

(1) Number of pages. _____

(2) Date of repair. _____

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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	1299	(w)	Press
B.P. No.			Mis.
Dated	24.5.		1876.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
24th May 1876.*

No. 421. Read the following Proceedings of the Madras Government in the Revenue Department, dated 21st April 1876, No. 529 :—

Read the following Proceedings of the Board of Revenue, dated 14th March 1876, No. 732.

Read the following Proceedings of the Madras Government, dated 24th November 1875, No. 2,479, Revenue Department.

ABSTRACT.—Communicating to the Board of Revenue G.O., Public Works Department, approving arguments and conclusions of the Controller of Public Works Accounts regarding compensation for lands taken up for Public Works.

COMMUNICATED to all Collectors for their information and guidance.

2. Compensation for lands taken up for public works often takes the form of a reduction in the peishcush or quit-rent payable by the owner on other lands in his possession, or the assignment of fresh lands in lieu of those taken up. In such cases the Board beg the instructions of Government as to whether the Collectors may be authorized to grant the compensation on their own authority without any limit as to the amount of reduction in the quit-rent or value of the fresh lands to be assigned, or whether Government approve of the Board's suggestions in paragraph 6 of their Proceedings, dated 17th June 1875, No. 1,658. Of course, reductions of peishcush in Zemindaris must always be reported for the orders of Government. Pending the instructions of Government, the Collectors will continue to submit their applications to the Board when the compensation proposed is either the grant of fresh land or the reduction of quit-rent or peishcush. When the compensation to be granted is in the form of a money payment, no application need be made to the Board, but the claim should be disposed of as laid down in G.O., dated 15th April 1875, No. 1,042, Public Works Department, communicated with Board's Proceedings, dated 17th June 1875, No. 1,658.

3. Collectors should see that in future no lands are taken up without payment for the same being made previously, unless the acquisition of the land is very emergent and the owners consent to receive such payment as may be determined by the Collector. When the Board recommended that a provision should be made annually in the Budget for compensation to be paid for lands taken up in previous years, they did not intend that any system of taking up lands without previous payment should be continued when it could be avoided, but they made the proposal, first, because all the cases on hand cannot be disposed of for some years to come; secondly, because it often happens that lands are emergently required while the amount of compensation cannot be readily settled at once owing to the absence of parties named for arbitration and other hindrances to immediate settlement; and, thirdly, because they doubt whether adequate provision for compensation is invariably made in the estimates as stated by the Controller. It is also observed that, pending further orders, the Government have authorized the District Engineer of the Godavery District to take possession of lands required before compensation is settled if the owners agree to such a course—*vide* G.O., dated 17th July 1875, No. 2,039, Public Works Department.

4. The Controller's suggestion, that the interest on the amount of compensation should be charged to the Revenue Department when the delay is not caused by the

*Proceedings of the Madras Government, Public Works Department,
24th May 1876.*

Public Works Department, is novel, and likely to lead to complications if adopted. It is impracticable also to fix a definite date within which Civil Officers shall be held responsible for settling all outstanding claims, but the special attention of Collectors has been directed to the subject, and they have been instructed to make strenuous efforts to clear off the arrears.

5. The orders of Government are requested on paragraph 7 of the Board's Proceedings, dated 17th June 1875, No. 1,658.

(A true Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

Miscellaneous.

THE recent orders in the Public Works Department on the subject of compensation for lands taken up for public purposes do not affect in any way the present practice in the Revenue Department, under which compensation is granted in the shape of assignment of fresh lands in lieu of those taken up; or of reductions in the peishcush or quit-rent. The present rules on the subject will therefore continue to be in force; and the necessity for their revision will be considered after the new Chapter of the Public Works Code, ordered to be prepared in G.O., Public Works Department, 8th November 1875, No. 3,187, is published and issued. Meanwhile, the Board will take steps to ensure promptitude in the adjustment of claims that may arise or have already arisen.

2. The Government agree with the Board that the charge of interest on the amount of compensation to the Revenue Department will lead to complication, and this point will be referred for reconsideration in the Public Works Department.

3. The Government sanction the reduction of the peishcush paid by the Kurapan Zemindar by Rupees 9, as recommended by the Board of Revenue.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

No. 422.

ORDER THEREON, 24th May 1876, No. 1,299.

ACCOUNT, No. 24.

COMMUNICATED to the Examiner of Public Works Accounts. Interest will not be charged to the Revenue Department in any case.

(True Extract.)

Colonel,

Offg. Under Secy. to Govt., P.W.D.

To the Examiner of Public Works Accounts.
To District Engineers.
To the Revenue Department.

Exd. S. T. Austin.
Spare Copies

*Proceedings of the Madras Government, Revenue Department,
21st April 1876.*

146. Read the following Proceedings of the Board of Revenue, dated 14th March 1876, No. 732:—

Read the following Proceedings of the Madras Government, dated 24th November 1875, No. 2,479, Revenue Department:—

ABSTRACT.—Communicating to the Board of Revenue G.O., Public Works Department, approving arguments and conclusions of the Controller of Public Works accounts regarding compensation for lands taken up for Public Works.

COMMUNICATED to all Collectors for their information and guidance.

2. Compensation for lands taken up for public works often takes the form of reduction in the peishcush or quit-rent payable by the owner on other lands in his session, or the assignment of fresh lands in lieu of those taken up. In such cases the Board beg the instructions of Government as to whether the Collectors may be authorized to grant the compensation on their own authority without any reference to the amount of reduction in the quit-rent or value of the fresh lands to be assigned, or whether Government approve of the Board's suggestions in paragraph 6 of their Proceedings, dated 17th June 1875, No. 1,658. Of course, reductions of peishcush in zemindari must always be reported for the orders of Government. In accordance with the instructions of Government, the Collectors will continue to submit their applications to the Board when the compensation proposed is either the grant of fresh land or the reduction of quit-rent or peishcush. When the compensation to be granted is in the form of a money payment, no application need be made to the Board, but the claim should be disposed of as laid down in G.O., dated 15th April 1875, No. 1,042, Public Works Department, communicated with Board's Proceedings, dated 17th June 1875, No. 1,658.

3. Collectors should see that in future no lands are taken up without payment of the same being made previously, unless the acquisition of the land is very emergent and the owners consent to receive such payment as may be determined by the Collector. When the Board recommended that a provision should be made annually in the Budget for compensation to be paid for lands taken up in previous years, they did not intend that any system of taking up lands without previous payment should be continued when it could be avoided, but they made the proposal, first, to use all the cases on hand cannot be disposed of for some years to come; and, secondly, because it often happens that lands are emergently required while the amount of compensation cannot be readily settled at once owing to the absence of parties named for arbitration and other hindrances to immediate settlement; and, thirdly, because they doubt whether adequate provision for compensation is invariably made in the estimates as stated by the Controller. It is also observed that, pending their orders, the Government have authorized the District Engineer of the Godavari District to take possession of lands required before compensation is settled if the owners agree to such a course—vide G.O., dated 17th July 1875, No. 1,759, Public Works Department.

4. The Controller's suggestion, that the interest on the amount of compensation should be charged to the Revenue Department when the delay is not caused by the

Proceedings of the Madras Government, Revenue Department,
21st April 1876.

Public Works Department, is novel, and likely to lead to complications if adopted. It is impracticable also to fix a definite date within which Civil Officers shall be held responsible for settling all outstanding claims, but the special attention of Collectors has been directed to the subject, and they have been instructed to make strenuous efforts to clear off the arrears.

5. The orders of Government are requested on paragraph 7 of the Board's Proceedings, dated 17th June 1875, No. 1,658.

(A true Extract.)

(Signed) C. GALTON,
Acting Secretary.

No. 147.

ORDER THEREON, 21st April 1876, No. 529.

Miscellaneous.

THE recent orders in the Public Works Department on the subject of compensation for lands taken up for

public purposes, do not affect in any way the present practice in the Revenue Department under which compensation is granted in the shape of assignment of fresh lands in lieu of those taken up; or of reductions in the peishcush or quit-rent. The present rules on the subject will therefore continue to be in force; and the necessity for their revision will be considered after the new Chapter of the Public Works Code, ordered to be prepared in G.O.; Public Works Department, 8th November 1875, No. 3,187, is published and issued. Meanwhile the Board will take steps to ensure promptitude in the adjustment of claims that may arise or have already arisen.

2. The Government agree with the Board that the charge of interest on the amount of compensation to the Revenue Department will lead to complication, and this point will be referred for reconsideration in the Public Works Department.

3. The Government sanction the reduction of the peishcush paid by the Kurapan Zemindar by Rupees nine as recommended by the Board of Revenue.

(True Extract.)

St. Lawrence

Secretary to Government.

To the Board of Revenue.
" the Accountant-General.
" the Public Works Department.

Exd. A. Grubert.

1870: Feb 15/5 No 501
15th Apr 1042
17th July 2039
8th Nov 3187

L. H. 1876 Department

3468

Compensation for lands taken up for public works.—Passing orders on Proceedings of the Board of Revenue on the subject of—; referring for reconsideration in the Public Works Department the question of the charge of interest on the amount of compensation to the Revenue Department; and sanctioning the reduction of the peishcush paid by the Kurapan Zemindar by Rupees nine.

APRIL.
Nos. 146-147.

Govt. of 1876: 31st April
REVENUE.
THE BOARD OF REVENUE.
Dated April, 21st.
Recd. May 1876
G.O., 21st April 1876, No. 529.

No 1299 7th May 1876.
Communicated to the
Examiner of Public Works
Accounts - Interest will
not be charged to the
Revenue Department
in any case -

Ex. D. W. Sub 100
Int - Engrs 130
Rev: Sept 21.

14421/22

1875/76 24/5/76
1876/77 1/1/77

Desd 7/6/76

3468

Govt. of 1876 Madras.
PUBLIC WORKS.

To

The Examiner of P. W. & C.

Dated

Issued

Recd

1876

G. O. 24th May 1876 No 1299

Recd. 421/200
1876

Compensation for lands taken
up for public works - Pro:
Revenue Dept^y passing orders
in Pro: of the B^d of Rev in the
subject of — referring for
consideration in the P. W. & C.