

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue

DEPARTMENT

G.O. No.	3054	Press.
B.P. No.		Mis.
<i>Revenue Dept.</i>		
Dated	<i>1-10-1877.</i>	<i>197.</i>

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

1st October 1877, No. 3,054.

Read the following paper :—

No. 9. Proceedings of the Board of Revenue, dated 21st August 1877, No. 3,900.

Read G.O., dated 28th June 1877, No. 2,137, Revenue Department.

ABSTRACT.—Communicating to the Board of Revenue letter from the Government of India regarding payment of compensation for land acquired under the Land Acquisition Act X of 1870, and requesting to revise the rules in the manner indicated in paragraph 2 of G.O., 9th May 1873, No. 471.

In the order of Government above recorded the Board of Revenue are requested to revise the rules for taking up land for public purposes in the manner indicated in paragraph 2 of G.O., 9th May 1873, No. 471, Public Department.

2. In paragraph 2, G.O., dated 9th May 1873, No. 471, the Board were requested to revise their standing orders on the subject with reference to Section 59, Act X of 1870, and to submit a draft of the revised rules in view to their being forwarded for the sanction of the Government of India.

3. In their Proceedings, dated 19th February 1875, No. 395, paragraph 8, the Board of Revenue submitted that no new rules were required, that it was unnecessary to give the rules in existence the force of law, and that it was inexpedient to afford them with a character which would prevent their being altered or added to without a reference to the Governor-General in Council.

4. With their letter, dated 26th June 1875, No. 969, the Government forwarded copy of the Board's Proceedings above quoted to the Government of India with the remark that they concurred in the views therein expressed.

5. In the letter from the Government of India, recorded with the order of Government at the head of these Proceedings, exception is taken to the views of the Board of Revenue as regards one point only, viz., the expediency of having resort to Act X of 1870 in all cases in which land is taken up for public purposes. The Board presume, therefore, that all that is now desired is that the existing rules shall be modified to this effect.

6. The Board desire, however, to draw the special attention of Government to the grave inconvenience to all parties concerned which will result from its being rendered compulsory for the Collector to disburse in person all payments of compensation for land taken up for roads, &c., in outlying localities; and they must again express their strong opinion that a wide discretion should be left to Collectors as regards having recourse to the Act in those cases at any rate in which it has not been deemed necessary to appoint a special officer. In their Proceedings, dated 5th June 1876, No. 1,470, which do not appear to have been under the consideration of the Government of India, the Board stated that no instance had come under their notice of defective title resulting from the omission to take up land under the Act, and, at the same time, fuller information on this and kindred points was called for from the districts in which land had recently been taken up for the extension of the South Indian Railway. As these replies will shortly be submitted for the consideration of Government, it does not seem necessary at present to do more than remark that they fully bear out the Board's opinion that recourse has always been had to the Act under the existing practice when any doubts as to title

or other difficulties arose, and the draft Circular given below is submitted for approval accordingly:—

Circular No. of 1877, Standing Order No. 141, '1', '1', '1'.

With reference to G.O., dated 28th June 1877, No. 2137, Revenue Department, it is directed, in modification of Standing Order, No. 141, and in supersession of S. O. Nos. '1', '1', '1', that when it is desired to take up land for public purposes, recourse shall be had, save in very exceptional cases, to the procedure laid down by Act X of 1870 for the acquisition of such land.

2. The above instructions are not meant to interfere with the existing practice of amicable settlement of the amount of compensation to be paid; but under the provisions of Part V of the Act all payments must be made by the Collector or by an officer specially appointed to perform the functions of a Collector under the Act.

(True Extract.)

(Signed) J. STURROCK.
Acting Sub-Secretary.

No. 10.

ORDER THEREON, 1st October 1877, No. 3,054.

Land Revenue, No. 1.

The proposed modification of Standing Order No. 141 and its supplements appears to meet the views of the Government of India, and is approved accordingly; but the Advocate-General will be requested to state, with reference to the Board's remarks in paragraph 6 and to the concluding portion of the draft G.O., whether Part V, Act X of 1870, has the restrictive effect supposed by the Board, or whether the intention of the Legislature will not be fulfilled by allowing the disbursement to be made through the Collector's subordinates on his responsibility as usual.

(True Extract.)

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

To the Board of Revenue.
„ the Government Solicitor
„ the Public Department.

REVENUE DEPARTMENT

No. 3792.

From

Prov. Board of Revenue

Dated 21. August 1877.

FOR ORDERS.

The proposed Rule for
the meet the news of
the Govt of India

29/8. 1877.

I have requested
that the Board
should be asked
to the Collector

27/2/1877
22-10-76
30-7-79

Boat of (1877) 22/10/76

REVENUE.

THE BOARD OF REVENUE.

Secy, Secy, Secy

Dated October 1st.

Received

G.O., 1st October 1877, No. 3,054.

OCTOBER

Nov. 9-10.

Payment of Compensation for Land acquired
under the Land Acquisition Act X of 1870.—
Approving the modification proposed by the Board
of Revenue of Standing Order No. 141 in connec-
tion with the "and requesting Advocate-General
to report on Board's terms in paragraph 6.

Revenue Department

No 3900.

Proceedings of the Board of Revenue.
Dated 21st August 1877.

Read G.O. dated 28th June

1877 No 2137 R.D. Communicating to
the Board of Revenue letter from the
Government of India regarding
payment of Compensation for land
acquired under the Land Acquisition
Act of 1870 and requesting to revise
the rules in the manner indicated
in paragraph 2 of G.O. 9th May 1873
No 471.

In the order of Government.

above recorded the Board of Revenue
are requested to revise the rules for
taking up land for public purposes
in the manner indicated in para
2 of G.O. 9th May 1873 No 471 Public Deptt.

Sm.

No 3792

FOR ORDERS.

Altogether revision of rules for
payment of compensation for land
acquired under the Land Acquisition
Act of 1870.

J.D. 1-10-77 No 3054

C. 28 Aug 77 R 15/9/77.

2. In para 2. G.O. dated 9th May 1873 No 471 the Board were requested to revise their Standing Orders on the subject with reference to Section 59, Act I of 1870 and to submit a draft of the revised rules in view to their being forwarded for the sanction of the Government of India.

3. In their Proceedings dated 19th February 1875 No 395 para 8 the Board of Revenue submitted that no new rules were required, that it was unnecessary to give the rules in existence the force of law, and that it was inexpedient to invest them with a character which would prevent their being altered or added to without a reference to the Governor General

General in Council.

4. With their letter dated 26th June 1875 No 969 the Government forwarded copy of the Board's Proceedings above quoted to the Government of India with the remark that they concurred in the views therein expressed.

5. In the letter from the Government of India recorded with the order of Government at the head of these Proceedings exception is taken to the views of the Board of Revenue as regards one point only, viz, the expediency of having resort to Act I of 1870 in all cases in which land is ~~land~~ taken up for public purposes. The Board presume, therefore, that all that is now desired is that the existing rules

rules shall be modified to this effect.

C. The Board desire however to draw the special attention of Government to the grave inconvenience to all parties concerned which will result from its being rendered compulsory for the Collector to disburse in person all payments of compensations for land taken up for roads &c in outlying localities and they must again express their strong opinion that a wide discretion should be left to Collectors as regards having recourse to the Act in those cases at any rate in which it has not been deemed necessary to appoint a Special Officer. In their Proceedings
dated

3052
3
dated 5th June 1876 No 1470
which do not appear to have been under the consideration of the Government of India, the Board stated that no instance had come under their notice of defective title resulting from the omission to take up land under the Act, and at the same time fuller information on this and kindred points was called for from the District in which land had recently been taken up for the extension of the South Indian Railway. As these replies will shortly be submitted for the consideration of Government, it does not seem necessary at present to do more than remark that they fully bear out the
the

the Board's opinion that recourse
has always been had to the
act under the existing practice
when any doubts as to title or
other difficulties arose, and the
draft Circular given below is
submitted for approval accordingly.

Circular No. of 1877. Standing
Order No 141 $\frac{141}{1}$, $\frac{141}{2}$, $\frac{141}{5}$.

With reference to G.O. dated 28th
June 1877 No 2137 R.D. it is directed
in modification of Standing
Order No 141 and in supersession of
S.O. Nos $\frac{141}{1}$, $\frac{141}{2}$ & $\frac{141}{5}$ that when it
is desired to take up land for
public purposes recourse shall be
had, save in very exceptional
cases, to the procedure laid
down by Act I of 1870 for the
acquisition

acquisition of such land.

The above instructions are not
meant to interfere with the ex-
isting practice of amicable settle-
ment of the amount of compensation
to be paid, but under the provisions
of Part V of the act all payments
must be made by the collector or by
an officer specially appointed to
perform the functions of a collector
under the act.

[True Extract]

Shirwell

Ag. Sub Secretary.

To
The Secretary to Government R.D.

Ref. 19

Revenue Department

3054

Proceedings of the Madras Government
Under date the 1st September 1877

Read Proceedings of
The Board of Revenue dated 21st
August 1877, No. 2173
containing remarks with re-
ference to L. O. 28: June 1877 No. 2173
containing letter from Govt. of India regard-
ing payment of compensation for
land acquired under the Land Ac-
quisition Act of 1870 and requesting
to revise the rules in the manner in-
dicated in para 2 of L. O. 9
1873 No. 471.

The proposed modi-
fication of Standing Order
141 and its supplements
appears

303492
E-1
Proceedings
The Board of
Revenue
No. 3054

Noted 21st August 1877
No. 23 - do do

Noted to Govt. of India
revenue with reference to L. O.
28 June 1877 No. 2173 containing
letter from Govt. of India
regarding payment of
compensation for land
acquired under the Land
Acquisition Act of 1870
requesting to revise the rules
in the manner indicated in para
2 of L. O. 9 Aug 1873 No. 471.

C. 2187/13 H. 1. O. 1/13
C. 28004/13 H. 15/9/77

appears to meet the views
of the Government of India
and is approved accordingly.

but the Advocate
General will be
requested to state
with reference to
the Board's remarks
in paragraph

of the concluding
portion of the Draft.

Whether part
V. Act X of 1870
has the restric-
tive effect ~~in~~
^{supposed by the} ~~proposed~~ or whether
the intention of
the legislature
will not be fulfilled
by allowing the
disbursement to
be made through
the collector's sub-
ordinate, on his responsibility as usual.

Exd. B

[Signature]
147
Secy to Govt of India
Public Deptt

3054
10

7 Apr 260/77

Revison of Rules
regarding payment of
compensation for land
acquired under the Land
Acquisition Act of

Wm. Robinson

Geo. H. [unclear]
[unclear] [unclear]