

Public (1895) Department.

ORDINARY. MS.

G.O., No. 9a1

Dated 31st Oct 1895

INDEXED.

[Despatch Abstract.]

LAND IN THE VICINITY OF FORT ST. GEORGE.

Recording Proceedings, Revenue Department, communicating to the Marine Department letter from the Government of India regarding the control to be exercised by the Revenue and Military Departments over—.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

CURRENT NO 3418

Pub. Dept.

Genl. of {1895} Madras.

REVENUE.

March 1895 papers
sent for it

GO. No 901 of 31-10-9

Recorded with
ref. to G.O. No 383 & 384
Mar. 21 Nov. 1893.

30/10/95

28.10.5.

Issued

Recd.

Ref.

Encl.

G.O. No. 650, 25th September 1895.

SEPTEMBER.

CHIEF SECRETARY
14 OCT. 1895
GOVERNMENT OF MADRAS

Land.

Letter from the Government of India regarding the control to be exercised by the Revenue and Military Departments over — in the vicinity of Fort St. George, communicated to the Marine Department, with remark.

Int. Dept.
L. & M. Dept.
Comm. & ...

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from the Secretary to the Government of India, Military Department (Defences—Inland), to the Secretary to the Government of Madras, Revenue Department, dated Simla, the 2nd August 1895, No. 1972-M.W.:—

I am directed to acknowledge the receipt of your letter No. 66,* dated 2nd February 1895, to the address of the

* Plan showing the zone of land round Fort St. George returned herewith. Government of India in the Revenue and Agricultural Department, on the subject of the control to be exercised by the

Revenue and Military Departments over land in the vicinity of Fort St. George.

2. It is stated that as the Government of India defined in Military Department letter No. 1751-M.W., dated 20th June 1892, a clear zone of land to be maintained round Fort St. George, lands outside the zone are understood to have been freed from the control formerly exercised over them by the Military authorities, and that the Government of Madras are therefore at liberty to sanction the erection of any buildings outside the zone, although they may be in the vicinity of the Fort.

3. It is further stated that in their G.O., No. 383, dated 2nd November 1893 (Marine Department), the Government of Madras have directed that all applications for the use of land lying within the zone referred to above, but without the Fort and Glacis, should be dealt with in the Revenue Department, unless the site applied for was on the foreshore in which case the Marine Department should dispose of the matter; and that in either case all applications should, before orders are passed on them, be referred to the Military authorities for remarks.

The validity of this order having been questioned by His Excellency the late Commander-in-Chief, Madras Army, who was of the opinion that the land in question being military land, the control thereof should remain with the Military Department, it is explained that it is understood that the military land round Fort St. George is neither more nor less than the land circumscribed by the existing military zone, and that such land is at the absolute disposal of the Military authorities for only such purposes as the exercise and encampment of troops, while the Revenue Department, which is the general custodian of all lands not in the exclusive possession of any other department, should, in communication with the Military authorities, be in charge of the land, but as it were in trust for military purposes. The function assigned to the Revenue Department in respect to the land in question is accordingly held to be technically correct, and the strict maintenance of this function is represented to be necessary owing to the change in the organisation of the Indian Army and also in order that the Government of Madras may not abandon all control over the open space within the zone.

It is therefore requested that the instructions issued in G.O., No. 383, dated 2nd November 1893, may be confirmed, as also the definition of the term "Military lands" as understood by the Government of Madras.

4. In reply, I am to state, for the information of His Excellency the Governor in Council, that in defining a clear zone to be maintained round Fort St. George, it was the intention of the Government of India that the boundary line so laid down should merely mark the limit within which no buildings should be built, except such as may

be intimately connected with the defences of the Fort and town and absolutely necessary for the protection of the same; but it was not intended or implied that the lands outside the zone and in the occupation of the Military Department should be removed from the control of the Military authorities, nor that buildings should be erected on military lands outside the zone without the previous concurrence of the Government of India in the Military Department being obtained, as required by Government of India Resolution No. 557-M.W., dated 20th February 1894.

5. As regards the function assigned to the Revenue Department in G.O., No. 383, dated 2nd November 1893, in respect to land within the zone, but without the Fort and Glacis, I am to state that it appears to the Government of India to be immaterial in what department the Government of Madras may decide to deal with questions affecting lands in the occupation of the Military Department or otherwise held for military purposes, provided that, in accordance with the ruling in Military Department Resolution No. 2407-M.W., dated 22nd August 1892, the previous sanction of the Government of India in the Military Department is always obtained to the occupation or use of the land by other departments of the State or by any corporate bodies or by private persons, and that proposals involving the erection of buildings are invariably dealt with in accordance with the procedure laid down in Military Department Resolution No. 557-M.W., dated 20th February 1894.

6. I am to add that in view of the above remarks the Government of India do not consider it necessary to enter into a general definition of the expression "Military lands."

Endorsement.

Copy forwarded for information to the Revenue and Agricultural Department with reference to that Department's endorsement No. 1491-90, dated 24th May 1895; the Lieutenant-General Commanding the Forces, Madras; the Director-General of Military Works.

(Signed) E. H. H. COLLEN,
Secy. to the Govt. of India.

ORDER—No. 650, Revenue, dated 25th September 1895.

Land Revenue No. 33.

Communicated to the Marine Department.

2. His Excellency the Governor in Council trusts that when considering any proposals for the permanent occupation of any part of the military lands outside the Fort and Glacis, the Lieutenant-General Commanding the Forces will be prepared to refer such proposals for the opinion of this Government.

(True Extract.)

[Signature]
Secretary to Government.

To the Marine Department.
" H. E. the Lieut.-General Commanding the Forces, Madras.
Copy to the Public Department.
" " Public Works Department.

Exd. C. M. Brisson.

60 Copies.

for copying

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.