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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.

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) Dept dt.16.4.1993;
2. G.O.Ms.No.234 I & CAD Dept dt.15.10.1993;
3. G.O.Ms.No.34 I & CAD (PW - TGP.II) Dept dt.8.3.2004.

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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 provides 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 provisions 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 authorisation 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 ended 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 was very limited this could have served the purpose, but with increased 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 centralisation