

ADVANCE COPY.

Land Acquisition Act. 1894
Instruction under -
for payment of advance compensation

GOVERNMENT OF MAHARASHTRA,
Revenue Department,
Circular Memorandum No. LQN.4363/67497-H.
Sachivalaya, Bombay, 18th July 63.

:CIRCULAR MEMORANDUM:

A point has been raised whether coercive measures can be taken for effecting recoveries of amounts paid in excess from the sole rightful claimants (i.e. where the title is not in dispute) to whom advance compensation has been paid under the standing orders issued by Government. Under the Bonds appended as accompaniments to Government Resolution No. LAQ.2257/169279-V, dated 6-10-1958, the owner in the single bond and the owner and interested parties in the joint bond undertake to indemnify Government against any loss or damage suffered or any costs, charges or expenses incurred by Government by reason of any payment to him in anticipation of the final award. The bonds further provide that without prejudice to any other remedies of Government for the enforcement of indemnity the Government has power to recover any sum determined of and certified by the concerned officer to be due and payable by the owner and the interested parties as an arrear of land revenue. In view of this provision, the amount of compensation if paid in excess of the amount declared under an award, can be recovered as an arrear of land revenue. However, with a view to leaving no scope for any doubt, Government is pleased to direct that after the word "owner" appearing in 1st line of condition No.(3) of the "DRAFT-BOND", and the words "INTERESTED PARTY" appearing in line 2 of condition No.(3) of the "JOINT DRAFT BOND" appended as accompaniments to Government Resolution, Revenue Department, No.LAQ.2257/169279-V dated 6th October 1958 the words "has been paid in excess of the amount of compensation awarded or" and "have been paid in excess of the amount of compensation awarded or" should be respectively added.

2. The Settlement Commissioner and Director of Land Records, is requested to issue the requisite correction slip to the Land Acquisition Manual.

By order and in the name of the Governor of Maharashtra.

R.T. NADKARNI,
Assistant Secretary to Government.

NO. L.R. 872
Poona: 2nd July 1963.

Copy forwarded for information and guidance to: the Dy.
D.L.R. Nagpur, S.L.Rs all, Spl.S.L.Rs all, and C.Os all with spare
copies for subordinate offices.

sw/31/7/

for Settlement Commissioner &
Director of Land Records.

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No. D.R.O. 73 of 63

Boana: 17 - 8-1963.

Case ~~epic~~ forwarded to W.D.S.R.

Atte: W.D.R. Boana

for information and guidance.

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Wing

Subj: Land Reels etc.

12/8/63

17-8-63

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