

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Land Acquisition – Sanction of decretal payments towards land acquisition delegation of powers to Heads of Department to sanction certain decretal payments - Orders – Issued.

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FINANCE (WORKS & PROJECTS (F.3)) DEPARTMENT

**G. O. Ms. No. 9**

**Dated:9-7-2004**

Read the following:-

1. G. O. Ms. No. 370 Rev(LA) Department, Dt: 16.4.1993.
2. G. O. Ms. No. 234 I&CAD Department, Dt: 15.10.1993.
3. G. O. Ms. NO. 34, I&CAD (PW – TGP.II) Dept., Dt: 8.3.2004.

**ORDER:**

Government is taking up several developmental activities. Creation of Infrastructure facilities and Irrigation potential is the thrust area of development. For executing above works, land required will be acquired by Government under provisions of Land Acquisition Act. The amount required for the land acquisition will be provided by the Execution Department. Land Acquisition Act provided for appeal against the rate fixed by Land Acquisition Officer. The aggrieved land owners are approaching courts for enhanced compensation with increase in development activities, the litigations in land acquisition are increased. Several cases are pending in different courts. The attachment of Government properties, as a result of delay in meeting execution petition ordered by court, are on the rise.

2. The provision in Article 209 and 51(b) of Andhra Pradesh financial code vol.I requires the sanction of Government against each payment either interim or final for the reason of payment of interest and in the absence of authorization by some general or special orders of Government. Normally Land Acquisition Officers are the respondents in land acquisition court cases. Executive Department has to accord sanction for payment and provide funds. This resulted in initiation of proposal by Land Acquisition Officer and coming to Administrative Department of Secretariat. The Administrative Department will arrange for sanction, after observing due procedure. With increased litigations in land acquisition matters, there is a corresponding increase in proposals. These proposals are as per court decree, interim orders (or) final orders. Many of these proposals do not involve any critical examination of principle. The delay in initiating proposal, obtaining sanction and arranging payment is resulting in additional financial commitment to Government on account of interest.

3. The matter of sanction of decretal payment received attention of Government. It is considered that number of cases where the decision could have needed at the level of Land Acquisition officer or head of the Department are referred to Government for a decision because of provision in Financial Code. It is further noticed that when the litigations routine, small amounts are also being sanctioned at Government level. Government considers that this procedure is consuming lot of

precious time of senior functionaries which can be put to better use. Further this represents over centralization in terms of small amounts, sanction also coming upto Government level and getting delayed due to the lengthy process involved. What could have been done quickly at Heads of Departments or District Officer level gets delayed due to the procedural delay in obtaining Government sanction and consequent avoidable, harassment to affected parties both of delay and need to pursue these cases in different offices. Government is committed to a process of meaningful decentralization and delegation of powers. Delegation under this category fall within meaningful decentralization.

4. After careful examination of the matter, Government hereby order to delegate the following powers to the heads of Departments of Engineering Departments or other officers authorized with these powers by respective administrative Department.

- i. To sanction all interim payments as per orders of High Court or any other court subject to availability of provision in Budget Estimate under 'charged' category of relevant object head.
- ii. To sanction full payment of decretal charges where enhancement allowed by court is below 100% of rate fixed by Land Acquisition Officer and where appeal is considered no necessary subject to approval of district level Land Acquisition Monitoring Committee constituted under reference III cited and provision in Budget Estimate under 'charged' of relevant object head.
- iii. To comply with orders of Lok Adalat as per guidelines prescribed by Government from time to time.

5. The Government desires that Heads of Departments of Engineering Departments should undertake, critical review of the requirements and make sufficient provisions in budget Estimates so that the delegation becomes meaningful. Further the heads of Departments are instructed to maintain relevant records to monitor the progress of Land Acquisition court cases and exercise powers delegated diligently with utmost care and due promptitude.

6. Government further order that proposals in all cases where enhancement by courts is 10% and above of the rate fixed by Land Acquisition Officer shall continue to come to Government. Similarly all cases where the expenditure is to be met as advance from contingency fund, the proposals for sanctioning advance from contingency fund shall continue to come to Government. All other cases where delegation of powers are not ordered shall continue to come to Government.

7. These orders shall come into force from the date of issue heads of the Departments are empowered to deal all pending cases, except where sanctions are issued by Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R KRISHNA RAO  
PRINCIPAL SECRETARY (W&P)

To

All Engineer-in-Chiefs/Chief Engineers of I&CAD Department and R&B Department.  
All District Collectors.  
All Special Collectors of Major Projects.  
Director of Works Accounts, Hyderabad.  
All JDWAs, PAOs/APAOs  
Copy to Accountant General (A&E), AP, Hyderabad.  
Copy to Accountant General(Audit) , Hyderabad.  
Copy to I&CAD Department.  
Copy to R&B Department.  
Copy to Rev(LA) Department.  
Copy to Finance (Exp-PW) Department.  
Copy to Finance (BG) Department.  
Copy to PS to Prl. Secretary, finance (W&P) Department.  
Copy to PS to Minister (Fin & LA)  
Copy to Ps. To Prl. Secretary, I&CAD Department.  
Copy to PS to Secretary, TR&B Department.  
Copy to DFA & EODS  
Copy to AFA & All Sections in Fin(W&P) Department.  
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.

Office of the  
Joint Director of Works Accounts,  
M. J. Road, Hyderabad.

**Endt. No. DWA/Hyd/Sn-II/A7/F. Landacqui/2004-05/14**

**Dt: 19.7.04**

Copy communicated to all Joint Director of Works Accounts for information and necessary action. They are requested to supply copies of the G.O's to the Pay & Accounts Officers/Asst. Pay & Accounts Officers under their control for compliance.

Joint Director of Works Accounts,  
M. J. Road, Hyderabad.

**Endt. No. JDWA/SACB/Sn.A/A1/2004-05/188**

**Dt: 31.7.04**

Copy communicated to all Pay & Accounts Officers/Asst. Pay & Accounts Officers for information.

Copy to Sn. A, B & C.

Joint Director of Works Accounts,  
SAC Barrage, Dowlasiwaram.

//T.C.F//

SUPERINTENDENT  
CO-ORDINATION

