

RAILWAY BRANCH.

G.O., No. 684R

DATED 18th October

[Despatch Abstract.]

Land. — Govt of India circular on the subject of the preparation of estimates of the cost of — required for Railway or other large public projects, communicated to the Revenue Department for information and guidance.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[For Heads of Departments.]

Circular No. XI Railway of 1895.
GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY CONSTRUCTION.

Preparation of estimates of the cost of land required for railway or other large public projects.

Simla, the 21st September 1895.

Read—

Letter from the Accountant General, Public Works Department, No. 236-R., dated 16th March 1895.

Paragraph 7, Chapter V, of the Rules for the preparation of railway projects, promulgated with Government of India Circular No. 7 Railway, dated 9th October 1893.

Read also—

Rules relating to the acquisition of land, promulgated with Government of India Circular No. VI Railway, dated 7th July 1892.

RESOLUTION.—Cases have recently come to the notice of the Government of India in which the cost of land taken up for railway purposes has exceeded by several hundreds per cent. the cost shown in the detailed estimates; and while in some cases this difference appears to have been due to the inadequacy of the estimates, in others it was certainly caused, at least in part, by the exorbitant nature of the Collector's award under the Land Acquisition Act. It appears therefore advisable to issue instructions with the view of securing greater accuracy in the estimates and closer supervision over the awards, when land is taken up for large public projects, of whatever nature.

2. In paragraph 7, Chapter V, of the Rules for the preparation of railway projects, it is laid down that the data for the preparation of estimates of the cost of land should be obtained from the Civil authorities, who are responsible for the valuation and assessment of all land taken up for public purposes. This rule has not always been observed in recent instances. Its observance is most important, as the Public Works Department authorities are not in a position to frame an estimate with any approach to accuracy.

3. The Civil authorities should, therefore, be in all cases requested to furnish data in the shape of rates per acre. This, however, they cannot do unless they are furnished with information as to the situation of the land to be taken up, as it is impossible to quote rates which shall be even approximately true for the whole of a large tract. A separate sketch map should, therefore, be furnished for each district traversed by the railway, canal, or other work, showing the exact course of the centre line of the land to be taken up, with reference to villages and towns. This map should be to a scale of one inch to the mile and should show village boundaries wherever they have been surveyed. The distances

should also be marked upon it, and the average width of the strip to be taken up should be stated. For land near towns, or which for other reasons is likely to have a specially high value, a map to a sufficiently large scale should be prepared, showing the approximate boundaries of the land likely to be required, with a note of any valuable trees, buildings or other property for which compensation will have to be paid in addition to the price of the land itself. The Civil authorities' data will then take some such form as the following:—

Miles.	RUPEES PER ACRE.			REMARKS.
	CULTIVATED.		Uncultivated.	
	Irrigated.	Unirrigated.		
3-15	80*	30	10	
15-17	300	120	30	Town lands of Rampur.†
17-27	50	25	5	

* Note.—Land under tea will average about Rs. 800 per acre.

† Note.—Land within municipal limits will cost about Rs. 900 an acre; and in the town itself say Rs. 30 a square yard.

4. When the work is confined to a single district the application should be made to the District officer; when it extends to more than one district, but lies within a single division, to the Commissioner; when to more than one division, to the chief revenue authority of the province. When the estimated value of the land exceeds Rs. 25,000 in any district, or one lakh in any division, the data must be forwarded to the Public Works Department authorities through the Commissioner or chief revenue authority respectively, who will countersign them and be responsible for them.

5. General rules should be framed in every province for the guidance of officers in estimating the value of land taken up under the Land Acquisition Act. It must be remembered that, while the owner of the land possesses the power of appeal from the award of the Collector, Government is deprived of that power, solely because it possesses executive control over his operations; and it is most important that such control should be efficiently exercised in the interests of the general taxpayer. The rules should lay down the data which should be collected and the principles upon which the award should be based.

6. When any considerable area of land is to be taken up for public purposes, a special officer should be deputed for the purpose, and care must be taken in his selection. Any special instructions that may be considered necessary in addition to the general rules above mentioned should be carefully framed for his guidance, as for instance when land under tea or indigo has to be taken up. He should be furnished with the data mentioned in paragraph 3, and provision should be made for the exercise of effective control over his operations by the Collector of the district, to whom all his awards should be reported, so far as to show the area, kind of soil, rate per acre, and total amount in each case. Provision should be made that, in case of any proposed award exceeding largely the estimated rate, and the award being such that it will be the basis of or constitute a precedent for any very considerable expenditure, it should be reported for the Collector's approval *before* being announced. And if in the course of his proceedings the special officer finds that his awards are likely to exceed the aggregate estimate for the district by, say, 25 per cent. or more, a report should be submitted through the Collector to the Commissioner (and if the excess involved exceeds a lakh of rupees, to the Local Government) and further announcement of awards suspended till the latter's orders are received.

7. Whenever it is found that the original rates were materially under-estimated, and no sufficient reason is apparent, the officers responsible for them

should invariably be called on to explain, as in no other way can the importance of framing the original estimates with care be effectually brought home to them.

8. Such are the general principles which the Government of India desire to see observed in the matter. The conditions of the several provinces vary so widely that details must be left to Local Governments. But all Local Governments and Administrations should proceed to frame rules giving general effect to the above principles, and indicating the points as to which supplementary instructions will be required, based upon the circumstances of each individual case.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners of the Central Provinces, Burma and Assam.
The Residents at Hyderabad and in Mysore.
The Agents to the Governor General in Central India, Rajputana and Baluchistan.
The Director General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow and Assam.

ORDER.—Ordered that this Resolution be communicated to the Local Governments and Administrations and the officers marginally noted for information and guidance.

Also, that it be forwarded for information to the Accountant General, Public Works Department; the Department of Finance and Commerce, and the Department of Revenue and Agriculture.

J. H. Herbert

Under Secretary.

Documents accompanying.

Nil.

To The Jt. Secy. to the Govt. of Madras
Public Works Dept.
Railway Branch

50/10/1904

Copies to all concerned
J.H.H.

B/-

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read 24-10-95

Read the following

*Govt of India PWD
Circular No. XI. Railway dated 21st Sept 1895.*

*Communicated to
the Revenue Dept for
issue of the rules to be
to be in force & send
of the Circular.
information & guidance*

*M. R.
15
10 95*

*B
5 27.9 18.10.95*

- The Revenue Dept with 2 spare copies*
- " Agents Madras & South
Indian Railway.*
 - " General Quarter by Messrs with 2 spare copies
P. W. & accounts with 2 spare copies*
 - " Agents - in - Chief Nilgiri,
Am. Nilgiri & Mysore and
Veraval Madras &c. with 1 spare copy*
 - " Manager, East Coast Ry. with 3 spare copies*
 - " Political Dept with 3 spare copies*
 - " Local & Municipal Dept with 5 spare copies*

TYPE

10/10

B/-

No 687 R Ltr 18.10.96

27/10 21/10