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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 137 Press
B.P. No. Mis.

Dated 21.5.1873 196 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department, 9th May 1873.

No. 23. Read the following letter from A. O. HUME, Esq., C.B., Secretary to the Government of India, Department of Agriculture, Revenue, and Commerce, to the Secretary to Government, Fort St. George, dated Calcutta, 17th February 1873, No. 1—134 :—

Land Revenue and Settlements.

In forwarding a Draft Order modifying the existing rules in the Code of Regulations of the Public Works Department, on the subject of taking up land for public purposes in accordance with the provisions of the Land Acquisition Act No. X. of 1870, I am directed to inquire whether the order will conflict with any rules laid down by His Excellency the Governor in Council for Civil Officers.

No. of 1872.

TAKING UP LAND FOR PUBLIC WORKS.

Public Works Code, Chapter XIII., Section 1 ; *for paragraphs* 14 *and* 14-*A, substitute the following* :—

Procedure when land is required for public purposes.

14. When land is required for public purposes, the Public Works Officer should, in the first instance, consult the Civil Authorities, and obtain from them the fullest possible information of 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. When sanction to an estimate, framed as above directed, has been obtained, the Executive Engineer, or other Public Works Officer concerned, should commit the matter to the Civil Authorities, who should carefully consider whether the land is likely to be obtained for the estimated sum if the Act X. of 1870 is put in force ; and if there is not likely to be any considerable excess, he should put the Act in force. If, on the contrary, there is likely to be considerable excess, 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 the latter should, if necessary, submit a revised estimate for sanction.

No. 24. ORDER THEREON, 9th May 1873, No. 471.

It is observed that the rules laid down by Government as to the procedure to be observed in taking up land for public purposes are embodied in the Standing Orders of the Board of Revenue noted in the margin, and that the Draft Order referred to in the letter above recorded will not conflict with any of the rules.

Standing Order No. 141 (Official Edition, page 111).
" " XXXIV. of 1867 (Supplement for 1867).
" " XXXII. of 1868 (Do. for 1868).
" " XXIV. of 1869 (Do. for 1869).
" " IX. of 1871 (Do. for 1871).

2. Adverting to Section 59 of Act X. of 1870, the Board of Revenue will be requested to revise these rules with reference to the provisions of that Act, and to submit a draft of the revised rules in view to their being forwarded for the sanction of the Government of India.

Proceedings of the Madras Government, Public Department,

9th May 1873.

3. Ordered that the following letter be despatched :—

(Here enter No. 471-A, dated 9th May 1873.)

(True Extract.)

Acting Under Secretary,
for *Chief Secretary.*

To the Revenue Department.
„ Board of Revenue.
„ Public Works Department.

Exd. J. Wright.

30-7-93

Pune 1893 Sept
No 11135.

Govt. of {1873} Madras.

PUBLIC.—

To

The REVENUE DEPARTMENT,

&c., &c., &c.

Dated May, 9th.
Recd. May 21st 1893 Encl.

G. O., 9th May 1873, No. 471.

MAY.
Nos. 23—25.

Passing orders in connexion with the Draft Order of the Government of India modifying the existing rules in the Code of Regulations of the Public Works Department relative to the taking up of land for public purposes in accordance with the provisions of the Land Acquisition Act X. of 1870.

No 137.

21 May 73