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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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

529

Press
Mis.

Dated 21.4.1876 196 .

Not to be folded or roughly handled

529
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Proceedings of the Madras Government, Revenue Department,
21st April 1876.

No. 146. Read the following Proceedings of the Board of Revenue, dated 14th March 1876, No. 732 :—

Read the following Proceedings of the Madras Government, dated 24th November 1875, No. 2,479, Revenue Department :—

ABSTRACT.—Communicating to the Board of Revenue G.O., Public Works Department, approving arguments and conclusions of the Controller of Public Works Accounts regarding compensation for lands taken up for Public Works.

COMMUNICATED to all Collectors for their information and guidance.

2. Compensation for lands taken up for public works often takes the form of a reduction in the peishcush or quit-rent payable by the owner on other lands in his possession, or the assignment of fresh lands in lieu of those taken up. In such cases the Board beg the instructions of Government as to whether the Collectors may be authorized to grant the compensation on their own authority without any limit as to the amount of reduction in the quit-rent or value of the fresh lands to be assigned, or whether Government approve of the Board's suggestions in paragraph 6 of their Proceedings, dated 17th June 1875, No. 1,658. Of course, reductions of peishcush in zemindaris must always be reported for the orders of Government. Pending the instructions of Government, the Collectors will continue to submit their applications to the Board when the compensation proposed is either the grant of fresh land or the reduction of quit-rent or peishcush. When the compensation to be granted is in the form of a money payment, no application need be made to the Board, but the claim should be disposed of as laid down in G.O., dated 15th April 1875, No. 1,042, Public Works Department, communicated with Board's Proceedings, dated 17th June 1875, No. 1,658.

3. Collectors should see that in future no lands are taken up without payment for the same being made previously, unless the acquisition of the land is very emergent and the owners consent to receive such payment as may be determined by the Collector. When the Board recommended that a provision should be made annually in the Budget for compensation to be paid for lands taken up in previous years, they did not intend that any system of taking up lands without previous payment should be continued when it could be avoided, but they made the proposal, first, because all the cases on hand cannot be disposed of for some years to come; secondly, because it often happens that lands are emergently required while the amount of compensation cannot be readily settled at once owing to the absence of parties named for arbitration and other hindrances to immediate settlement; and, thirdly, because they doubt whether adequate provision for compensation is invariably made in the estimates as stated by the Controller. It is also observed that, pending further orders, the Government have authorized the District Engineer of the Godavery District to take possession of lands required before compensation is settled if the owners agree to such a course—*vide* G.O., dated 17th July 1875, No. 1,759, Public Works Department.

4. The Controller's suggestion, that the interest on the amount of compensation should be charged to the Revenue Department when the delay is not caused by the

*Proceedings of the Madras Government, Revenue Department,
21st April 1876.*

Public Works Department, is novel, and likely to lead to complications if adopted. It is impracticable also to fix a definite date within which Civil Officers shall be held responsible for settling all outstanding claims, but the special attention of Collectors has been directed to the subject, and they have been instructed to make strenuous efforts to clear off the arrears.

5. The orders of Government are requested on paragraph 7 of the Board's Proceedings, dated 17th June 1875, No. 1,658.

(A true Extract.)

(Signed) C. GALTON,
Acting Secretary.

No. 147.

ORDER THEREON, 21st April 1876, No. 529.

Miscellaneous.

THE recent orders in the Public Works Department on the subject of compensation for lands taken up for public purposes, do not affect in any way the present practice in the Revenue Department under which compensation is granted in the shape of assignment of fresh lands in lieu of those taken up; or of reductions in the peishcush or quit-rent. The present rules on the subject will therefore continue to be in force; and the necessity for their revision will be considered after the new Chapter of the Public Works Code, ordered to be prepared in G.O., Public Works Department, 8th November 1875, No. 3,187, is published and issued. Meanwhile the Board will take steps to ensure promptitude in the adjustment of claims that may arise or have already arisen.

2. The Government agree with the Board that the charge of interest on the amount of compensation to the Revenue Department will lead to complication, and this point will be referred for reconsideration in the Public Works Department.

3. The Government sanction the reduction of the peishcush paid by the Kurapan Zemindar by Rupees nine as recommended by the Board of Revenue.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.

„ the Accountant-General.

„ the Public Works Department.

Exd. A. Grubert.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 14th March 1876.

Read the following Proceedings of the Madras Government, dated 24th November 1875, No. 2,479, Revenue Department:—

ABSTRACT.—Communicating to the Board of Revenue G.O., Public Works Department, approving arguments and conclusions of the Controller of Public Works Accounts regarding compensation for lands taken up for Public Works.

COMMUNICATED to all Collectors for their information and guidance.

2. Compensation for lands taken up for Public Works often takes the form of a reduction in the peishcush or quit-rent payable by the owner on other lands in his possession, or the assignment of fresh lands in lieu of those taken up. In such cases, the Board beg the instructions of Government as to whether the Collectors may be authorized to grant the compensation on their own authority without any limit as to the amount of reduction in the quit-rent or value of the fresh lands to be assigned, or whether Government approve of the Board's suggestions in paragraph 6 of their Proceedings, dated 17th June 1875, No. 1,658. Of course, reductions of peishcush in zemindaris must always be reported for the orders of Government. Pending the instructions of Government, the Collectors will continue to submit their applications to the Board when the compensation proposed is either the grant of fresh land or the reduction of quit-rent or peishcush. When the compensation to be granted is in the form of a money payment, no application need be made to the Board, but the claim should be disposed of as laid down in G.O., dated 15th April 1875, No. 1,042, Public Works Department, communicated with Board's Proceedings, dated 17th June 1875, No. 1,658.

3. Collectors should see that in future no lands are taken up without payment for the same being made previously, unless the acquisition of the land is very emergent and the owners consent to receive such payment as may be determined by the Collector. When the Board recommended that a provision should be made annually in the Budget for compensation to be paid for lands taken up in previous years, they did not intend that any system of taking up lands without previous payment should be continued when it could be avoided, but they made the proposal, first, because all the cases on hand cannot be disposed of for some years to come; secondly, because it often happens that lands are emergently required while the amount of compensation cannot be readily settled at once owing to the absence of parties named for arbitration and other hindrances to immediate settlement; and, thirdly, because they doubt whether adequate provision for compensation is invariably made in the estimates as stated by the Controller. It is also observed that, pending further orders, the Government have authorized the District Engineer of the Godavary District to take possession of lands required before compensation is settled if the owners agree to such a course—*vide* G.O., dated 17th July 1875, No. 1,759, Public Works Department.

4. The Controller's suggestion, that the interest on the amount of compensation should be charged to the Revenue Department when the delay is not caused by the Public Works Department, is novel and likely to lead to complications if adopted.

23/7/1876
15/7/1876

G.O. of 1876, No. 529.
REVENUE.

THE BOARD OF REVENUE,

For,

Secy.

Secy.

Dated April, 21st.

Recd.

Dist.

G.O., 21st April 1876, No. 529.

APRIL.

No. 146-147.

Compensation for lands taken up for public works.—Passing orders on Proceedings of the Board of Revenue on the subject of—referring for reconsideration in the Public Works Department the question of the charge of interest on the amount of compensation to the Revenue Department; and sanctioning the reduction of the peishcush paid by the Kurupen Zamindar by रुपये nine.

It is impracticable also to fix a definite date within which Civil Officers shall be held responsible for settling all outstanding claims, but the special attention of Collectors has been directed to the subject, and they have been instructed to make strenuous efforts to clear off the arrears.

5. The orders of Government are requested on paragraph 7 of the Board's Proceedings, dated 17th June 1875, No. 1,658.

(A true Extract.)

W. C. C.
Acting Secretary.

To all Collectors, with copies of G. O.
,, the Secretary to Government, Revenue Department.

Erd. A. Grubert.

146

MARCH.
No. 732.

Compensation—for lands taken up for Public Works.—Communicating to all Collectors, with instructions, Government Order regarding payment of —, and requesting orders of Government on paragraph 7 of Board's Proceedings, 17th June 1875, No. 1,658.

Received 26 April 1876

Col. 629 A. 1876

Copy 14/16

PROCEEDINGS, 14TH MARCH 1876, No. 732.

MADRAS.

Dec: 1876. *Deposited*
BOARD of Revenue,

No. 1623

Encl.

No 529 27 21 April 1876
Headwards Proceedings of
14 March 1876 No 732

The recent orders in the
Public Works Department
on the subject of compensation
for lands taken up
for public purposes, do
not appear to affect in
any way the present
practice in the Revenue
Dept: under which com-
pensation is granted
in the shape of assignment
of Fresh Lands in lieu of
those taken up; or of re-
duction in the Perishment
or quit rent. The present
rules on this subject will
therefore continue to be
in force; & the necessity
for their revision will
be considered after the
new chapter of the P.W.
Code, or at least before it.

passed in G.O. P. W. D. S. No. 1.
1875 No 3167, has been pub-
lished & issued. Mean-
while the Board will take
steps to ensure prompt-
itude in its adjustment
of claims with a view
to avoid any delay
or have already
arisen.

The Govt. agree with the
Board. With the charge
of interest on the amount
of compensation to the
Rural Department will
lead to complicating
& this point will be
referred for recommendation
in the Public Works De-
partment.

The Government sanction
the reduction of the Pei-
chun paid by the Kurapan
Zemindar by Rupees.
Nine as recommended
by the Board of Rev.

114. To the Board of Rev. & 118. To
the Accountant General
21. The Board of Rev.

Compensation for
lands taken up
for public purpose