M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	3009	Press / Mis.	
1-2 Dated	1-12-	1868	

Not to be folded or roughly handled

No. 1. Read the following Proceedings of the Board of Revenue, dated 27th October 1868, No. 7,664 :—

Read the following letter from the Collector of Tanjore, to the Acting Secretary to the Board of Revenue, dated Vallam, Tanjore Talook, 14th September 1868, No. 185.

1. As directed in the Proceedings of Government, dated the 10th April 1867, No. 829, I have the honor to submit, herewith, a plan of the town of Negapatam, together with a Descriptive Statement (sent separately) of the several plots of unoccupied Government land.

2. These plots are shown on the plan in pink color, and are numbered from 1 to 16. They contain an area of 18·06 acres in the aggregate. The Statement accompanying was prepared by the late Acting Sub-Collector, Mr. Hope, and contains his recommendation as to how each plot should be dealt with.

3. Of these sixteen plots, the one marked No. 1 is a small uneven piece of ground, which may be transferred to the Municipality as a suitable site for a latrine.

4. Those numbered 2 to 6 are at present occupied as timber yards on temporary leases granted to the highest bidders from year to year. The Municipal Commissioners having complained that the timber piled at these spots obstructed the sea-breeze, I have directed that no more leases be granted for occupation of these plots, and that they are to be kept under the charge of the Officers of Government. As they are close to the bar, and may probably be required hereafter for Government purposes, it is not proposed to transfer them to the Municipality. The wants of merchants for storing timber may be met by the allotment, for the purpose, of a portion of the extensive plot marked No. 7, to be next noticed, the same being let out on temporary leases, in the same way that plots Nos. 2 to 6 have hitherto been.

5. No. 7 is a long slip of land lying along side the river. It is partly occupied by docks for the repair of vessels, and the greater part of the remaining space is covered by a swamp. Such portion of this plot as is found suited to the purpose may be let out to merchants for storing timber in place of plots 2 to 6, and the remainder may be reserved for future disposal, or eventual transfer to the Municipality, if it is not required for any Government purpose.

6. No. 8, it is not unlikely, may hereafter be required for Railway purposes, and as it moreover adjoins the Dutch Protestant burial ground, it is proposed to be reserved. At present it is kept in good order.

7. Nos. 9 to 14, as also 16, may, in my opinion, be with advantage transferred to the Municipality on conditions to be hereafter stated.

8. No. 15 has been enclosed for a Government Casuarina plantation, and cannot be given over.

9. Thus, of the sixteen plots in all, the eight numbered 2 to 6, 7, 8, and 15, and containing on the whole an area of 11·28 acres are to be reserved, and the remaining eight, namely, Nos. 9 to 14 and 16, containing in the aggregate an area of 6·78 acres, are to be transferred to the Municipal Commissioners.

No 1 ground which will be used for latrine purposes, but I doubt

10. The conditions on which I would propose to give over the plots last mentioned are—

(1.) That they shall be applied to the improvement of the town only, and not on any account be otherwise disposed of.

(2.) That the plot marked 9 and 10 shall be given up in the event of Government requiring it at any time in future, as it may probably be needed for Railway purposes, and that it shall not therefore be occupied by any buildings or plantation of a permanent nature.

(3.) That the small plots numbered 11 and 12 shall be so appropriated, as not to interfere with the use by the public as pathways of such parts of them as are now so used.

11. It will be seen that my own recommendations, as above detailed, differ from those of Mr. Hope with respect to plots Nos. 9, 10, and 14, and in a measure also in regard to No 16. No object is gained by allowing Nos. 9 and 10 (both together forming a large spot of open ground) to lie waste, inasmuch as it is of no use to Government at present. The second condition specified in the foregoing paragraph provides for the contingency of this piece of ground being required at some future time for the possible extension of the Railway premises. Mr. Hope does not say it is required for the grazing of cattle, and it is not the grazing ground for the cattle of the town. No. 14 is stated to be good for nothing, and there is no reason why Government should retain it; neither do I see any use in retaining out of the small piece of ground numbered 16, the portion left after a part is occupied by a latrine.

12. Although the Government Order above quoted was received by me direct from Government, I have thought it right to submit this report through the Board, as I see that the Order has been communicated to them.

ENCLOSURE No. 1.—Plan.

ENCLOSURE No. 2 —Statement.

SUBMITTED to Government, with the Board's recommendation that the transfers proposed by the Collector be sanctioned.

2. From the Statement stitched to the plan accompanying the above letter, it appears that the late Acting Sub-Collector recommended the transfer to the Municipal Commissioners of only five of the sixteen plots colored red in the plan, namely, those numbered 1, 11, 12, 13, and 16; but for the reasons, and on the conditions stated by the Collector in paragraphs 10 and 11, the Board would also let the Commissioners have the plots numbered 9, 10, and 14.

3. The Board approve the Collector's proposal in paragraphs 4 and 5, not to lease out any longer the plots numbered 2 to 6 as timber yards, but to appropriate for the purpose, such portion of plot No. 7 as may be suited, the merchants paying rent for the same.

4. The Collector will be informed, with reference to paragraph 12, that he was right in submitting his present proposals through the Board.

No. 2. ORDER THEREON, 1st December 1868, No. 3,009.

Miscellaneous.

1. The transfer to the Municipal Commissioners of Negapatam of plot No. 1 as a site for a latrine is authorised.

2. The Government cannot sanction the surrendering of the other plots which it is proposed by the Collector to give up, as the Municipal Commissioners do not appear to have *specific* plans for occupying them and rendering them useful to the community at Negapatam. The Board's attention will be called to the ruling on this point in the Orders marginally noted.

G. O., 24th October 1867, No. 2,505, para. 3.
,, 15th Nov. ,, ,, 2,700, ,, 2.

3. It is observed that, on a complaint made by the Municipal Commissioners in reference to plots Nos. 2 to 6, that, occupied as timber yards as they now are, they obstruct the sea-breeze, the Collector proposes not to lease them out any longer for this purpose. The Government would not wish the occupants of those spots to be dispossessed of the same, unless the Collector, on the fullest consideration, is personally satisfied that the heaps of beams collected on them create a very serious obstruction to the ventilation of the town which must have a most extensive open sea-frontage.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Public Department.

Exd. F. R Bantleman.

No I pound which will be used for latrine purposes, but Doubt

Revenue Depart.

Proceedings of the Madras Govt.

No 3407.

Under date the November 1868.

Read the following Proceedings of the Board of Revenue

Recommending to Govt that proposed transfers of certain lands in Tanjore Dist. to municipality be sanctioned & approving Collr's proposal to disapproving & timed leasing out certain plots of land as timber yards

(H.E. 27 Oct. 1868 No. 7664)

The Govt sanction the transfer to the Municipal Commissioners of Negapatam of plot No 1 as a site for a latrine; also of plots Nos. 9 to 14 and 16 on the conditions specified in para 10 of the Collector's letter of 14 Sept. 1868 No 180.

Note - By Govt of 24 Feb 65 Rs Rs 2605 & 2750 Govt stated that waste land will be made over to municipalities for purposes - His Government is further pleased to direct that no. 1 which is required for a latrine - the upset price for which each of these plots is to be fixed by the Collr is not stated - but one of the conditions proposed (viz) that the sale proceeds "shall be applied to the improvement of the town &c"

Govt. of [1868] Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated December, 1st.

Rect.

G. O., 1st December 1868, No. 3,009.

DECEMBER.

Nos. 1-2.

By Board of Revenue &
2 Octobr 1868

Unoccupied Government land in the town of Negapatam.—Transfer of plot No. 1 to the Municipality as a site for a latrine, sanctioned.

There seems to be no objection to the transfer to the Municipality, of No 1 ground which will be used for latrine

Rev.ue Department

No 3009

Proceedings of the Madras Government

Under date the 1st ~~Nov.r~~ December 1868.

Read the following

Pro: of the Board of Revenue.

Recommending to Govt. that proposed transfers of certain lands in Tanjore Distt. to Municipality be sanctioned. } (M.C. 27th Oct.r/68 No. 7664)

The transfer to the Municipal Commissioners of Negapatam of plot No.1 as a site for a latrine is authorized.

2 The Government cannot sanction the surrendering of the other plots which it is proposed by the Collector to give up, as the Municipal Comrs do

For

G.O.

Transfer of waste land to Negapatam Municipality

the benefit of surrendering the other plots which are enjoyed by the Municipal Comrs unless the Municipal Comrs have specific plans for occupying them + rendering them useful to the community at Negapatam. - This has been the rule by Govt the Board in several other analogous cases, have been quoted, and does, I submit, a good + safe rule to observance - & should be adhered to.

Mr. Agnew, I observe, holds out a sop of threat - that if the Govt continue their protection of these plots, they will submit to all the penalties of ownership - that is, that they must bear the cost of clearing of noxious weeds & keeping the plots in perfect clean + clear. - I would accept this necessity, for I think it would be an act of positive injustice to yield up a right of ownership in places convenient as a site with practically no risk to save the expense of its removal + to saddle the Municipality with it.

I know the localities well and believe the charges against plots Nos: 2 & 6, that, as they now are, they obstruct the sea breeze, is a myth. Their East frontage is not long

& and the taxes + tolls the Comrs collected on them, can do little or no harm. I would not upset the Comrs' enjoyment of them here suspended, unless the Collector, on his further consideration, is personally satisfied that the whole of them create any serious obstruction to the circulation of air in the native town. which has a most exhilarating open sea frontage -

18 Nov 68. W.H.

I would only grant for twelve months + keep the plots N.

Apt

3469

do not appear to have specifice plans for occupying them and rendering them useful to the community at Negapatam. The Board's attention will be called to the ruling on this point in the orders marginally noted.

3 It is observed that on a complaint made by the Municipal Commissioners in reference to their plots Nos 2 to 6 that, as occupied as timber yards, obstruct the sea breeze, the Collector proposes not to lease them out any longer as such. The Government would not wish the occupants of those spots to be dispossessed of the same, unless the Collector on the fullest consideration is personally satisfied, that the heaps of beams collected on them create a very serious obstruction to the ventilation of a place like Negapatam, which has a most extensive open sea frontage.

* G.O. 24 Revt. 1867 No 2505 para 3.
= 15 Revt. L - 2700 - 2.

Note. I have not referred that part of the Hon'ble Phillips' Minute in which he refers to Mr Agnew's remarks respecting the liabilities of Govt as owners of waste land. The case of Mr Agnew was made up & to be which formed the enclosure of the G. Hon from the Revd of the Revd Mun. Com. No 928 Feb. received in G.O. 15 April 167 No 829 and was answered in para 4 of that G.O.

14 Copies to the Revenue & Municipal Departments

Lt Col Hall

Des Poors