

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 3259.

DATED 28th June.

[Despatch Abstract.]

Common^d to the R^d of Rev. Messrs. W. D. Livingston
that certain land at Colloc be permanently
transferred to the R^y, except (B. C. Ry) & need of
compensation.

BACK PAPERS.

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

FURTHER PAPERS.

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



IRRIGATION.

Government {1897} of Madras. PUBLIC WORKS.

Recd.

Enclosures

Regd.

1897.

Spare copies

G.O., No. 539 I., 10th June 1897.

*L.S.O. (Civil) no. 3259/1897
Communicated to the*

JUNE. *Board of Rev. (C.R.)*

13/6/97

Let

*to the Board of Rev. (C.R.)
with tracing.*

25 June 97

Land

Directing that certain — at Ellore be permanently transferred to the Railway Department (East Coast Railway) free of compensation.

No. 539 I., 10TH JUNE 1897.

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

Irrigation.

READ—the following papers :—

From the Executive Engineer, Kistna Eastern Division, to the Superintending Engineer, II Circle, dated 27th April 1896, No. 372.

In forwarding herewith a tracing showing the canal land occupied by the East Coast Railway from the approach road to the goods-shed at Ellore railway station, I have the honour to request sanction to hand over the land marked by red lines permanently to the Railway Department as requested by them.

2. This was pointed out to you at Ellore and verbally approved.

3. I cannot find anything in my records to show whether compensation has hitherto been recovered from the Railway for land handed over to them permanently nor the proper procedure to be adopted in such cases, and I have to request the favour of instructions on this point.

4. I see no reason for handing over the land for nothing and therefore recommend that compensation be claimed.

From the Collector of the Gódvári District, to the Superintending Engineer, II Circle, dated 4th June 1896, No. 649/Eng. of 1896.

In reply to your endorsement No. 338 K.E., dated 9th May 1896, on Eastern Division Executive Engineer's letter, No. 372, dated 27th April 1896, I have the honour to state that, although transfers of land from one Government department to another are of every day occurrence (e.g., from the Land Revenue Department to the Public Works Department), no instance has ever occurred to my knowledge of compensation being debited and credited in such cases. The land is always treated as the property of Government, and only the question of possession and control considered. I can see no grounds for departing from this course in this instance. Of course, if Government in the Irrigation Branch acquired and paid for the land and its cost was originally debited in consequence to an irrigation work, I can see no objection to your desiring a transfer of this debit from "Irrigation" to "Railway," but the points must be decided by the heads of the two departments or Government itself. It is not a case to which the Land Acquisition Act is applicable, or one in which the Collector can interfere unless he is specially directed to do so as an arbitrator by Government.

2. With reference to paragraph 1 of the Executive Engineer's letter, I request that the transfer may be notified to me, when effected, for record in the village accounts.

No. 1045 K.E.

Forwarded to the Chief Engineer for Irrigation with the remark that the Superintending Engineer sees no reason why the East Coast Railway should be asked to pay compensation for the land which may now be handed over permanently to the Railway Department.

23rd July 1896.

(Signed) M. LOAM,
for Supg. Engineer, II Circle.

No. 539 I., 10TH JUNE 1897.

To the Superintending Engineer, II Circle, dated 31st July 1896, No. II/124 K.S.

From M.R.Ry. T. RAMA ROW NAIDU Garu, Tahsildar, Ellore Taluk, to the Delta Superintendent, Ellore Canal, Dis. No. 972 of 1897.

In returning your No. 326, dated 13th January 1897, together with enclosures, I have the honour to inform you that it is not known why compensation for seri lands taken up for Ellore canal was not paid. The canal appears to have been dug previous to the date of settlement, and the lands occupied by the canal appear to have been classed as poramboke at the time of settlement. There was, therefore, no necessity for the abatement of land revenue in the ryot's patta, as assessment was fixed on the remaining portions only.

No. 541 K.E.

Forwarded to the Chief Engineer for Irrigation, with reference to his No. II/124 K.S., dated 31st July 1896.

2. It appears that no compensation was paid for the land now proposed to be handed over to the Railway Department.

21st May 1897.

(Signed) W. M. ELLIS,
for Superintending Engineer, II Circle.

ORDER—No. 539 I., dated 10th June 1897.

In the circumstances reported, the land referred to will be permanently transferred to the Railway Department free of compensation.

(True Extract.)

for joint
Under Secretary to Government,
Irrigation Branch.

To the Superintending Engineer, II Circle, with copy of tracing.
" Chief Engineer for Irrigation.
" Public Works Department, Railway Branch,
" Revenue Department, with copy of tracing.

Exd. T. K. Narayana Aiyangar.