M.R.O. 1—20,002—12-8-65.

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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / B.P. No.	418	Press / ~~Mis.~~
Dated	1 - 4 - 1896	

Not to be folded or roughly handled

Read the following papers:—

No. 28. Proceedings of the Board of Revenue, dated 25th September 1873, No.

Read the following Proceedings of the Madras Government, dated 19th August 1873, No. 868, Revenue Department.

ABSTRACT.—*Lands taken up for Railway purposes.*—Forwarding to the Board of Revenue for an expression of their opinion a letter from the Consulting Engineer for Railways, requesting to know how cultivable waste land included in — is to be treated with reference to the capitalization of assessment.

THE Board are of opinion that, as all assessed cultivable waste land will probably be taken up for cultivation in the course of time and at no very distant period, it should be valued in proportion to its class and assessment, and that no difference should be recognized between cultivated land and assessed cultivable waste in estimating their value to Government.

No. 29. Minute by the Hon. W. ROBINSON, C.S.I.
(Here enter 16th October 1873.)

No. 30. ORDER THEREON, 1st April 1874, No. 418.

Land Revenue, No. 1.

ORDERED that the Government of India be addressed on the subject.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of 1874 Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated April 1st.

Read.

Rect.

G.O. No. dated 1874. No. 1,933.

APRIL.

Nos. 28—30.

Capitalization of Assessment on Lands taken up for Railway purposes.—Orders to address Government of India on the subject of the —.

No. 1,933.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 25th September 1873.

Read the following Proceedings of the Madras Government, dated 19th August 1873, No. 868, Revenue Department:—

ABSTRACT.—*Lands taken up for Railway purposes.*—Forwarding to the Board of Revenue for an expression of their opinion letter from the Consulting Engineer for Railways, requesting to know how cultivable waste land included in — is to be treated with reference to the capitalisation of assessment.

THE Board are of opinion that, as all assessed cultivable waste land will probably be taken up for cultivation in the course of time, and at no very distant period, it should be valued in proportion to its class and assessment, and that no difference should be recognized between cultivated land and assessed cultivable waste in estimating their value to Government.

(A true Extract.)

Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department.

Exd. F. R. Bantleman.

REVENUE DEPARTMENT.

No. 3139

From Board of Revenue

Dated 25th September 1873.

FORORDERS.

I agree with the Board
Memo in the Land
Acquisition Act for O.

J. D-V

I think that the principle in which
this practice must be answered, has been
practically laid down in accordance
with the Government Decision —

Rev. 19 August 1873 Nos 129-40

Revenue 1873 Sept
No. 3139

1873.

Board of Revenue,

MADRAS.

PROCEEDINGS, 25TH SEPTEMBER 1873, No. 1,933.

Dup 2 Oct 73

Encl.

Received 6 October 73

SEPTEMBER.

No. 1,933.

Lands taken up for Railway purposes.—Opinion expressed to Government that assessed cultivable waste land so taken up should be valued in proportion to its class and assessment, and that no difference should be recognized between cultivated land and assessed cultivable waste in estimating their value to Government.

28

RC 28- Ltr to Govt No 127 - R 31st

RC 29/10 & 11 March 74. RC 14 March.

Ltr to Govt

S.O. No 418 - 1st Apl 74

the Land Acquisition Act 1870. Sections 24 (1) and 25 (5).

The Actual Rent Charges on the land when taken up is all we can return for "Capitalization of Assessment" - which in the case of Waste Land are nil - And we are precluded from taking into consideration any uncertain Contingent Rent Charge ~~also~~ which may arise at some future time.

In the Irish Department we do take these Contingencies into Consideration, as we are relinquishing a Contingent reversionary right and not dealing with the Capitalization of Existing Rent Charges.

~~I do not think any further Action~~
or reference is required.

W. Robinson

Council

Dec 22/73

FOR ORDERS.

3139/73

Rec. 28/10 R. 10 March/74
C 10th Octr/73 R. 15 Oct R.C. 15/10 R24/10

Rw. Board of Revenue

Appointment of lands taken up for Railway purposes -

No 3139 for

Pr Am Rs Sir I order

The Boards proposal is that land whether cultivated or waste, which is taken up for Railways should be valued the same rate for as land is concerned. This is heartily assent. The full value of the cultivated land thereof is considered to be taken as that upon

The new quit rent –

Ordinance repealed

The Govt of India
wish to know what an
Railway Line est to the State
in Land which by the terms
of the agreement it is bound
to permit to pass thro' –

They have decided that
the termination loss of Revenue
is to be capitalised – Their
Letter then goes on to Council
actually levying Revenue to pay

at

But what has
case in this
of ordinary
Customs con
this "chance"
be calculated?

unit actual loss of
Revenue, but the waste
is not necessarily a
loss. It is only the loss
of the chance of pro
duction revenue, but
would be difficult to
calculate what this
is – The Finance Dept
might be asked how
they estimated the exact
of 'probable cultivation
of waste' in calculating

leaves unsettled the
case of land belonging
to Pt. and attached
to the Reserve - but
not actually occupying
it - Lessees unoccupied: It seems
to me that the Govt in Pt case is to
with them how they wish such lands
to be dealt with + One by Govt must
thereat strict at Pt Ra - and the Govt
Pt alone can preserve uniformity -
do not see good in discussing the question
here - The Govt may be wrong in taking the
full assessment - though I do not think that
for the purposes of the Govt Pt - they are so -
but surely it is equally wrong not to take
Single Lands into account at all.

Kc 28/10 k 10 March/74
C10 Oct/73 k 15 Oct Kc 15/10 k 24/10

L. O. J. 7-3-74.

For Orders
Agreement
taken up for
purposes.

Hague & Fraser
Mr Cuerden
Civil Service
Ind
Dept
Pro: Board of Revenue
Assessment of Lands taken up for Railway purposes

15 Sept 73 No 1933 4/6/1

+ I think decidedly
Yes

Vote

It is believed that the Hon'ble Mr Robinson desires to record a minute for entry in these Proc, and possibly H.E. the Gov. may also wish to do so.

Yes
29/10/74

Shall record as by
note into a minute
29/10

The G. in C. is not of opinion that the full assess. of waste lands can be taken into account in the capitalisation of the assessment on lands taken up for Railway purposes, nor is he prepared to admit that such lands can be received as of no value to the State in this calculation.

As, however, the contingent value of such lands, in a revenue point of view, would be somewhat difficult to estimate, it is The question appears more which it would be desirable ~~The matter will be~~ to refer for the orders of the Govt of India.

WD.

G.O

Superintendent of Lands
Taken up for Railway
purposes

3139/73

c. 28 Oct 73 R 16 marks -

Minute by the Hon^ble Mr Robinson C.J.
dated 16^th October 1873.

I think that the principle, on which this question must be answered has been practically laid down - in accordance with the soundest judicial decision - in the Land Acquisition Act 1870 secs 24 (1) and 25 (5)

The actual rent charges on the land when taken up is all we can return for "capitalization of a assessment which in the case of waste land are nil - and we are precluded from taking into consideration an uncertain contingent rent charge which may arise at some future time

In the Inam Department we do take these contingencies into consideration, as we are relinquishing a contingent reversionary right and not dealing with the capitalization of existing rent charges.

Revenue 1874 Department

№ 818.

Minute by the Hon: W. Robinson
C.S.I.

Dated 16 October 1873.

On the subject of
Capitalization of alienation of
Assessment on lands taken up
for Railway purposes.

S.O. № 418 - 1st April/74.

29.

Revenue Department.

No. 418

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 1st March April 1874.

READ the following papers.-

Proc of the Board of Revenue

Land taken up for Railway purposes. Opinion expressed to post that assessed cultivated waste land so taken up should be valued in proportion to its } (H. E. 25th Sept 73, № 1933)
crop and assessment, and that no difference should be recognized between cultivated land and assessed cultivable waste in estimating their value to Govt

Minute by the Honorable W. Robinson on the above } (H.E. 16th Oct 1873.)

Ordered that the Govt of India be addressed on the subject.

14 To the Govt of Rev Dep 21st April 74.

28–30

11 March/74. R 26– Sent Draft on the 27th – R 31–

[illegible] March/74 – R 20 – Sent Draft on the 27th – R 51–