M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1830 Press ~~Mis.~~

1469-1870

Dated 8—8— 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
8th August 1867.

No. 149. Read the following Proceedings of the Madras Government in the Public Department :—

Communicating, to the Revenue Department, Proceedings of the Government of India on the necessity of enforcing the rules promulgated with Circular No. 73 of 1864 regarding the sanction of estimates prior to the purchase of land required by Government for Public Works. } (Here enter 2nd August 1867, No. 943.)

No. 150. ORDER THEREON, 8th August 1867, No. 1,830.

Miscellaneous.

Communicated to the Revenue Board for the information of all Collectors.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue, with Proceedings Public Department, No. 943.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Public Department, 2nd August 1867.

Read the following:—

No. 7. Proceedings of the Government of India in the Public Works Department, dated Simla, 2nd July 1867, Circular No. 59A.

Account.

RESOLUTION.—The Governor General in Council observes that it seems necessary that attention should be enforced to the rules promulgated with Circular No. 73 of 1864, regarding the sanction of estimates prior to the purchase of land required by Government for public works.

2. Several cases have lately occurred in which the Government has been committed to a large expenditure without being allowed the option of declining sanction, owing to the local authorities having at once proceeded to take up land on Act VI of 1857, before any estimate had been sanctioned. The compulsory process, under Act VI of 1857, ought never to be resorted to prior to the sanction of an estimate for the anticipated expenditure, since the mere service of a notice under it binds the Government to accept such land at whatever price may be thereafter determined by arbitration. Hence, it is evident that an estimate of the cost of the property framed on the result of arbitration under the Act, is not really such an estimate as permits the Government to decide whether or not to purchase. It is equivalent to a report of an amount of expenditure which must be incurred, and thus does not meet the requirements of Circular No. 73 above quoted.

3. When land is required for public purposes the Public Works Officer should, in the first instance, consult the Civil authorities, and obtain from them an idea of

Communicated to the Revenue Department.

(True Extract).

Acting Chief Secretary.

To the Revenue Department.
„ Accountant General.

5 Copies Letter Bd of Revenue Pro D D No 94 Dated 8th Augt 67

Exd. J. Tulloch.

6. The Governor General in Council desires that the above rules may be carefully attended to, as considerable loss to Government has been occasioned by failure to adopt some such measures as are above laid down.

ORDERED that the above Resolution be forwarded to all the Local Governments and Administrations, both in the Public Works and Railway Departments, for information and guidance.

Ordered also that a copy be forwarded to the Home Department, in view to corresponding instructions being issued to the Revenue Officers.

Ordered further that a copy be forwarded to the Financial Department, for information.

(Signed) C. H. DICKENS, Col., R. A.,
Secy. to the Govt. of India.

No. 2418.

Copy forwarded to the Government of Madras for communication to Revenue Officers.

(By Order.)
(Signed) A. H. HARINGTON,
Offg. Under Secy. to the Govt. of India.

HOME DEPARTMENT,
SIMLA, 18*th July* 1867.

No. 8. ORDER THEREON, 2nd August 1867, No. 942.

the probable cost of the land per acre, or otherwise, together with the value of buildings, &c., on the property. Upon the information thus obtained an estimate should be framed and submitted for sanction. The Governor General in Council is quite aware that such an estimate may, in some cases, be very wide of the actual expenditure which may after all have to be incurred, since it is difficult to judge beforehand what the result of a private bargain or resort to arbitration may be. But still it is clear that common prudence requires that the Government should ascertain, to the best of the knowledge of its Officers, what the cost of a purchase of land is likely to be before it commits itself to the purchase.

4. When sanction to an estimate framed as above directed, has been obtained, the Consulting Engineer, Executive Engineer, or other Public Works Officer concerned, should commit the matter to the Civil authorities, who should endeavour to effect the purchase by voluntary agreement; failing this, reference should again be made by the Civil Officer to the Public Works Officer to ascertain whether the object sought cannot be secured otherwise, either by obtaining some other plot of land than what was originally intended, or in some other manner; and in the absence of special reasons to the contrary, resort should be had to the compulsory process under the Act only when all other means of arriving at a satisfactory settlement have failed.

5. The charges on account of the purchase of the land should be audited against the sanctioned estimate, and in case of any excess over the estimate, the cause should be explained, and sanction to the amount applied for in the usual manner.

Rev = 1867. Dept.
Pro of Govt for Augt
No. 2102

Proceedings in the
Public Dept.

Dated 2d Augt
Received 6th " 1867.
No. 943.

Pro. of the Pub Dept.
dated 27th Sept/67 No 2609

Communicating to the
Rev Dept Pro of the Govt of India
the necessity of enforcing
the rules promulgated in the
Circular No 73 of 64 regarding
the sanction of Estimates
prior to the purchase of land
required by Govt for Public
works.

No 1830. 8 Augt

Wetherell

No. 149 to 150.