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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No.	2638	Press
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65-86		
Dated	4. 11.	186...

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,
4th November 1862.*

No. 65. Read the following Proceedings of the Madras Government in the Financial Railway Department, dated 27th October 1862, No. 601 :—

Communicating letter from the Government of India, recommending the adoption of certain precautionary measures where money has to be paid for land taken up for public purposes under awards by arbitration. (Vide Financial Railway Proceedings, 27th October 1862, Nos. 111-112.)

No. 66. ORDER THEREON, 4th November 1862, No. 2,638.

Communicated to the Chief Engineer, Deputy Chief Engineers of Circles and Consulting Engineer Irrigation and Canal Company, for information and guidance.

(Signed) W. I. BIRDWOOD, Colonel, R. E.,
Secretary to Government.

FINANCIAL RAILWAY DEPARTMENT.
PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from Lieutenant Colonel R. STRACHEY, R. E., Secretary to the Government of India; to the Local Governments and Administrations Subordinate to the Government of India, Public Works Department, dated Fort William, 20th September 1862, Circular No. 92.

General.

The Government of India has recently had occasion to remark that very large sums of money have been paid for land taken for public purposes under awards by arbitration, and has reason to fear that all those precautions that are essential are not taken to guard the interests of the State in such matters. It is notorious that where public and private interests come into conflict in the manner now spoken of, there is always a tendency to sacrifice the former; and the increasing prospect of Railways and other Public Works being undertaken by private Companies under engagements with the Government that the latter shall pay for the land, makes the present time one in which it becomes specially necessary to pay strict attention to this point.

2. The Governor General in Council requests therefore that the subject may receive special attention with a view to some practical steps being taken to secure for the Government, in every case of a resort to arbitration being necessary, a thoroughly efficient representation of its equitable rights and interests. The Act (No. VI of 1857) for the acquisition of land for public purposes places no restriction on the appointment of arbitrators unless there is only one to be named, in which case it is provided that he shall not be an Officer of Government. But this last case, it may be presumed, will not commonly arise when large sums are at stake. It appears therefore that there is no reason why a well qualified Official should not be selected to represent the Government in all cases where two arbitrators are appointed; and that where only one is named, some Officer should in like manner be specially charged to see that the interests of the Government are efficiently watched in the proceedings before the single arbitrator. But His Excellency in Council would be glad to receive any observations on this point which may appear fit to offer.

Copy forwarded for information to the Secretary to the Government of Fort Saint George in the Public Works Department, Railway Branch.

ORDER THEREON, 27th October 1862, No. 601.

Communicated to the Revenue, Public and Public Works Departments, and to the Consulting Engineer for Railways.

(True Extract.)

[Signature]
Chief Secretary.

To the Public Department.
" Public Works do.
" Revenue do.
" Consulting Engineer for Railways.

Exd. T. O'Connor.

Letter from the
Office of the
Inspector of
the
New York and
Hudson River
Railroad
to the
Commissioner of
the
Department of
the
City and County
of New York
dated
October 1st
1838.

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