

# Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 4955

DATED 20 Sept 97.

---

[Despatch Abstract.]

Coming to the Board of Revenue G.O. P.W. Department  
coming letter from the Govt of India stating that  
land acquired in excess of immediate require-  
ments for a railway, should not unless it has  
been acquired at the cost of railway and  
stands at debit of the Capital account be allow-  
ed to remain in possession of the Railway but  
should be transferred to the custody of Revenue  
authorities.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No.     | Department. | Date. | G.O. | No. | Department. | Date. |
|------|---------|-------------|-------|------|-----|-------------|-------|
|      | 6878/04 |             |       |      |     |             |       |

Revenue (1897) Department.

CURRENT No.

From *Le P.W.D., Rg. B. L.*

Order (1111) No 4955 d/20 Sept 97

Communicated to the  
Board of Revenue for information  
and guidance.

No. 623.12

Dated 6 Sept 97

Received

Enclosures

Spare copies

## SUBJECT.

Land Acquired in excess of immediate  
requirements to : Communicating  
Govt. of India letter stating that  
for a Railway, should not  
unless it has been acquired  
the cost of the Railway, should  
the debt of the Capital account  
be allowed to remain in possession  
of the Railway but should  
be transferred to the custody  
of new authorities.

With  
to The Board of Rev (R.R.D.)  
Resp'd 24-9-97.  
16 Sept 97

FURTHER PAPERS.

| No. | Date. |
|-----|-------|
|     |       |

| No. | Date. |
|-----|-------|
|     |       |

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

## RAILWAY CONSTRUCTION.

To

THE AGENTS TO THE GOVERNOR GENERAL FOR BALUCHISTAN, RAJPUTANA AND  
CENTRAL INDIA.

THE DIRECTOR GENERAL OF RAILWAYS.

THE ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.

THE CONSULTING ENGINEERS TO THE GOVERNMENT OF INDIA FOR RAILWAYS, CALCUTTA, LUCKNOW AND ASSAM.

Simla, the 19th August 1897.

SIR,

I AM directed to inform you that several cases have recently arisen in which it has been found necessary to take up land at certain large railway stations in excess of immediate requirements, in order either to provide for foreseen future developments or possible emergencies or for other special reasons in connection with sanitation and the protection of European settlements, and the Government of India have again had under their consideration the question of the disposal of such lands till actually required for the purposes of the railway.

2. I am to say that in connection with a special case formerly under consideration, the Government of India have already decided that it is not advisable to lay down rules concerning the acquisition of such lands, and that each special case should be submitted for the orders of the Government and be considered on its merits, and I am to forward for information a copy of a letter No. 5 R. C., dated 4th January 1892, to the address of the Consulting Engineer, to the Government of India for Railways, Lucknow, which expresses their views in this respect.

3. It was further decided that as long as a railway is allowed to retain possession of surplus lands any returns obtained from such lands, by leasing or utilizing them for other purposes, should be treated as ordinary revenue receipts of the railway.

4. I am now to add that the Government of India consider that if any land so acquired in excess of immediate requirements is clearly not likely to be utilized for the purposes of the railway in the near future, such land should not, unless it has been acquired at the cost of the railway, and stands at debit of the capital account, be allowed to remain in the possession of the railway, but should be transferred to the custody of the revenue authorities, a note being made in the

land revenue records that the land in question is to be reserved for the use of the railway and is not to be let or sold, except on terms of temporary occupation which will not interfere with its being made available for railway purposes on short notice. Any receipts from land so transferred should be brought to account as Land Revenue.

5. The disposal of such land, whether it is to remain in the possession of the railway or to be made over to the Revenue authorities, should be decided upon in consultation with the Revenue authorities in each particular case.

I have the honour to be,

SIR,

Your most obedient servant,

G. A. ANDERSON,

Under Secretary.

*Document accompanying.*

Copy of Government of India letter No. 5 R. C.,  
dated 4th January 1892.

Enclosure to the Govt. of India letter No. 1367 R.C., dated the 19th August 1897.

No. 5 R. C., dated 4th January 1892.

From—The Government of India, Public Works Department,

To—The Consulting Engineer to the Government of India for Railways, Lucknow.

I am directed to acknowledge the receipt of your letters marginally noted, No. 4106, dated 17th November 1891, regarding the procedure to be observed in the acquisition of land for the Bengal and North-Western Railway and Tirhoot State Railway, and asking for orders on the following points:—

- (i) whether Government approve of the principle of taking up land in excess of actual requirements; and
- (ii) how rents derived from excess land in the possession of a Railway should be dealt with.

2. In reply, I am to say that, while as a general rule the Government of India is opposed to the acquisition of land beyond immediate requirements, each case should be considered and decided on its merits; and secondly that, as regards rents, as long as a Railway is allowed to keep possession of any surplus lands, there is no objection to treat any returns obtained from such lands as ordinary revenue receipts of the Railway.

3. With regard to the specific cases of land required at Gorakhpur for the Bengal and North-Western Railway and at Muzafferpore for the Tirhoot State Railway, I am to say that each should be submitted separately with sufficient particulars to enable Government to arrive at a decision; and I am accordingly to return the plans received with your letter No. 4106, dated 17th November 1891, for that purpose.

## MEMORANDUM.

|                                                                                                                      |                                                                |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| From<br>THE ASSISTANT TO THE CONSG. ENGINEER<br>AND JOINT SECY. TO GOVT., P. W. DEPT.,<br>RAILWAY BRANCH,<br>Madras. | To<br>The<br>Registrar<br>Revenue Department<br>Fort St George |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|

Dear Sir,

In compliance with your  
telephone message dated 24<sup>th</sup> Sept<sup>r</sup> 1897,  
I herewith send a copy of Government  
of India letter no 1367 Rcdy 19<sup>th</sup> August 1897.

Yours faithfully.

CHERAK

28<sup>th</sup> Sept<sup>r</sup> 1897.

*L. D. K. Kumar*  
Asst. to Consulting Engineer  
and Joint Secy. to Govt., P. W. D., Railway Branch.

*Wm. H. Spring*

When given for copying \_\_\_\_\_  
When copied \_\_\_\_\_ } 189  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

READ AGAIN G.O., No. \_\_\_\_\_  
189 \_\_\_\_\_ DATE \_\_\_\_\_

CURRENT No. \_\_\_\_\_  


ENCLOSURES TO C. No. \_\_\_\_\_

ORDER OF GOVERNMENT .. .. . A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH ITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL

E.E.—  
A = Copy in full.  
B = Not to be copied  
P = Copy abstract only.  
Q = Copy heading only