r near Kannapalaiyam village in the Saidapet Taluq, Chingleput District.

2 This land was handed over to the Company on 23rd July 1894 under the following conditions fixed by the Collector of Chingleput in his No. $\frac{2552}{Eng}$ of 28th July 1894 to the Consulting Engineer, a copy of which was sent to this office with your endorsement No. 7012 of 2nd August 1894.

1. As the said Nos include portions of

considered

(No. 1.)

No.

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

MADRAS, 188

From
The Agent and Manager,
Madras Railway Company,

To
The Consulting Engineer for Railways,

Sir,

5000-16-8-88.

---

of the berm or padugai, excavation should be strictly confined to the river bed and carried on at a uniform depth across it as far as practicable in order to avoid causing sets and scours which might tend to alter the river course.

2. It should also be considered subject to the direction of the P.W.D. if at any time that Department considers interference or direction necessary.

3. In 1896 difficulties were placed in the way of our Contractor removing sand from this place and a representation was made by the District Engineer to the Collector and the prohibition was removed by the Ag: District Magistrate under the following conditions:-

1. That the excavation of sand is strictly confined to the river bed and carried on at a uniform depth across it (in order to avoid causing sets and scours which might tend to alter the river course)

2. That the excavation should be considered

considered subject to the control of the D. P. W. if at any time that Department considers to interfere or deviation necessary.

4. No breach of any of the conditions is alleged to have been committed but it is understood from the Collector that this permit is now cancelled by the new Government Order that special sanction should be obtained in each case to quarry free of charge in unreserved land at the disposal of Government.

879
2357
— para 20
— par 10
B5 So.W.15

5. As all our ballast for the Madras Section is obtained from the bed of the Cooum river above referred to, I shall feel obliged if you will take the matter up with the Consulting Engineer.

Yours faithfully,
sd/ James. M. Ewing.
for Chief Engineer.

(True Copy)

Agent & Manager.
5th Decr 1898.

ENC. NO. 1 TO E. R's. C. NO. 5717 OF 1898
LETTER NO. 1160 A&M 5/12.98
FROM Au

(No. I.)

No. 11309 / 1160

Urgent. 18

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE,

Madras, 5th December 1898.

CONSULTING ENGINEER FOR RAILWAYS, MADRAS.
RECEIVED From
5 DEC. 1898

5617.
5-12-98

From
The Agent and Manager.
M. R. Coy.

To
The Consulting Engineer for Railways.
Madras.

SIR,

I have the honour to enclose for your information copy of a letter from the Company's Chief Engineer No. C 1600 dated 2nd instant and shall be obliged if you will kindly obtain the Special sanction of Government to the continuance of the privilege hitherto enjoyed by the Company for several years, x of removing free of cost sand ballast from the bed of the Cooum river near Kannapalaiyam village under certain specified conditions.

x Please see para 4 of the Chief Engineer's letter

I have the honour to be,
Sir,
Your most obedient Servant

Agent & Manager

Encls: 1

Urgent

BOARD OF REVENUE,
13 JAN 1899
LAND REVENUE DEPT.,
MADRAS.

No. 401 R.M. dated 8th Dec. 98

570

Transferred to the Revenue Department for sanction with reference to G.O. No: 379 Revenue, dated 25th May 1897.

J. Hoyle
Under Secretary
P.W.D. Ry Branch
8/12/98.

L.D.S.
13 JAN 1899
ASST. SECRETARY.

with case No 74/A.C. in original & return requested.
& G.O. 379 Rev of 25/5/97 & Board S.O. No 15 of 97 with accompaniments

1899
REVENUE DEPT.
Encl. No. 1
Cur. No. 650.

Code Class.

INDIAN TELEGRAPHS.

Monthly Number.

To (Office) Telephonic Message

From (Office)

Words.	Day.	Hour.	Minute.	Official Instructions.
	21	15	21	

To (Person) Secy Rev Dept

From (Person) Joint Secy P.W.D. Ry Branch

Kindly expedite the issue of orders on this office No 401 R.M. of 8-12-98

21/1/99

What is this?

To Under Secy
Please see note submitted below
P.E. 21.1.99

64 Word Form.

F. C 2.

Recd. from L.N. At Hrs. Mts by

Sent to L.N. At Hrs. Mts by

Telegraph Master.

G G P—No. 768 T—1-4-97—3400000

Revenue (1899) Department.

No. 5474.

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privilege.

Code Class.

INDIAN TELEGRAPHS.

Monthly Number.

To (Office) Telephonic Message	From (Office)

Words.	Day.	Hour.	Minute.	Official Instructions.
	23	13	25	

To (Person) Under Secy Rev. Dept	From (Person) Secy (?) B. R.

G. O. No. 1725 Dt- 10th Decr 98 was referred to the Chingleput Collector for report & his reply was received about 10 days ago. I will try & get a B. P out today.

What for
28/1

64 Word Form.

Recd. from I.N. At Hrs Mts by

Sent to I.N. At Hrs. Mts by

(G P—No. 793 T—1-4-97—[illegible])

Telegraph Master.

Revenue (1899) Department.

CURRENT No. 5474

2[illegible] AUG 1899

From
The Board of Revenue,
Land Revenue,
Madras.

Order

Forest No. 597 Mis.

Dated 22nd August 1899
Received 25th do
Registered do
Enclosures
Spare copies

SUBJECT.

Submitting to Government the number of places in which Railway Companies in this Presidency are at present allowed ~~fox~~ to carry on quarrying operations in unreserved lands without payment of seigniorage fees and stating that no conditions have been prescribed for the regulation of the exercise of the privilege of free quarrying

46 R d/ 10th April 1899
69 R d/ 8th June 1899

Revenue Departme

no. 24

8/p

OFFICIAL MEMORANDUM.

----§----

Gp forgery & [illegible] 1/2/99

~~*~~Reference - B. P., Land Revenue, Forest No. 59 Mis., dated 25th Jany. 1899~~*~~. -(C. No. 650 of 1899.)

The Board of Revenue is requested to be good enough to ascertain and report to Government at an early date ~~in how many~~ ~~whether~~ the number of places in which Railway Companies in the Pres. are at present allowed ~~in any places in this Presidency~~ to carry on quarryi operations in unreserved lands at th disposal of Government without payment of seigniorage fees. & the conditions if any on which such operations are allowed

(From orders)

31/2/99

1/2/99

Fort St: George,
1st February 1899.

To the Board of Revenue, Land Revenue. - Despd 1.2.99

P.E. 31.1.99

Print full

Code Class. } INDIAN TELEGRAPHS. Monthly Number. }

To (Office) Telephonic				From (Office) Message	
Words.	Day. 22	Hour. 16	Minute. 10	Official Instructions. }	
To (Person) Secy. Rev. Dept.				From (Person) Joint Secy. P. W. D. Ry. Br.	

Please pass early orders on this office No. 401 R.M. Dt. 8th Decr. 98 Agent, Madras Railway, is pressing for reply. File of papers were returned to your office on 3rd Feby. 99.

1725
10

What is this

64 Wo

F.C.2.

To Under Secy.

Please see notes submitted below.

P.C.
22.2.99.

Recd. from I.N.
At Hrs. Mts by

Sent to I.N.
At Hrs. Mts. by

Telegraph Master.

G G P—No. 12 6T16737—3600000

Rev. Deptt.

Telephonic message from the Joint Secretary, P.W.D., Railway Branch, d. 22.2.99.

To Under Secy.

In the telephonic message noted above, the Joint Secy. P.W.D. (Railway) presses for the issue of early orders on the Madras Railway Company's application to remove sand free of seigniorage from the bed of the Cooum river in a certain village of the Chingleput district. The file on the subject (which is herewith submitted) is lying over pending the Board's reply to O.M. No. 24 d 1.2.99, in which it was asked to report the number of places in the Presy: in which Railway Companies are allowed to carry on quarrying operations in unreserved lands at the disposal

isposal of Govt. without payment of seigniorage fees.

E
/2/99

Secy

Orders to the effect noted on p 12 of the notes below should have issued at once, either in P. W. D or in Rev. I am sorry the point escaped my notice when the pp came back from Circ. A draft is now submitted below

M
22/2/99

Yes issue at once
Inform D.P. that it is coming today
23/2

H.E. O.M. No.

To Under Secy.

Please see the telephonic message to the Under Secy, P. W. D (Railway), submitted below.

E
/2/99

M
23/2

Sent to the telephone clerk
23/2/99

H.E. O.M. No. 56 d/ 23-2-99

D.P. at once
23/2/99

A

Print this at page 12 in the place marked there
AA

9 P

O.M. No. 56

Ref. O.M. No 24 d 1-2-99

Pending a decision as to whether the Madras Railway Co. should be permitted to remove sand free of charge from the bed of the Cooum, the Govt consider that the Coy may be allowed to remove sand on the ~~same~~ conditions hitherto prescribed by the Collector and subject to the decision as to charge that may be reached. The Bd is requested to instruct the Collector of Chingleput accordingly.

M
22/2/99

23/2/99

To the Bd of Rev L.R
To the P.W.D. Ry Branch

First Secretary: [illegible]
23rd February 1899

Desp. 23-2-99.

7

Note connected with G.O. No. 623 Revd, 15 — Revenue Department

[Subject: Privilege of removing sand free of seigniorage from beds of rivers]

Board's Proceedings (Land Rev. Forest No: 59 Mis. d. 25.1.99)
(Cir. 650 of 1899).

To Under Secretary

In its Proceedings noted above, the Board of Revenue submits the remarks called for in G.O. No: 1725 R. d. 10.12.98 on the application* from the Madras Railway Company for the sanction of Govt. to the continuance of the privilege enjoyed by it for some years past of removing sand free of Seigniorage from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district.

2. It would appear that the site in question from which the Railway Company had been removing sand for ballast, was handed over to it in 189

Subje

A

* Agent's letter to the Consulting Engr. for Railways d. 5.12.98 transferred to Rev. Dept. with P.W. Endt. No: 401 R.M. d. 8.12.98

B

cF

ngleput Collr's letter d. 28.7.94 (C) and the Railway Company Chief Engr's letter d. 2.12.98 to the Agent and Manager. D subject to the following conditions:—

(i) that excavation should be strictly confined to the bed of the river and carried out at a uniform depth across it as far as practicable in order to avoid causing sets and scours which might tend to alter the river course; &

ii) that the excavation should be subject to the direction of the Public Works Deptt. if at any time that Deptt. considered interference or direction necessary.

Para 2 of B.P. No. 597 Forest d 25.1.9 (current)

3. As pointed out by the Board, the concession under consideration, was granted to the company by the Collector of Chingleput on his own authority; but, it is submitted, that the Collector's action was in consonance* with the instructions issued in G.O.

Nos.

* It will be seen from para 7 of Chingleput Collector's letter at pp. 2-3 of G.O. No. 508 d 20.5.9 that he expressly raises the quest whether the S. I. Railway Compan should not be charged for sand removed by it.

E+F

Nos. 508 d 20.5.92 and 8 d. 13.8.92, Revenue, in whic the Govt. was pleased to orde that quarrying in unreserv lands should be left absolutely free to the "general public" as well as to ~~Depts~~ Departments of Govt., Local Boards and ~~Municipalities~~ Municipalities, subject to the proviso that quarries o any particular importance and value should be closed against the ~~"general~~ ~~pub~~ "general public" and reserved for the use of Govt. Deptts. or "public bodies". The privilege which the company had been enjoying of removing sand without payment of seigniorage was, it would appear, disallowed by the Collector in pursuance of the direction contained in paragraph 2(ii) of G.O. No. 379 Rev. d 25.5.97, under whic the sanction of Govt. is necessary

Para(4) of the Chief Engr's let flagged D and para (2) the B. P. (current).

2

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necessary to the grant of such a concession in the case of public bodies other than Govt. Deptts, Local Boards and Municipalities.

4. As regards the Railway Company's application which the Public Works Deptt (Railway branch) has transferred to this Deptt. for sanction with reference to paragraph 2(ii) of G.O. No: 379 d 25.5.97), it is reported that the Collr. of Chingleput, whom the Board has consulted, states "that the levy of "seigniorage for gravel stone, sand &c from the "contractors employed by the Railway Companies would "considerably augment the "forest revenue of the district "and is of opinion that no "concession should be shown "to such contractors." The Board, while seeing no objection to the Company being allowed the privilege

a.

B

H

Para 2 of the B.P. (current)

Para 2 of the B.P. (current).

5

lege it had enjoyed for some years, remarks that it is possible that Govt. may desire to investigate the matter further before sanctioning a free grant constituting a precedent for other applications of the same nature.

5. It will be seen that the Board inserted the words "other public bodies e.g. Railway Companies" in clause 10 of the revised draft of S.O. No. 15 (Rules re: quarrying and mining) submitted with B.P. No. 475/19.12 justifying the insertion on the ground that "the privilege of free removal "[from unreserved lands] was "obviously meant to be "extended to Railway Com"panies, as well as to other "public bodies" (vide para of B.P. No: 475 d. 19.12.96 disposed of in G.O. No: 379 d 25.5.97). It is submitted that in making the remar quoted

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[illegible]

enumerated above, the Board [illegible] in view the orders contained in G.O. Nos. 508 d. 20.5.92 and 847 d. 13.8.92 referred to in para 3 *supra*. From the notes ~~[illegible]~~ stitched with G.O. No. 379 d 25.5.97 it would, however, appear that the insertion ~~[illegible]~~ as proposed by the Board was held to import a new provision into the rules. His Excellency the Governor noted as follows on the point:— "I do not think the proposed extension of rule 10 can be justified. I would grant the concession to Local Boards and Municipalities, but "not to Railway Companies, or to the contractors employed by them. Local Boards and "Municipalities are the *public* "in a corporate form and "it is to the *Public* that the "concession is granted. The concession might be permissible in the case of

State

6

E

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H

Page 11 of the notes under G.O. 379 d 25.5.97.

x Vide p. 6 of notes under G.O. No: 379 d 25.5.97 H

x Vide pp. 14-15 of do.

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7

"State Railways, but these "are probably included "in the existing wording as "a Department of Govt.

"The concession which "was, I believe, originally "granted to ryots and villagers, to take earth and "gravel, for domestic uses, "has been extended to Municipalities and Local Boards "on the ostensible ground "that the latter are semi "State bodies. To add "Railway ~~[illegible]~~ Companies, is going too far".

The Hon'ble Mr. Grose, who has previously approved x of the Board's insertion, observes x as follows:— "as regards the "inclusion of Railway Companies "and other public bodies "in rule X I am in doubt. "They have been allowed to "quarry free in unreserved "lands hitherto, and their "doing so confers benefit "on the public. Moreover,

w

cession in the case of Railway Companies land is given free, and free quarrying " seems to be a legitimate " corollary. Nevertheless, " on the whole, I think it " would be better to omit " Railway Companies and " public bodies from " rule x and leave Govt. to deal with cases on their merits".

The Hon'ble Sir Henry Bliss agreed with His Excellency the Governor and could not see why Railway Companies should not be required to pay for quarrying. It was accordingly ordered para 2 (ii) of G.O. No: 379 d H 25.5.97) that the words with the previous sanction of Govt. in each case, to other public bodies" should be substituted in the place of the words inserted by the Board, viz. "other public bodies, e.g. Railway Companies

Page 16 of the notes under G.O. No: 379 d 25.5.97 H

" Companies, as well as t
" the contractors employed
" by them".

6. As regards the Madras Railway Company's application now under consideration, it would appear that the Collector has no objection to the Compan being allowed to remove sand free of seigniorage from the site in question except that he holds it an unnecessary sacrifice of the public revenues. As has already been stated, the Board sees no objection to the Company being allowed the concession. Orders are requested as to whethe the Company's request may be complied with, or whether the Company should be required to pay a seigniorage on all san removed. It is also a ques tion for considerati whether, as hinted by the Board

Board, it is not desirable to make a full inquiry into the matter by calling reports from Collectors, before orders are passed in the present case. It is at the same time submitted that the Public Works Deptt^x (Railway Branch) has been pressing for the issue of orders on the Railway Company's application.

P.C.
27.1.99.

Secy

There seems no reason why the concession of free quarrying to the Madras Ry Coy shd be continued. It is distinctly against the spirit of the Govt of India's Resolution in G.O. 669 d 3 Augt 97

Submitted that quarrying may be allowed on payment of seigniorage the rate of which shd be considered by the Collector in communication with the Agent of the Ry & reported to the Bd & Govt for sanction

M
28-1-99

H.M.
Dafael
SK 28/1/99

^x Vide P.W. memo d. 7.1.99 under G.O. No: 41 R d 10.1.99 and the telephone from the Joint Secy, P.W.D., flagged K

Vide para 3 in p. 3 of G.O. 669 d 3.8.97
flagged M.

de 6.2.99

30.1.99.

If seigniorage is ordered to be charged for taking sand from the river-bed in this case, the order should apply to all other similar cases –

I know, for instance, that the S.I.R., where its line crosses the Palar in S. Arcot, has a tramway down to the river bed and it takes sand in quantities –

There are probably not less than a score of similar instances –

As urged by Mr. Groos the Govt. supply the railways with what land they require for construction free, & I shd have been disposed to think that it was unnecessary to charge for sand taken from river-beds for ballast –

The Office note is however in accordance with the views of His Excellency & Sir H. Bliss, & with the Resolution of the G. of India (flagged M.) –

A

Before passing an order which shd be followed in all similar cases throughout the Presidency,

I think, as suggested by the Board, it would be well to ascertain in how many places the Railway Cos. are quarrying in Govt. waste land free of charge –

In any case the question is a large one which ought to be decided by His Excellency in Council –

I shd. advise, not without some doubt, that no seigniorage shd be charged; but I am prepared to be guided

H.W.
31-1-99-

Office

Please draft an O.M. to Board inquiring as at A

SK 31-1-99

6

To Under Secy.

Please see draft O.M. submitted

P.C.
31.1.99.

Secy

After issue of O.M. P.W.D. Ry may have the file to see how the matter s board, it is not desirable to make a full inquiry into the matter by calling reports from Collectors, before orders are passed in the present case. It is at the same time submitted that the Public Works Deptt.x (Railway Branch) has been pressing for the issue of orders on the Railway Company's application.

x Vide P.W. memo d. 7.1.99 under G.O. No: 41 R d 10.1.99 and the telephone from the Joint Secy, P.W.D., flagged K

P.E.
27.1.99

Secy

There seems no reason why the concession of *free* quarrying to the Madras Ry Coy shd be continued. It is distinctly against the spirit of the Govt of India's Resolution in G.O. 669 d 3 Augt 97

Vide para 3 in p. 3 of G.O. 669 d 3.8.97 flagged M.

Submitted that quarrying may be allowed on payment of seigniorage the rate of which shd be considered by the Collector in communication with the Agent of the Ry & reported to the Bd & Govt for sanction

M
28-1-99

H.M.

Issued
28/1/99

Rc. 6.2.99

R 30.1.99

If seigniorage is ordered to be charged for taking sand from the river-bed in this case, the order should apply to all other similar cases –

I know, for instance, that the S.I.R., where its line crosses the Palar in S. Arcot, has a tramway down to the river bed and it takes sand in quantities –

There are probably not less than a score of similar instances –

As urged by Mr. Grose the Govt. supply the railways with what land they require for construction free, & I shd have been disposed to think that it was unnecessary to charge for sand taken from river-beds for ballast –

The Office note is however in accordance with the views of His Excellency & Sir H. Bliss, & with the Resolution of the G. of India (flagged M.) –

Before passing an order which shd be followed in all similar cases throughout the Presidency,

A

I think, as suggested by the Board, it would be well to ascertain in how many places the Railway Cos. are quarrying in Govt. waste land free of charge –

In any case the question is a large one which ought to be decided by His Excellency in Council –

I shd. advise, not without some doubt, that no seigniorage shd be charged; but I am prepared to be guided

H.W.
31-1-99

Office

Please draft an O.M. to Board enquiring as at A

31-1-99

6

To Under Secy

Please see draft O.M. submitted

P.E.
31.1.99

Secy

After issue of O.M. P.W.D. Ry may have the file to see how the matter s[illegible]

Form No. 14.

~~PUBLIC WORKS DEPARTMENT,~~

~~RAILWAY BRANCH~~

C. No.

~~NOTE FOR~~

Yes. Pl. move the D.W. first.

S.K. 1/2/99

[W.E. to O.W. No 56 dd 23-2-99]

~~D.P.W. no~~

If the matter is urgent there w^d be no objection to the Railway's being permitted to take it subject to the decision that may be reached. The P.W.D. w^d, if so, have to arrange for measuring up the qty taken in some sort of way.

S.K. 2/2/99

D.P.W. no

Everyone who has noted on the subject, above, appears to have missed the point which I wish now to make, that in the case of the Madras Ry. Co. every rupee secured to Provincial in the shape of seigniorage for sand is really taken from Imperial who guarantee the Co's 5%. In the case of the S.I.R. only about 1/6th of the seigniorage will come out of Shareholders' profits, the balance will come from Imperial.

But the chief point is that the small profit to Provincial from the levy of seigniorage on stuff which, as put into the trucks, is worth only about one anna per cb. yard, scarcely warrants the trouble in scrutiny, correspondence &c. which will be necessary for its realisation. Unless Govt. would be willing, as it ought, to accept the Company's Engineers' certificates in regard to the quantity removed half-yearly. Government may accept the Railway Company's statement in such a matter with far more confidence than any statement based on the scrutiny and measurement of the petty forest officials to whom necessarily the duty of measuring, if done at all, must be delegated.

But I really think that there is after all "nothing in it" to cause Government to withdraw the privilege. The Company have the simple alternative of having very much more expensive ballast, at the cost of Government, Imperial, got from land already in their possession or to be acquired.

If I were Government I would continue the concession.

F.K.S.
3/2/99

To (~~Ry~~). Rev. Dept.

H.M.

The H.M. may like to see the Railway Dept note pending the receipt of the reference to the Board which has been made.

S.K. 4/2/99

P.S.D.

This might be done

F.K.S.
3/2/99

I see no objection whatever to this?

S.K.

Seen -

[illegible] from the Coll^r. I do not understand the term "quarrying operations" to apply to taking sand from river beds. - K.S.

6-2-99

E 6.2.99

E 30.1.99

B.P. Forest No: 597 Mis. d 22-8-99 I
(Cir. 5484 of '99).

—

To Under Secy.

Please see notes above. The Board's Proceedings noted I at the head of this page is the Board's reply to Official Memorandum No. 24 d 1-2-99. (Slip N). Pending the receipt of the Board's reply, the Madras Railway Company has been allowed to continue to remove sand from the bed of the [illegible] subject to the [illegible]ly be reached. Vide O.M. No: 56 d 23-1-99 (Slip O)

The question now for consideration is whether Railway Companies should be conceded the privilege of free quarrying in unreserved lands at the disposal of the Govt. The H.M. (the Hon'ble Mr. Winterbotham) while considering that no seigniorage should be charged, has noted

its realisation. [illegible]

receipt the Company's Engineer's certificate in regard to

Secy

Even if this be answered in the affirmative some condition shd. be inserted (such as that the concession shd be at the discretion ~~subject to the approval~~ of the Collector & be liable to be revoked at any time without notice & without liability to pay compensation.

4/9/99

Yes I anticipated, Collectors have not understood "quarrying operations" as including the taking of sand from river beds – Thus S. Arcot sends a nil report – I agree with the Secretary's note. H.S. 7-9-99

notes that "the question is a large one which ought to be decided by His Excellency in Council" – page 11 supra. It should also be pointed out, with reference to the first paragraph of the note by the Under Secretary d. 28-1-99 (at page 10 supra) concurred in by the Secretary, that the Resolution of the Govt. of India quoted therein, has been held in connection with a later paper to have no relevancy to the question under consideration – vide the Secretary's note d. 14-3-99 at pp. 8-9 of the notes under G.O. No: 1278 d 28-3-99. (Slip P)

P.E.
2.9.99

Secy
4/9/99

H.M.

Please see notes at P. 11

No charge is recommended for river sand, where it can be taken × without objection. Govt. need not go further & speak of all unreserved lands.

H.T.
5.9.99

H.T.

16

To Under Secy.

Please see the draft order submitted below.

P.E.
11.9.99

Secy.
[illegible]
11/9/99

H.T
12-9-99

To the P.W.D. / Ry. for acceptance.

H.T
12-9-99

Public Works Dept. Ry

F.E.S
13-9-99

Rev. Dept.

To

The Hon Mr's Arundel

A.T.A
14-9-99

I suppose this order is based on the Hon Mr's [illegible] assent & is therefore not sent to him for initials.

A.T.A

Yes, Issue

H.T
15-9-99

[Issued as G.O. No. 623 Rev. d. 15-9-99]

6.2.99.

30.1.99.
31.1.99

Telephonic Message from the Public Works Deptt. (Railway) d. 21.1.99.

To Under Secy.

With the memo referred to in the telephonic message noted above, the Public Works Deptt. transferred to this Deptt. an application from the Madras Railway Company for permission to remove sand, free of cost, from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district. The Madras Railway Company's application was referred to the Board of Revenue for early remarks with Endt. No. 1725 10.12.98; and in Endt. No. 41 10.1.99 the Board was asked to submit its remarks at a very early date. It is submitted that no reply ha yet been received from the Board.

16

To Under Secy.

Please see the draft order submitted below.

P.E.
11.9.99

Secy
11/9/99

H.T
12-9-99

To The P.W.D. / Ry. for acceptance

H.T
12-9-99

Public Works Dept. Ry

F.E.S
13-9-99

Rev. Deptt.

To The Hon. Mr. Arundel

A.T.A
14-9-99

I suppose this order is based on the Hon. Mr's [illegible] & is therefore not sent to him for initials.

A.T.A

Yes. Issue

H.E.T
15-9-99

[Issued as G.O. No. 123 Rev., d. 15-9-99]

O.K.

Telephonic message from the Public Works Deptt (Railway) d. 21.1.99.

To Under Secy.

With the memo referred to in the telephonic message noted above, the Public Works Deptt. transferred to this Deptt. an application from the Madras Railway Company for permission to remove sand, free of cost, from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district. The Madras Railway Company's application was referred to the Board of Revenue for early remarks with Endt. No. 1725 10.12.98, and in Endt. No. 41 10.1.99 the Board was asked to submit its remarks at a very early date. It is submitted that no reply ha yet been received from t Board.

16

o Under Secy.

Ples

orderent ond. Orders are requested as to whether an urgent ~~reply~~ reminder may issue to the Board.

P.E.
9.99

P.E.
21.1.99

Telephone to Bd's Secy L.R.
from U.S. Rev

Please say when Bd's reply to G.O. 1725 d 10 Dec 1898 may be expected. P.W.D (Ry) presses for a decision

Mc
21-1-99 Mc

23-1-99

Note for the Telephone Clerk

Please despatch the telephone and send back

P.E.
23.1.99

All the papers to be printed in full.

Print 15/9/99

Revenue Department

A Read again Govt. No: 1725 R d. 10-12-98.

B Read Procgs. of the Board of Rev, L.R. Forest No: 59 Misd. 25.1.99 (C No 650 of 99).

N Read again O.M. No: 24 d 1-2-99

O " " " " 56 d 23-2-99

I " also Procgs. of the Board of Rev. (L.R.) Forest No: 597 Misd. 22.8.99 (C No 5484

—

~~Note~~ Order Press No 623 d/15th September 1899

Hon'ble Arundel.

AA
14.9.99.

H In partial modification of the orders contained in clause (ii) of paragraph 2 of G.O. No: 379 Revenue dated the 25th May 1897, the Govt. is pleased to rule that Railway Companies in this Presidency may be allowed the privilege of removing sand free of seigniorage from the beds of rivers, in places where it can be taken ~~and~~ without objection [and subject to any conditions that the District Collector may

I suppose this order is based on the Hon. Mr Winterbotham's assent & is therefore not sent to him for initials.

AA

(Approved Issue)
H.T.
15.9.99

U.S.
Should the words enclosed in brackets stand?

Secy
11/9

Yes
H.T.

see fit to impose.

2. The Madras Railway Company will be permitted to take sand free of charge from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district ~~subject to the restrictions hitherto in force~~ under the terms of this order.

W.H.
11/9/99

A.
12.9.99.

To the Board of Rev. (L.R.)
" Public Works Deptt. (Railway branch), with a file of records returned.

9.99.

To P.lo.R.s for G.O.
G.O. No. 505 d/12.9.99

.45
3

7 VS
13/9/99

20 No. 7 dated 13/9/99

28.8.02

Revenue Department.

NOTES CONNECTED WITH G.O., No. 623, REVENUE, DATED 15TH SEPTEMBER 1899.

[SUBJECT.—*Privilege of removing sand free of seigniorage from beds of rivers.*]

Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 59, *dated 25th January* 1899.

To Under Secretary—

In its Proceedings noted above, the Board of Revenue submits the remarks called for in G.O., No. 1725-R., dated 10th December 1898, on the application * from the Madras Railway Company for the sanction of Government to the continuance of the privilege enjoyed by it for some years past of removing sand free of seigniorage from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district.

Chingleput Collector's letter, dated 28th July 1894, and the Railway Company Chief Engineer's letter, dated 2nd December 1898, to the Agent and Manager.

2. It would appear that the site in question from which the Railway Company had been removing sand for ballast was handed over to it in 1894 subject to the following conditions:—

(i) that excavation should be strictly confined to the bed of the river and carried out at a uniform depth across it as far as practicable in order to avoid causing sets and scours which might tend to alter the river course; and

(ii) that the excavation should be subject to the direction of the Public Works Department if at any time that Department considered interference or direction necessary.

Paragraph 2 of Board's Proceedings, No. 59, Forest, dated 25th January 1899.

3. As pointed out by the Board, the concession under consideration was granted to the company by the Collector of Chingleput on his own authority; but, it is submitted, that the Collector's action was in consonance † with the instructions issued in G.O., Nos. 508, dated 20th May 1892, and No. 847, Revenue, dated 13th August 1892, in which the Government was pleased to order that quarrying in unreserved lands should be left absolutely free to the "general public" as well as to Departments of Government, Local Boards and Municipalities, subject to the proviso that quarries of any particular importance and value should be closed against the "general public" and reserved for the use of Government Department or "public bodies." The privilege which the company had been enjoying of removing sand without payment of seigniorage was, it would appear, disallowed by the Collector in pursuance of the direction contained in paragraph 2 (ii)

---

* Agent's letter to the Consulting Engineer for Railways, dated 5th December 1898, transferred to Revenue Department with Public Works Endorsement, No. 401 R. M., dated 8th December 1898.

† It will be seen from paragraph 7 of the Chingleput Collector's letter at pages 2-3 of G.O., No. 508, dated 20th May 1892, that he expressly raised the question whether the South Indian Railway Company should not be charged for sand removed by it.

of G.O., No. 379, Revenue, dated 25th May 1897, under which the sanction of Government is necessary to the grant of such a concession in the case of public bodies other than Government Departments, Local Boards and Municipalities.

Paragraph (4) of the Chief Engineer's letter and paragraph (2) of the Board's Proceedings.

4. As regards the Railway Company's application which the Public Works Department (Railway Branch) has transferred to this department for sanction with reference to paragraph 2 (ii) of G.O., No. 379, dated 25th May 1897, it is reported that the Collector of Chingleput, whom the Board has consulted, states "that the "levy of seigniorage for gravel, stone, sand, etc., from the contractors employed by the "Railway companies would considerably augment the forest revenue of the district "and is of opinion that no concession should be shown to such contractors." The Board, while seeing no objection to the company being allowed the privilege it had enjoyed for some years, remarks that it is possible that Government may desire to investigate the matter further before sanctioning a free grant constituting a precedent for other applications of the same nature.

Paragraph 2 of the Board's Proceedings.

Paragraph 2 of the Board's Proceedings.

5. It will be seen that the Board inserted the words "other public bodies, *e.g.*, Railway Companies, etc.," in clause 10 of the revised draft of Standing Order No. 15 (rules regarding quarrying and mining) submitted with Board's Proceedings, No. 475, dated 19th December 1896, justifying the insertion on the ground that "the privilege "of free removal [from unreserved lands] was obviously meant to be extended to Railway "Companies, as well as to other public bodies" (*vide* paragraph 2 of Board's Proceedings, No. 475, dated 19th December 1896, disposed of in G.O., No. 379, dated 25th May 1897). It is submitted that in making the remark quoted above, the Board had in view the orders contained in G.O., Nos. 508, dated 20th May 1892, and No. 847, dated 13th August 1892, referred to in paragraph 3 *supra*. From the notes stitched with G.O., No. 379, dated 25th May 1897, it would, however, appear that the insertion proposed by the Board was held to import a new provision into the rules. His Excellency the Governor noted as follows on the point:—

Page 11 of the notes under G.O., No. 379, dated 25th May 1897.

"I do not think the proposed extension of rule 10 can be justified. I would grant the concession to Local Boards and Municipalities, but not to Railway Companies, or to the contractors employed by them. Local Boards and Municipalities are the *public* in a corporate form and it is to the *public* that the concession is granted. The concession might be permissible in the case of State Railways, but these are probably included in the existing wording as a Department of Government."

"The concession which was, I believe, originally granted to ryots and villagers, to take "earth and gravel for domestic uses has been extended to Municipalities and Local Boards "on the ostensible ground that the latter are semi-State bodies. To add Railway Companies, "is going too far."

The Hon'ble Mr. Grose, who had previously approved * of the Board's insertion, observed † as follows: "As regards the "inclusion of Railway Companies and "other public bodies in rule X, I am in "doubt. They have been allowed to "quarry free in unreserved lands hitherto, "and their doing so confers benefits on the public. Moreover, in the case of Railway "Companies land is given free, and free quarrying seems to be a legitimate corollary. "Nevertheless, on the whole, I think it would be better to omit Railway Companies "and public bodies from rule X and leave Government to deal with cases on their "merits."

* *Vide* page 6 of the notes under G.O., No. 379, dated 25th May 1897.

† *Vide* pages 14–15 of the notes under G.O., No. 379, dated 25th May 1897.

The Hon'ble Sir Henry Bliss agreed with His Excellency the Governor and could not see why Railway Companies should not be required to pay for quarrying.

Page 16 of the notes under G.O., No 379, dated 25th May 1897.

It was accordingly ordered in paragraph 2 (ii) of G.O., No. 379, dated 25th May 1897, that the words "with the previous sanction of Government in each case, to

"other public bodies" should be substituted in the place of the words inserted by the Board, viz., other public bodies, *e.g.*, Railway Companies, as well as to the "contractors employed by them."

6. As regards the Madras Railway Company's application now under consideration, it would appear that the Collector has no objection to the company being allowed to remove sand free of seigniorage from the site in question, except that he holds it an unnecessary sacrifice of the public revenues. As has already been stated, the Board sees no objection to the company being allowed the concession. Orders are requested as to whether the company's request may be complied with, or whether the company should be required to pay a seigniorage on all sand removed. It is also a question for consideration whether, as hinted by the Board, it is not desirable to make a full inquiry into the matter by calling reports from Collectors before orders are passed on the present case. It is at the same time submitted that the Public Works Department * (Railway Branch) has been pressing for the issue of orders on the Railway Company's application.

* *Vide* Public Works Memorandum, dated 7th January 1899, under G.O., No. 41 R., dated 10th January 1899, and the telephone from the Joint Secretary, Public Works Department.

P.E.
27–1–99.

To Secretary—

There seems no reason why the concession of *free* quarrying to the Madras Railway Company should be continued. It is distinctly against the spirit of the Government of India's Resolution in G.O., No. 669, dated 3rd August 1897.

Vide paragraph 3 in page 3 of G.O., No. 669, dated 3rd August 1897.

Submitted that quarrying may be allowed on payment of seigniorage, the rate of which should be considered by the Collector in communication with the Agent of the Railway and reported to the Board and Government for sanction.

N. E. Marjoribanks.
28–1–99.

To the Honourable Member—

I agree.

G. S. Forbes.
28–1–99.

If seigniorage is ordered to be charged for taking sand from the river-bed in this case, the order should apply to all other similar cases.

I know, for instance, that the South Indian Railway, where its line crosses the Pálár in South Arcot, has a tramway down to the river-bed whence it takes sand in quantities. There are probably not less than a score of similar instances.

As urged by Mr. Grose, the Government supply the railways with what land they require for construction free, and I should have been disposed to think that it was unnecessary to charge for sand taken from river-beds for ballast.

The office-note is, however, in accordance with the views of His Excellency and Sir H. Bliss and with the Resolution of the Government of India.

Before passing an order, which should be followed in all similar cases throughout the Presidency, I think, as suggested by the Board, it would be well to ascertain

A | in how many places the Railway Companies are quarrying in Government waste-land free of charge.

In any case the question is a large one which ought to be decided by His Excellency in Council.

I should advise, not without some doubt, that no seigniorage should be charged; but I am prepared to be guided.

H. W[interbotham].
31–1–99.

Office—

Please draft an Official Memorandum to Board inquiring as at **A**.

G.S.F.
31–1–99.

To Under Secretary—

Please see draft Official Memorandum submitted.

P.E.
31–1–99.

To Secretary—

After issue of Official Memorandum, Public Works Department (Railway) may have the papers to see how the matter stands.

Yes. Issue the Official Memorandum first.

N.E.M.
1–2–02.

G.S.F.
1–2–99.

Official Memorandum No. 24.

[*Reference.*—Board's Proceedings, Land Revenue, Forest Mis. No. 59, dated 25th Januray 1899.]

The Board of Revenue is requested to be good enough to ascertain and report to Government, at an early date, the number of places in which Railway Companies in this Presidency are at present allowed to carry on quarrying operations in unreserved lands at the disposal of Government without payment of seigniorage fees and the conditions if any on which such operations are allowed.

N.E.M.
1–2–99.

If the matter is urgent there would be no objection to the railways being permitted to take it subject to the decision that may be reached. The Collector would, if so, have to arrange for measuring up the quantity taken in some sort of way.

G.S.F.
1–2–99.

This might be done.
F. J. E. Spring.
3–2–99.

To the Public Works Department u.o.

G.S.F.
2–2–99.

PUBLIC WORKS DEPARTMENT.

Every one who has noted on the subject, above, appears to have missed the point, which I wish now to make, that in the case of the Madras Railway Campany every rupee secured to Provincial in the shape of seigniorage for sand is really taken from Imperial who guarantee the Company's 5 per cent. In the case of the South Indian Railway only about one-sixth of the seigniorage will come out of shareholders' profits, the balance will come from Imperial.

But the chief point is that the small profit to Provincial from the levy of seigniorage on stuff which, as put into the trucks, is worth only about one anna per cubic yard, scarcely warrants the trouble in scrutiny, correspondence, &c., which will be necessary for its realization. *Unless* Government would be willing, as it ought, to accept the Company's Engineers' certificates in regard to the quantity removed half-yearly, Government may accept the Railway Company's statement in such a matter with far more confidence than any statement based on the scrutiny and measurement of the petty forest officials to whom necessarily the duty of measuring, if done at all, must be delegated.

I see no objection whatever to this ?
G.S.F.

But I really think that there is after all "nothing in it" to cause Government to withdraw the privilege. The Company have the single alternative of using very much more expensive ballast at the cost of Government, Imperial, got from land already in their possession or to be acquired.

If I were Government I would continue the concession.

F.J.E.S.
3–2–99.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

To the Honourable Member—

The Honourable Member may like to see the Railway Department note pending the receipt of the reference to the Board which has been made.

G.S.F.
4–2–99.

Seen. I much fear the Collectors will not understand the term "quarrying operations" to apply to taking sand from river-beds.

H. W[INTERBOTHAM].
6–2–99.

Board's Proceedings, Forest Mis. No. 597, *dated* 22*nd August* 1899.

To Under Secretary—

Please see notes above. The Board's Proceedings noted is the reply to Official Memorandum No. 24, dated 1st February 1899. Pending the receipt of the Board's reply, the Madras Railway Company has been allowed to continue to remove sand from the bed of the Cooum river subject to the decision as to charge that might eventually be reached—*vide* Official Memorandum No. 56, dated 23rd January 1899.

A. The question now for consideration is whether Railway Companies should be conceded the privilege of free quarrying in unreserved lands at the disposal of the Government. The Honourable Member (the Hon'ble Mr. Winterbotham), while considering that no seigniorage should be charged, has noted that "the question is a large one which ought to be decided by His Excellency in Council"—page 3 *supra*. It should also be pointed out, with reference to the first paragraph of the note by the Under Secretary, dated 28th January 1899 (at page 3 *supra*), concurred in by the Secretary, that the Resolution of the Government of India quoted therein has been held in connection with a later paper to have no relevancy to the question under consideration —*vide* the Secretary's note, dated 14th March 1899, at pages 8–9 of the notes under G.O., No. 1278, dated 28th March 1899.

P.E.
2–9–99.

To Secretary—

A. Even if this be answered in the affirmative some condition should, I submit, be inserted such as that the concession should be at the discretion of the Collector and be liable to be revoked at any time without notice and without liability to pay compensation.

N.E.M.
4–9–99.

To the Honourable Member—

Please see notes at page 3. No charge is recommended for river sand where it can be taken without objection. Government need not go further and speak of all unreserved lands.

H. Tremenheere.
5-9-99.

As I anticipated, Collectors have not understood "quarrying operations" as including the taking of sand from river-beds. Thus, South Arcot sends a *nil* report.
I agree with the Secretary's note.

H. W[interbotham].
7-9-99.

To Under Secretary—

Please see the draft order submitted below.

P.E.
11-9-99.

To Secretary.

N.E.M.
11-9-99.

To the Public Works Department (Railway) for acceptance.

H.T.
12-9-99.

Public Works Department (Railway).

To the Revenue Department u.o.

To the Hon'ble Mr. Arundel.

F.J.E.S.
13-9-99.

H.T.
12-9-99.

I suppose this order is based on the Hon'ble Mr. Winterbotham's assent and is therefore not sent to him for initials.

A. T. A[rundel].

Yes. Issue.

H.T.
15-9-99.

[Issued as G.O., No. 623, Revenue, dated 15th September 1899.]

Government {1899} of Madras.

REVENUE.

Recd. } 1899. *Enclosures*
Regd. } *Spare copies*

G.O., No. 623, 15th September 1899.

SEPTEMBER.

Privilege of removing sand free of seigniorage from beds of rivers.

Stating that the Railway Companies in the Madras Presidency may be allowed the — in places where it can be taken without objection, subject to any conditions that the District Collector may see fit to impose; and permitting the Madras Railway Company to take sand free of charge from the bed of the Cooum river near the Kannapalaiyam village, Chingleput district.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—again the following endorsement, R. No. 1725, Revenue, dated 10th December 1898:—

Read—the following endorsement of Government, Public Works Department (Railway), No. 401-R.M., dated 8th December 1898:—

Read—the following letter from L. S. MOSS, Esq., Agent and Manager, Madras Railway Company, to the Consulting Engineer for Railways, Madras, dated 5th December 1898, No. 11309/1160:—

I have the honour to enclose, for your information, copy of a letter from the Company's Chief Engineer, No. C-1600, dated 2nd instant, and shall be obliged if you will kindly obtain the special sanction of Government to the continuance of the privilege hitherto enjoyed by the Company for several years, of removing free of cost sand ballast from the bed of the Cooum river near Kannapalaiyam village under certain specified conditions.

Enclosure.

From the Chief Engineer, Madras Railway Company, to the Agent and Manager, Madras Railway Company, dated 2nd December 1898, No. C-1600.

[*Free quarrying by Railway Contractors on Government land.*]

With reference to your No. 11309/11226, of 28th October 1898, the District Engineer, First district, informs me that our contractor has been prevented from excavating sand for ballast in the bed of the Cooum river near Kannapalaiyam village in the Saidapet taluk, Chingleput district.

2. This land was handed over to the Company on 23rd July 1894 under the following conditions fixed by the Collector of Chingleput in his No. 2552-Eng. of 28th July 1894 to the Consulting Engineer a copy of which was sent to this office with your endorsement, No. 7012 of 2nd August 1894:—

(1) As the said numbers include portions of the berm or padugai, excavation should be strictly confined to the river bed and carried on at a uniform depth across it as far as practicable in order to avoid causing sets and scours which might tend to alter the river course.

(2) It should also be considered subject to the direction of the Public Works Department, if at any time that department considers interference or direction necessary.

3. In 1896 difficulties were placed in the way of our Contractor removing sand from this place and a representation was made by the District Engineer to the Collector and the prohibition was removed by the Acting District Magistrate under the following conditions:—

(1) That the excavation of sand is strictly confined to the river-bed and carried on at a uniform depth across it (in order to avoid causing sets and scours which might tend to alter the river course.)

(2) That the excavation should be considered subject to the control of the Department of Public Works if at any time that department considers to interfere or deviation necessary.

4. No breach of any of the conditions is alleged to have been committed but it is understood from the Collector that this permit is now cancelled by the new Government order that special sanction should be obtained in each case to quarry free of charge in unreserved land at the disposal of Government.

5. As all our ballast for the Madras section is obtained from the bed of the Cooum river above referred to, I shall feel obliged if you will take the matter up with the Consulting Engineer.

No. 401-R.M.

Transferred to the Revenue Department for sanction with reference to G.O., No. 379, Revenue, dated 25th May 1897.

8th December 1898.

(Signed) J. C. LYLE,
Under Secretary to Govt.,
P.W.D., Railway Branch.

Endorsement—R. No. 1725, Revenue, dated 10th December 1898.

Referred to the Board of Revenue for early remarks.

(Signed) N. E. MARJORIBANKS,
Ag. Under Secretary to Government.

To the Board of Revenue (Land Revenue).

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 59, dated 25th January 1899:—

Read—endorsement of the Acting Under Secretary to Government, Revenue Department, R. No. 1725, dated 10th December 1898.

Reference on the above No. 1436, dated 16th December 1898.

Forwarded to the Collector of Chingleput for very early report.

(Signed) LIONEL DAVIDSON,
Acting Secretary.

Read—letter from D. W. G. COWIE, Esq., Acting Collector of Chingleput, dated 12th January 1899, Ref. No. 2357-For.

Abstract.—Forwarding report on the petition of the Agent and Manager, Madras Railway Company, regarding the removal of sand ballast from the bed of the Cooum river.

Resolution—Forest Mis. No. 59, dated 25th January 1899.

With reference to Government endorsement, No. 1725, dated 10th December 1898, the Board submits that the land from which sand is to be taken was made over on certain conditions to the Railway Company long before the issue of Government Order, No. 379, dated 25th May 1897, for the removal of sand by the Railway Contractors from the locality. The question whether the removal may be permitted free of charge so long as the conditions of the original grant are not violated is one for Government to decide.

2. The Collector of Chingleput whose remarks on the subject were invited by the Board states that the levy of seigniorage for gravel stone, sand, &c., from the contractors employed by the Railway Companies would considerably augment the forest revenue of the district and is of opinion that no concession should be shown to such contractors. The original concession, it should be sta[illegible]as granted on the Collector's own authority and was withdrawn by him with reference to paragraph 3 of Board's Proceedings, Forest No. 425, dated 6th July 1898, disposed of in Government Order, No. 3387, dated 17th August 1898. The Board itself sees no objection to the continuance of the practice which has so long been followed, but with reference to paragraph 2 (ii) of Government Order, No. 379, dated 25th May 1897, this arrangement requires the sanction of Government. The Board has no information as to whether similar concessions have been granted in other cases, and it is possible that

Government may desire to investigate the matter further before sanctioning a free grant constituting a precedent which may lead to other applications of the same nature.

(True Copy and Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with a file of enclosures returned.

Read—again the following Official Memorandum, No. 24, Revenue, dated 1st February 1899:—

[*Reference.*—Board's Proceedings (Land Revenue), Forest Mis. No. 59, dated 25th January 1899.]

The Board of Revenue is requested to be good enough to ascertain and report to Government at an early date the number of places in which Railway Companies in this Presidency are at present allowed to carry on quarrying operations in unreserved lands at the disposal of Government without payment of seigniorage fees and the conditions, if any, on which such operations are allowed.

(Signed) G. S. FORBES,
Secretary to Government.

To the Board of Revenue (Land Revenue).

Read—again the following Official Memorandum, No. 56, Revenue, dated 23rd February 1899:—

[*Reference.*—Official Memorandum No. 24, Revenue, dated 1st February 1899.]

Pending a decision as to whether the Madras Railway Company should be permitted to remove sand free of charge from the bed of the Cooum, the Government considers that the Company may be allowed to remove sand on the conditions hitherto prescribed by the Collector and subject to the decision as to charge that may be reached. The Board is requested to instruct the Collector of Chingleput accordingly.

(Signed) G. S. FORBES,
Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Public Works Department, Railway Branch.

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 597, dated 22nd August 1899:—

Read—Official Memorandum from the Acting Under Secretary to Government, Revenue Department, No. 24, dated 1st February 1899, and Reference thereon, Forest No. 44, dated 6th February 1899, communicating the above memorandum to Collectors of all districts except South Canara for very early report.

Read—also file of replies thereto.

Resolution—Forest Mis. No. 597, dated 22nd August 1899.

1. Ganjám.
2. Vizagapatam.
3. Gódávari.
4. Cuddapah.
5. Tinnevelly.

With reference to Government official memorandum, No. 24, Revenue, dated 1st February 1899, the Board has ascertained from Collectors that a few localities in the marginally-noted five districts are the only places in which Railway Companies are reported to carry on quarrying operations free of seigniorage in unreserved Government land. The Collectors of Ganjám and Vizagapatam do not state under what authority this practice is being permitted while the Collectors of the remaining three districts state that except in one instance the Railway Company concerned have not obtained any authorization to quarry from the Revenue Department. It does not appear that conditions have in any case been prescribed for the regulation of the exercise of the privilege of free quarrying.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Order—No. 623, Revenue, dated 15th September 1899.

Miscellaneous.

In partial modification of the orders contained in clause (ii) of paragraph 2 of Government Order, No. 379, Revenue, dated the 27th May 1897, the Government is pleased to rule that Railway Companies in this Presidency may be allowed the privilege of removing sand free of seigniorage from the beds of rivers, in places where it can be taken without objection and subject to any conditions that the District Collector may see fit to impose.

2. The Madras Railway Company will be permitted to take sand free of charge from the bed of the Cooum river near the Kannapalaiyam village in the Chingleput district under the terms of this order.

(True Extract.)

(Signed) H. TREMENHEERE,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Public Works Department (Railway Branch),
with a file of records returned.

Exd. V. Ramachandra Rao.

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