M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2323 Press Mis.

405. 406

Dated 31—10—1962

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 31st October 1862.

No. 405. Read the following Proceedings of the Madras Government in the Financial Railway Department, dated 27th October 1862, No. 601:—

Communicating Circular letter from Government of India, suggesting the selection of a well qualified official to represent the Government in all cases where two Arbitrators are appointed to decide on the amount to be paid for land taken for public purposes. } Vide Financial Railway Proceedings, 27th October 1862, Nos. 111, 112.)

No. 406. ORDER THEREON, 31st October 1862, No. 2,323.

Communicated to the Board of Revenue for information and for such suggestions as they may deem it proper to make.

(Signed) P. P. HUTCHINS,
Acting Deputy 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.)

Chief Secretary.

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

Exd. T. C'Connor.

20/10/62

Rev = 1862 Oct.
Pra: of Govt. for October
No. 293.

Proceedings of the
Madras Govt. in the
Finance & Railway
Dept.

Dated 27 Oct. /62
Received 28 Oct. /62
No. 601.

Communicating
Circular letter from Govt. of
India suggesting the selection
of a well qualified Official to
represent the Government
in all cases where two
arbitrators are appointed
to decide on the amount to
be paid for land taken for
public purposes.

No 2323-31st Oct.
With an Order

No 405 & 406.

31-10

No. 2503.

Communicated
to the Board of Revenue
for information and such
suggestions as they
may deem it proper
to make.

Dept. of Pub. Wks.
31st Oct. 62.

To the Bd. of Rev.
with Pro. F.R.D.D. 601 - Despres.