

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 4704

~~Press~~
Mis.

Dated 2 - 9 - 1891.

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

THE HON. MR. J. GROSE.

READ—the following letter from E. C. JOHNSON, Esq., Collector of Ganjam, to the Secretary to the Commissioners of Land Revenue, dated Chatrapur, 28th May 1891, Reference on current No. 110-Ver.:—

Under paragraph 8 of Standing Order No. 11, Collectors and Divisional officers can specially authorise Tahsildars to pay compensation in money. When the Tahsildar is absent from his head-quarters, Taluk Sheristadar can make payment. It does not appear that Deputy Tahsildars, whether in independent charge or otherwise, can do so. The absence of authority to the latter class of officers entails great hardship and inconvenience to parties to whom compensation is to be paid and delays in payment.

2. I fail to see why Deputy Tahsildars who are entrusted with powers co-ordinate with those of Tahsildars in almost all matters should not be trusted with power to make payment of compensation as determined and sanctioned by superior officers; and indeed there is less reason to withhold such power from them when a Taluk Sheristadar who is inferior both in rank and pay to Deputy Tahsildars is trusted to exercise such power during the absence of the Tahsildar.

3. I have a case in point. Some land in Sompét has been taken up for a new Court-house for the District Munsif, Sompét. The owner of the land lives in Tarlá, 47 miles from Berhampore and 52 miles from Chicacole. To receive compensation he must necessarily travel these long distances at great expense, not to speak of the hardship and inconvenience that he will thereby be put to.

4. For the above-mentioned reasons, I beg to recommend that Deputy Tahsildars be authorized to disburse compensation in cash.

Reference on the above, dated 1st July 1891.

The Accountant-General is requested to favour the Board with his opinion on the proposal, where there is no Sub-Treasury, the payment might be made out of collections in hand on the order of the Collector.

(Signed) H. A. SIM,
Acting Secretary.

To the Accountant-General.

READ—the following letter from T. W. RAWLINS, Esq., Accountant-General, to the Secretary to the Commissioners of Land Revenue, dated Fort St. George, 8th July 1891, No. 1927:—

In reply to the Board's reference, General Register No. 1876, dated the 1st July 1891, I have the honour to state that I see no objection to Deputy Tahsildars being authorised to disburse compensations for land, in cash, as proposed by the Collector of Ganjam.

2. Cases of this nature will not, I anticipate, be numerous, and where there is no Sub-Treasury, the payment might be made out of collections in hand, on the orders of the Collector.

RESOLUTION—dated 24th July 1891, No. 436.

Submitted for the orders of Government.

2. The Board supports the Collector's proposal, which has the approval of the Accountant-General.

(True Copies and Extract.)

As Meyer
Acting Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Ganjam.
" " Accountant-General.

REVENUE DEPARTMENT.

1891.

Board of Revenue

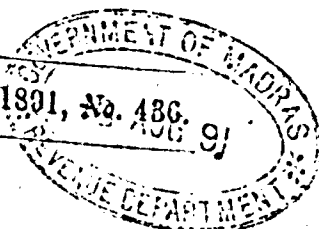
(Land Revenue),

MADRAS.

Printed August 11.

Rev. 6. 8. 91

Proceedings, 24th July 1891, No. 486.



Submitting for the orders of Government, with Board's support, recommendation of the Collector of Ganjam that Deputy Tahsildars may be authorised to disburse compensation for land in cash.

Read C. No. 6204 of 1891.

For orders.

The point on which orders are required is whether Dy Tahsildars may be authorised to pay compensation in money for lands acquired for public purposes. At first, the power to make payments was confined to Collectors & Divisional officers. It was next extended to Tahsildars up to a limit of Rs 10, but this restriction was subsequently removed. As Tahsildars were frequently on tour & parties were put to much inconvenience, the Taluk Sheristadar was authorised to disburse the money in the Tahsildar's absence. The proposal of the Collector of Ganjam to include Dy Tahsildars among the officers competent to make payment is supported by the Board & the Accts. General raises no objection to this procedure being adopted.

2. It is doubtful, however, whether it is necessary to comply with the Board's recommendation. En G.O. 86 May '91 No 408

it is laid down that all lands required for public purposes should be acquired invariably under Act I of 1870, section 40 of which directs that payment of the compensation shall be made by the collector. The word "Collector" is defined in section 3 to include the collector of the district & any officer specially appointed by the local Govt to perform the functions of a collector under the Act. Apparently payment cannot be made by any one officer except the collector & any officer so appointed by the Govt. The Board's proposal appears, therefore, to be not only unnecessary but also opposed to the provisions of the Act. Please see also L.O. of 18 March 1871 No 482.

Ordinarily there will be no inconvenience to the parties claiming payment of compensation as the nearest officer will generally be appointed to perform the functions of a collector under the Act.

I agree - the Bd has no work the functions of the collector

quite so
HJ

W
HJ

W
HJ 20/8/91

Must be taken up under the Act under the Act and that the compensation should be in such cases, by and by the Director.

Ch
17/8

C. No. 6204 of 1891

Re: the proposal to empower Dy. Supts.
to disburse compensation for land in cash.

The Dy. Supt. for the District.

888.94.11.93

L. F. J. A.
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OFFICIAL MEMORANDUM.

To The Under Secretary, Government, Revenue Department, Fort
Saint George.
The undersigned requests for reference a copy of Government Order
No. 4704, dated 22 September 1891, Revenue Department.



LOCAL FUND DEPARTMENT,
Accountant-General's Office,
Fort St. George,
20th November 1893.

W. M. L. A. R. C.
Fort Inspector, Local Fund Accounts.

Read C. No. 6204 of 1891

Dis. No. 4704 of 21 September 1891

The Board has apparently overlooked the fact that, under G.O. of 6 May 1891 No. 408, all lands that may be required for public purposes should be acquired invariably under Act X of 1870 & that Section 40 of the Act directs that - ^{of the} payment for compensation shall be made by the Collector.

For the definition of the term 'Collector' in Section 3, it would appear that payment can be made only by the Collector of the district or by any officer specially appointed by the local body to perform the functions of a collector under the Act. The Board's proposal to authorize Dy. Commr. to disburse compensation cannot, therefore, be approved.

2. The Board is requested to amend para 8 of standing Order No. 11 accordingly.

Ch

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16-11-15 B.M.

17-5-19 B.M.

23-3-21 B.M.

53 Rev

C. No. 6204 of 1891.

the proposal to improve by the
disburse compensation for land.

Sept 2/9/91

Revenue Dept.
Mis

4704
2nd September/91