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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue

DEPARTMENT

G.O. No.
B.P. No.

968

Press
Mis.

Dated 26.6.1875 196 .

Not to be folded or roughly handled

No. 224. Read the following Proceedings of the Board of Revenue, dated 7th June 1875, No. 1,531 :—

Read the following Proceedings of the Madras Government, dated 2nd April 1875, No. 510, Revenue Department :—

ABSTRACT.—*Lands required for public purposes.*—Requesting the Board of Revenue to state, in full, the reasons which led them to deprecate the legislation suggested by the Secretary of State in connection with—

The chief reason which led the Board to deprecate the proposed legislation was that they believe it to be unnecessary, the prices now paid for lands taken up for works being extremely moderate. Unless practical inconvenience can be shown, which the Board do not believe possible, they deprecate legislation of the kind.

2. There would be much difficulty in defining what the expression "work which has been contemplated in the original plan of the entire undertaking" should mean. If it mean "provided for in the sanctioned estimate" it might restrict the law too much, for there might be cases in which possible extension of a sanctioned scheme might influence the decision, and might be shortly after ~~received and separately estimated for, but under the rule, interpreted as~~ supposed, the enhanced value would have to be paid for land required for the extension. If, on the other hand, it mean "regarded as possible in determining the sanction" it would be too vague for practical working, and the fact of its contemplation at the time would be difficult to establish.

3. In point of fact there is no more reason for making such a law with regard to enhanced value conferred by works connected with the original plan, than enhanced value conferred by any other Government work; and it is impossible to discern any principle on which the limit of time proposed should be settled.

4. Further, the public generally cannot be expected to be acquainted with the Government plans, and by the proposed law innocent purchasers at the enhanced value within the limit of time fixed might be heavily and unjustly mulcted.

5. On the whole the Board are of opinion that the proposed legislation would be impracticable and impolitic. It would disturb the confidence which the people feel, under existing arrangements, that they will be justly and fairly treated, and which is worth more to Government than the small saving which the law might occasionally secure. At the time of sanctioning an undertaking, all the land which judgment and forethought may determine as likely to be required should be taken up; but land which cannot at such time be so determined should be left to be dealt with when the need for it arises.

(A true Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

*Proceedings of the Madras Government, Revenue Department,
26th June 1875.*

No. 225.

ORDER THEREON, 26th June 1875, No. 968.

Land Revenue, No. 7.

ORDERED that these Proceedings be
forwarded to the Government of India,
together with the paper recorded in
G. O., dated 2nd April 1875, No. 510.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Board of Revenue.

Edw. W. J. Lewis.

25-8-1875
30-7-75

REVENUE DEPARTMENT.

No. 2288

From B^d of Rev.

Dated 7 June 1875.

FOR ORDERS.

I will maintain
the draft letter
not

I withdrew my
leave for attending
to draft letter
of J. S. already
passed. but the
members who
passed it have
to be the papers
again with the B^d.
The last incl. J. S.

30-7-1875

FOR ORDERS.

No. 1,531.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 7th June 1875.

Read the following Proceedings of the Madras Government, dated 2nd April 1875, No. 510, Revenue Department:—

ABSTRACT.—*Lands required for public purposes.*—Requesting the Board of Revenue to state, in full, the reasons which led them to deprecate the legislation suggested by the Secretary of State in connection with—

The chief reason which led the Board to deprecate the proposed legislation was that they believe it to be unnecessary, the prices now paid for lands taken up for works being extremely moderate. Unless practical inconvenience can be shown, which the Board do not believe possible, they deprecate legislation of the kind.

2. There would be much difficulty in defining what the expression "work which has been contemplated in the original plan of the entire undertaking" should mean. If it mean "provided for in the sanctioned estimate" it might restrict the law too much, for there might be cases in which possible extension of a sanctioned scheme might influence the decision, and might be shortly after resolved on and separately estimated for; but under the rule, interpreted as supposed, the enhanced value would have to be paid for land required for the extension. If, on the other hand, it mean "regarded as possible in determining the sanction" it would be too vague for practical working, and the fact of its contemplation at the time would be difficult.

3. In point of fact there is no more reason for making such a law with regard to enhanced value conferred by works connected with the original plan, than enhanced value conferred by any other Government work; and it is impossible to discern any principle on which the limit of time proposed should be settled.

4. Further, the public generally cannot be expected to be acquainted with the Government plans, and by the proposed law innocent purchasers at the enhanced value within the limit of time fixed might be heavily and unjustly mulcted.

5. On the whole the Board are of opinion that the proposed legislation would be impracticable and impolitic. It would disturb the confidence which the people feel, under existing arrangements, that they will be justly and fairly treated, and which is worth more to Government than the small saving which the law might occasionally secure. At the time of sanctioning an undertaking, all the land which judgment and forethought may determine as likely to be required should be taken up; but land which cannot at such time be so determined should be left to be dealt with when the need for it arises.

(A true Extract.)

[Signature]
Acting Secretary.

To the Secretary to Government, Revenue Department.

Ed. W. J. Lewis.

for 2 April 1875. 1875

Dec: 1875: 24/2

422255

1875

1875

Board of Directors

MADRAS

PROCEEDINGS FOR THE YEAR 1875. No. 1. 1875

2009999999

Dec: 14. Jan: 1875

JUNE
No. 1. 1875

Lands reserved for public use - Revenue
which had been to improve the legislation
suggested by Secretary of State in connection
with - - - - -

Ch. 953. 26 June 1875

1875

1875

26 June 1875

2009999999

It is desired that the following be
forwarded to the Secretary of State
with the paper number in 1875