MRO 1—27,000—8-6-37.

(1) Number of pages

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 122 Press Mis.

283-34

Dated 11 1 1870.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 11*th January* 1870.

No. 233. Read the following Proceedings of the Madras Government in the Public Department —

Ruling that applications for the transfer of waste lands within Municipal limits to Municipalities should be made to Government. } (Here enter 15th December 1869, No. 1,716.)

No. 234. ORDER THEREON, 11th January 1870, No. 122.

ESTABLISHMENT, No. 21. COMMUNICATED to the Superintending Engineer of the 7th Division.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

No. 73. Read the following letter from A. McC. WEBSTER, Esq , Officiating President of the Municipal Commissions in Malabar, to the Chief Secretary to Government, Fort Saint George, dated Calicut, 16th November 1869, No 36.

With reference to Government Order, dated 22nd October, No. 1452, I have the honour to solicit instructions for my guidance in any case that may hereafter arise of the nature of that on which the order was passed.

2. Hitherto applications for the transfer to Municipalities of waste lands situated within Municipal limits have, under the provision of Government Order, No. 829, of the 10th April 1867, been made to Government, and I am doubtful, therefore, whether in future it will be necessary to forward such applications. There are old parade-grounds at Calicut and Tellicherry and other waste lands which have hitherto been considered to be Government property.

3. The parade-ground at Cochin was never, I believe, formally made over to the Municipality, and it was considered, therefore, that the sanction of Government to its transfer was necessary before the Commissioners could claim to exercise rights of ownership.

4 I beg respectfully to point out that, in a rising town like Cochin, where waste land is scarce, Government should retain a sufficiency for eventual requirements as sites for public buildings, &c If all the waste lands be given up to the Municipality, and sites are hereafter required, Government will have to pay large sums for compensation for lands it may be found necessary to take up.

No 74 ORDER THEREON, 15th December 1869, No 1716.

The orders of Government in the Revenue Department, noted in the margin, prohibit the transfer of Government waste lands, and lands registered as Gramanattam, to Municipalities without special sanction. These orders are not at all affected by the recent decision of Government,* upon the claim of the Municipal Commissioners of Cochin to the old parade-ground at that station, and the trees growing upon it Mr. Webster has not apprehended the grounds upon which this decision was based

10th April 1867, No 829.
25th Oct " " 2505.
15th Nov " " 2700.

* G O, 22nd Oct 1869, No. 1452, Public

2. The parade-ground at Cochin was never formally transferred to the Municipality, because, as a public highway, not within the exemption, it became vested in the Commissioners under Section 11 of the Towns' Improvement Act, immediately on its introduction; and the order of Government on the subject was merely a recognition of this fact.

3 The question whether or not ground claimed by a Municipality under Section 11 is a public highway and as such vested in the Commissioners, must always be a question of fact, and consequently the decision of Government regarding the parade ground at Cochin constitutes no precedent for the transfer of those at Tellicherry and Cannanore.

Proceedings of the Madras Government, Public Department,
15th December 1869.

4. Where a claim in which Government are interested is preferred by Municipalities to lands, or their appurtenances, under Section 11, it is the duty of the Collector to submit, after full inquiry as to the facts and the nature of the alleged public highway, a report on the claim for the orders of Government, who will then be in a position either to acquiesce in the claim, or to take such steps as may seem advisable for contesting it.

(True Extract.)

Chief Secretary.

To the President of the Municipal Commissions in
" Revenue Department.
" Public Works Department.

Exd. J. Wright.

Public Works 1869 Department
Fort St George Madras.

PUBLIC No. 5333.

[illegible]

Fort St George, 15th
dated the 21st

G. O. M. Dispatch No 1, No 1716

DIGESTED.
Nos. 73-74.

Ruling that no fees are to be levied by William Mansell Esqrs to Mahomedans who desire to make to Government

No 122 - 11th Jany 1870

Letter on Books

Lai

No 122

Communicates the Superintending Engineer of the 7th Division

Fort St George
11th January 1870

Forwarded to the Superintending Engineer of the 7th Division

Dated 13/1/70

2 enclosures

Cue 5333

Govt. of {1869} Madras.

PUBLIC WORKS.

To The Superintending Engr.
1st Division

Dated

Read In

G O 11th Jany 1869, No 122

Nos. 233-234

Land. - Rs. Sir the Public Depts
stating that applications for the
transfer of waste lands within
Municipal limits to Municipalities should be submitted to
Govt. through the Collr. & the Officers
Concerned.