M.R.O. 1—77,006—8-6-37.

(1) Number of pages 8

(2) Date of repair 15.2-40

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 111 Press / Mis.

137-138

Dated 22 — 1 — 1873.

5/6

137-138

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,
22nd *January* 1873.

No. 137. Read the following letter from the President of the Municipal Commission, Bellary, to the Chief Secretary to Government, Fort St. George, dated Moka, 16th December 1872:—

In G. O., No. 1803, dated the 6th December 1871, I was called upon to report the nature of certain land sold by the Commissioners of the Bellary Municipality. I did so in my letter, No. 6, dated the 12th January 1872. At the same time I brought to the notice of the Vice-President that the *sale* of any building site was prohibited by G. O., No. 1784, dated 30th November 1871.

2. The Vice-President has now addressed me stating that in the opinion of the Commissioners the disposal of the small plots of ground, the grant of which they are still empowered to make, should not be gratuitous. They solicit an interpretation of the word "disposal."

3. With regard to this request, I beg to state that it appears to me the sale of *all* building sites by Municipalities was forbidden by the Government Order quoted above.

4. I, therefore, suggest that the power granted to the Commissioners by G.O., No. 24, of the 6th January 1868, to "dispose" of small pieces of ground be withdrawn, and that the matter be left with the revenue authorities as before.

5. The Vice-President's letter is enclosed.

From the Vice-President of the Municipal Commission, Bellary, to the President of the Municipal Commission, Bellary, dated Bellary, 12th December 1872, No. 505.

I have the honour to request orders regarding the disposal of petitions for building sites received by the Commissioners. Since the receipt of your letter, No. 14, dated 25th January last, I find the practice has been to give away, instead of selling, land for building purposes. It is clear that this cannot be the meaning of either your letter or of the Government Order referred to, and I, therefore, trust you will obtain for the Commissioners definite orders on the subject. The question is whether the Commissioners' power of disposal of unoccupied portions of ground for building purposes within the municipal limits, granted them by G. O., No. 24, dated 6th January 1868, has been taken away by G.O., dated 24th November 1871, No. 2010. It would seem not, for the latter order is based upon a prior one, dated 10th April 1867, No. 829, which, it will be observed, bears an earlier date than the Government Order specially granting the power of disposal to the Commissioners of the Bellary Municipality. If, therefore, the Commissioners still possess that power, which for the above reasons it is presumed they do, one other point requires to be determined, and that is as to the import of the word "disposal," whether it was intended or not to include the sale of land. Valuable plots of ground, worth on an average Rupees 20 and Rupees 30, should not, in the opinion of the Commissioners, be granted for nothing, and they have, therefore, passed a Resolution not to give away any further building sites, which has been their practice, till they receive definite orders on the questions I now have the honour to bring to your notice.

No. 138. ORDER THEREON, 22nd January 1873, No. 111.

The President was in error in assuming that G.O., No. 1784, dated 30th November 1871, prohibited the sale of *all* building sites by Municipalities. It referred specially to G.O., dated 10th April 1867, No. 829, which instructed Collectors not to alienate waste land to Municipal Commissioners without sanction. In the case of Bellary such sanction was given in G. O., No. 24, dated 6th January

Proceedings of the Madras Government, Financial Department,
22nd January 1873.

1868, Revenue Department, with reference to the Brucepettah and Cowle Bazaar limits, and the Government are not now disposed to place any further restriction on the powers of disposal vested in the Commissioners by that order.

(True Extract.)

Chief Secretary.

To the President of the Municipal Commission, Bellary.
,, Revenue Department.

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the President of the Municipal Commission, Bellary, dated 1st December 1872 No. 109.

Order thereon, 22nd January 1873 No. 111.

The President of the Municipal Commission of Bellary submits for the orders of Government the accompanying draft of a Bye-law No. 1784 dated 30 December 1872 prohibited the carting of all building materials by the Municipality. He requests the sanction of Government to the levy of a fee of Rupees 8 on each Municipal Conservancy Cart to be employed in the removal of such materials.

Not to admit of carts to be used for Municipal Conservancy purposes without previous registration.

Without remarks.

The case of Bellary and the case of Madras Municipality are similar. Government have given in December 1868 G. O. No. 24 & 6th January 1869 G. O. No. 9 instructions

Govt. of {1873} Madras.

FINANCIAL.

To

THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Bellary,
&c., &c., &c.

Dated January, 22nd.

Recd. Encl.

G. O., 22nd January 1873, *No.* 111.

JANUARY.
Nos. 137-138.

Declining to place any further restriction on the powers of disposal of land vested in the Municipal Commissioners by G. O., No. 24, dated 6th January 1868, Revenue Department.

to the Bruce pettah and
Cowle bazaar limits &
the Government are not
now disposed to place
any further restriction
on the powers of disposal
vested in the Commission-
-ers by that order.

J.S.

The Presidt. Council Commr.- Bellary -
- Revenue Departt. — 11

Govt. of {1873} Madras.

Financial.

To

The President
Innm.ᵗ Comᵒⁿ.
Bellary
&c.ᵃ

Dated 22ⁿᵈ Jany. 73
Recd.

1873, No. 111.

Nos. 137-138.

Declining to place
any further restriction
on the powers of disposal
of land vested in the
Innm.ᵗ Comᵒⁿ by G. O
No. 24 of 6ᵗʰ Jany 1868 R.D.