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(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No. 1264 Press ~~Mis.~~

142-143

Dated 23-9- 1879.

7/8

142.143

Not to be folded or roughly handled

No. 142. Read the following letter from the Secretary to the Government of India, Department of Agriculture, Revenue, and Commerce (Land Revenue and Settlements), to the Chief Secretary to Government, Fort St. George, dated Simla, 5th August 1872, No. 3696:—

From time to time applications are received from various provinces which involve the question of the assignment to Municipalities of the proceeds of sale or lease of land within their respective limits. Hitherto such claims have not, perhaps, been treated on any definite principle.

2. The Governor-General in Council now proposes to lay down the following rules for the treatment of such cases, and generally for regulating the position of Municipalities in respect to land situated within their boundaries.

3. It is proposed to grant to Municipalities (other than those of the cities of Calcutta, Madras, and Bombay, for which separate special enactments exist), subject to the control of the several Local Governments, all State rights in nazul property not already appropriated for State purposes, and waste and unclaimed lands situated within municipal limits, provided that such land is yielding no land revenue; and, in consideration of this assignment, to require each Municipality to provide all funds necessary for watch and ward, roads, water-supply, conservancy, lighting, and other needful municipal expenses, within those limits, any sums now allowed in provincial grants from imperial funds for such purposes being deducted from the said grants.

4. This rule would not, of course, entail upon Municipalities the cost of that portion of the police force which, although as a matter of convenience posted within municipal limits, is required for the watch and ward of the circumjacent rural jurisdictions, or of public offices not connected with the Municipality.

5. A proviso, moreover, would be attached to the rule to the effect that no such property or lands should be alienated without the sanction of the Local Governments, and that the price realized by the sale of such property, or lands, should never be treated as current income, but either funded or invested in permanently reproductive works; in other words, that such property or land should be treated as an endowment of the Municipality, the interest and half-yearly proceeds whereof should be at the disposal of the Commissioners for the time being, while the principal is to remain intact, either in the existing shape, or in that of equivalent reproductive works.

6. But before issuing the proposed rules, the Governor-General in Council directs me to request that he may be favoured with the opinion of His Excellency the Governor in Council on the general question and as to the effect of the rules.

No. 143. To the Secretary to the Government of India, Department of Agriculture, Revenue, and Commerce, dated Ootacamund, 23rd September 1872, No. 1264.

In reply to your letter of 5th August 1872, I am directed to state that, in the opinion of this Government, it would be very inexpedient to make over to Municipalities all unassessed waste lands within their limits, and, *per contra*, to charge them

with the whole cost of the Police and other municipal requirements within those limits, withdrawing any State contribution hitherto allowed for those purposes.

2. It was deliberately resolved by this Government that the control of, and charge for, Police within municipal limits should be retained and borne by Government, and the contribution formerly required from Municipalities on this account was, therefore, remitted, the whole charge for other municipal purposes, such as those stated in your letter, being thrown on the Municipalities, who now receive no grant of any kind from Government.

3. This Government are of opinion that it is by no means expedient to relinquish to Municipalties the entire control over all unoccupied lands within their limits, the appropriation of which for State purposes is frequently a necessity, while their disposal by Municipalities, when in their hands, has been shown by experience to be often dictated by considerations of immediate convenience rather than the ultimate advantage of the community.

4. The boon conferred by the cession would, in this Presidency, seldom be of such value as to counterbalance the permanent charge for the Police; and the divided authority in regard to the force would, in the opinion of Government, be a serious disadvantage.

(Signed) R. S. ELLIS,
Chief Secretary.

Erd. J. Wright.

1872.

AGRICULTURE, REVENUE, AND COMMERCE DEPARTMENT.

From

The Chief Secretary to Government,
Fort St. George,

To

The Secretary to the Govt. of India,
Agriculture, Revenue, and
Commerce Department.

Dated 23rd September 1872.

Read

No. 1264.

Enclosure.

SEPTEMBER.
Nos. 142-143.

Stating that it would be inexpedient to make over to Municipalities all unassessed waste lands within their limits, and, *per contra*, to charge them with the whole cost of the Police and other municipal requirements within those limits, withdrawing any State contribution hitherto allowed for those purposes.

No. 3

From

A. O. HUME, Esquire, C. B.,

Secretary to the Government of India.

To *The Secretary to the Government of Madras.*

Department of Agriculture, Revenue, and Commerce.

(Land Revenue and Settlements.)

Simla, *the* 5th *August* 1872.

Sir,

From time to time applications are received from various provinces which involve the question of the assignment to municipalities of the proceeds of sale or lease of land within their respective limits. Hitherto, such claims have not, perhaps, been treated on any definite principle.

2. The Governor General in Council now proposes to lay down the following rules for the treatment of such cases, and generally for regulating the position of municipalities in respect to land situated within their boundaries.

3. It is proposed to grant to municipalities (other than those of the cities of Calcutta, Madras, and Bombay, for which separate special enactments exist), subject to the control of the several local Governments, all state rights in nazul property not already appropriated for state purposes, and waste and unclaimed lands situated within municipal limits, provided that such land yielding no land revenue; and, in consideration of this assignment, to require each municipality to provide all funds necessary for watch and ward, roads, water-supply, conservancy, lighting, and other needful municipal expenses, within those limits, any sums now allowed in provincial grants from imperial funds for such purposes being deducted from the said grants.

4. This rule would not, of course, entail upon municipalities the cost of that portion of the police force which, although as a matter of convenience posted within municipal limits, is required for the watch and ward of the circumjacent rural jurisdictions, or of public offices not connected with the municipality.

5. A proviso, moreover, would be attached to the rule to the effect, that no such property or lands should be alienated without the sanction of the local Governments, and that the price realized by the sale of such property, or lands, should never be treated as current income, but either funded or invested in permanently reproductive works; in other words, that such property or land should be treated as an endowment of the municipality, the interest and half-yearly proceeds whereof should be at the disposal of the Commissioners for the time being, while the principal is to remain intact, either in the existing shape, or in that of equivalent reproductive works.

6. But before issuing the proposed rules, the Governor General in Council directs me to request that he may be favoured with the opinion of the Government of Madras on the general question and as to the effect of the rules.

I have the honor to be,

Sir,

Your most obedient Servant,

A. O. Hume

1872.

DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE.

[Land Revenue and Settlements.]

To

Local Governments and Administrations.

No.

Dated August 1872.

SUBJECT.

RIGHT of municipalities to the sale proceeds of lands within municipal limits.

Financial Department.

No.

To

The Secretary to the Government of India,

Department of Agriculture, Revenue & Commerce.

Sir,

charge for, public or the municipal limits thereof, be claimed and received by Govt, and the contribution formerly required from Municipalities on this account shall thereafter cease, the whole charge for their municipal purposes such as those stated in your letter, being thrown on the Municipalities, who can receive no grant for any such from Government.

3. This Government do not think it necessary to retain the establishment of Municipalities, as the police will be better managed by the Executive Officers of the District, and the divided authority in regard to the force would, in the opinion of Govt, be a serious disadvantage.

Government
1st September 1872

It is expected by the Municipalities that on this Presidency, seldom be of much value as a counterbalance the permanent charge for the Police; and the divided authority in regard to the force would, in the opinion of Govt, be a serious disadvantage.

[illegible]

18 *Department.*

No.

To

The Secretary to the
Government of

Department.

Dated 187

1872.

Rev. & Commerce DEPARTMENT.

From

The Chief Secretary to Government,
Fort Saint George,

To

The Secretary to the Govt. of India,
Department,

Dated the 23 1872.

No. 1264.
Enclosure.

Nos. 142. 143.

Stating that ~~with opinion of this Govt.~~ it would be very inexpedient to make over to Municipalities all unassessed waste lands within their limits, and for Govt to charge them with the whole cost of the Police and other Municipal requirements within those limits, withdrawing any State Contribution hitherto allowed for those purposes.