M.R.O. 1—77,000—3-6-37.

(1) Number of pages 26

(2) Date of repair 20.5.45

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 419 Press / Mis. Original

90-91

Dated 22. 4 1873

Not to be folded or roughly handled

No. 90. Read the following Proceedings of the Board of Revenue, dated 12th March 1873, No. 363:—

Read the following letter from R. RAGOONATHA ROW, Deputy Collector, to the Acting Collector of Madras, dated 31st January 1873, No. 77:—

In their Proceedings of the 17th December last, Miscellaneous No. 8,380, the Board of Revenue have ruled that the Durkhast rules are inapplicable to lands belonging to Government within the Municipality of Madras, and that they should be sold by auction at a fair upset price.

2. In Madras, Government lands may be divided into three classes, firstly, lands required by Government for their own use; secondly, unassessed waste lands; and thirdly, lands which have become Government property by purchase in public auctions held for arrears of revenue.

3. Applications for lands from private individuals are limited to Government lands of the second and third classes, and since each piece of land applied for has to be sold in public auction at an upset price, I think it necessary to lay down a rule as to what should be the upset price.

4. The upset price for the sale of unassessed waste land may, I think, be an amount equal to six years' average quit-rent on the surrounding private lands, while lands of the third class may be charged with three years quit-rent, by reason of their not having once fetched six years' quit-rent when sold by public auction for arrears of revenue.

5. If this suggestion meets with your approval, I shall publish in the District Gazette, necessary notices for the disposal of applications which have been up to date received by me.

—

No. 31.

Submitted for the orders of the Board.

2. Orders are requested also on the following points in connection with these sales:—

(1.) Whether in each case the Collector should obtain the previous sanction of the Board.

(2.) Terms of advertisement of sale.

(3.) Terms of conveyance of the property to the purchaser.

3. When lands purchased by Government in a sale for arrears of revenue are re-sold, it seems necessary to give the purchasers to understand that the sale is free of all incumbrances *except such as were created before the 27th June* 1867. By Section 24 of Act VI. of 1867 (Madras) incumbrances prior to 27th June 1867, become transferred to Government when the Collector purchases lands on behalf of Government in sales under that Act; and unless Government re-sells the lands with these incumbrances (if any) it seems possible that Government may be held liable for any that may turn up at a future date.

Madras,
12th February 1873.

(Signed) D. ARBUTHNOTT,
Officiating Collector.

Proceedings of the Madras Government, Revenue Department, 22nd April 1873.

In accordance with the policy approved in G. O., 15th June 1863, No. 1,045, the Board have recently directed that Government lands within the limits of the Madras District should not be given on durkhast, as in rural tracts, but should be sold by auction at an upset price.

2. The Collector now applies for instructions as to what the upset price should be. In the order just referred to it is fixed at 25 years' assessment. The Board resolve to recommend Government in the present case to allow the upset price to be fixed by the Collector at his discretion.

3. The previous sanction of the Board will not be required when land is sold, but a monthly return of sales should be submitted.

4. No form of advertisement need be presented, but if there are any incumbrances such as those alluded to in paragraph 3 they must be mentioned. The Collector will be good enough to state what incumbrances he means, giving examples of them.

5. The form of Conveyance given in Board's Standing Order, No. 151, may be used *mutatis mutandis*.

No. 91. ORDER THEREON, 22nd April 1873, No. 419.

Miscellaneous.

THE Governor in Council considers that when assessed Government land in the Madras District is permitted to be sold, the established upset price of 25 years' assessment should be adhered to; but it has already been determined in the Public Department (G. O., 25th March 1873, No. 317), that no Government land in the Presidency District is to be sold without the special sanction of Government.

(True Extract.)

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

To the Board of Revenue.

Exd. W. H. French.

22-11-90
12-2-95
17-7-95

Govt. of [1873] Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated April 22nd.

Read.

G. O., 22nd April 1873, No. 419.

APRIL.

Nos. 90-91.

Lands within limits of Madras District.—Proceedings Board of Revenue regarding their sale by the Collector with orders thereon as to upset price, etc.

Municipal Commissioner's Office
Madras 23rd November 1872.

W. W. No. 820.

From

The Offg. President
Municipal Commission
Madras.

To

The Secretary of the Revenue Board
Madras.

Sir

I have the honor to request that you will favor me with the Standing Orders of the Revenue Board, with reference to the disposal of Government Waste land within the ~~Municipal~~ limits of this town.

It has come to my knowledge that a few plots of valuable building sites have recently been handed over to private parties on "Durkast" on their undertaking to pay a very small ground rent. It strikes me that the practice, which obtains in the villages of the possessil, of granting lands on Durkast

is

is not applicable to towns, especially to Madras, where every inch of ground is valuable; but before addressing Government on the subject, in the interests of the Municipality, I wish to acquaint myself with the existing rules of your Board.

I have Hble
(Signed) A. Retherdon
Offg President
Munl Commission
Madras.

(True copy)
A Goodrich
Ag. Sub Secretary
Board of Revenue.

E Ramayya
Copyist

Revenue Department.

Miscellaneous No. 7871.

Proceedings of the Board of Revenue
Dated 27th November 1872.

Read letter from the Officiating President of the Municipal Commission, Madras, dated 23rd November 1872 No. 820, requesting instructions regarding the disposal of Government waste land within the Municipal limits of the town.

The Collector of Madras will report what is the practice of the Revenue Department, with reference to applications for land within the town limits.

(True extract,

(Signed) J. Gross
Secretary

To

The Collectors of
Madras.

(True copy)

A. Goodwin
Ag. Sub Secretary

B. Muthuswamy
Office Assistant

Enclosures viz
Boards' Proceedings
dated 13th June 1873 No. 842.
to the Govt. Records Secretary
to Government R.O.

Rev 3
Dec 1873

Copy of a letter from the President, Municipal Commission, No. 820, dt requesting instructions regarding the disposal of Government waste land within the Municipal limits of the town of Madras—

Pass 2-6-73 M. Lo.

Enclosure in
Board's Proc.ˢ Revenue
dated 13th June 1873
No. 842.

To The Secretary to Government of Fort St. George
Revenue Department

No. 4
Dated 8th Jany 1873

Copy of Board's Proceedings
dated 27th Novr 1872 No.
7871 requesting the
Collector of Madras
to make enquiries
& report in the case
of Revenue sale held
the application of Lakshmi
within the time limit

Form 22-4-73 L 150

Revenue Department

Miscellaneous No. 8380.

Proceedings of the Board of Revenue
Dated 17th December 1872
Read the following

No. 210

From

The Honorable D. Arbuthnott
Offg. Collector of Madras

To

J. Gross Esquire
Secretary to the Board of Revenue
Madras.

Sir,

In reply to the Board's Proceedings
No. 7871 Miscellaneous of 27 ultimo, I have
the honor to state that till the receipt of
Board's Proceedings No. 1262 of 10th July 1872
the practice was to dispose of all applications
for lands under the Dumkast rules. In that
order the Board have laid down that when
application is made for lands bought in
by Government at sales for arrears of Revenue
the lands should be resold by public
auction

auction at a fair upset price, and certain Durkasts which were pending on the date of its receipt have been ordered to be disposed of accordingly. If the Board consider it necessary, the rule will be made applicable to Government lands other than those bought in by Government at sales for arrears of Revenue

Madras Collectors office
2nd December 1872

I have &c.
Signed D. Arbuthnott.
Offg. Collector.

The durkast rules are inapplicable to lands belonging to Government within the Municipality of Madras which are valuable as sites or gardens on account of their vicinity to the town. Such land should be sold by auction at a fair upset price

True copy & Extract,
Signed, J. Grose
Secretary.

To
The President, Municipal Commission

(True copy).

H Goodrich
Offg. Sub Secretary.

Copied [illegible]

Revenue Board office,
Madras
Dated 13th June 1873.

No. 842.

Official Memorandum

With reference to his Memorandum dated 26th May 1873, the undersigned has the honor to forward to the Acting Under Secretary to Government, Revenue Department, copy of the Board's Proceedings, — 17th December 1872 Miscellaneous No. 8380 together with the papers noted in the margin, connected with the subject.

× From President, Municipal Commission 23rd November 1872.
Board's Proceeding, 27th November 1872 No. 7871
From Collector of Madras 28th June 1872 No. 127
Board's Proceedings 10th July 1872 No. 1262.

I have &c.
By order,
H Woodcock
Ag. Subsecretary

To
The Ag. Under Secretary to Government
Revenue Department,
Fort St. George.

with copy of Board's Proceedings 17th Dec. 1872 Miscellaneous No. 8380 & of papers noted in the margin.

E. Thompson
Chief Y. Packum

Endorsement:
Board's Revenue No. 842 dated 13th June 1873. Rec'd in Revenue Department 18th June 1873.

Rev. 1
No. 870 A/18/73
Read 22-6-73 & Laid

Copy of Board's Proceedings dated 17th Dec. 1872 No. 8380 Miscellaneous.

Stating that the Secretary has not applied to the Municipal Commissioners within the Municipal limits of Madras which are coterminous with the Municipality of that town, the Board is willing that the Commissioners should be called upon to pay a fourth instead of a

REVENUE DEPARTMENT.

No. 810.

From Pres: Bd of Rev:

Dated 12 : June 1873.

FOR ORDERS.

I would submit that
the subscribers case
- that Price -

[illegible]

Rev 810/73.

Official Memorandum

From
The Ag. Sub-Secretary to the
Board of Revenue

To
The Ag. Under Secretary to
Government Revenue Deptt.

Dated 13
Despd 13 } June 1873.
Recd

No. 842.

Subject

Forwarding, with reference to Offl. Memo: from the Ag. Under Secretary to Government R D, dated 26th May 1873, copies of correspondence respecting sale of lands in the town of Madras.

Pros. 22-4-73 L Lgo

FOR ORDERS.

C. 21. Board's 13 Feb 1873

No. 363.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th March 1873.

Read the following letter from R. RAGOONATHA ROW, Deputy Collector, to the Acting Collector of Madras, dated 31st January 1873, No. 77:—

IN their Proceedings of the 17th December last, Miscellaneous No. 8,380, the Board of Revenue have ruled that the Durkhast rules are inapplicable to lands belonging to Government within the Municipality of Madras, and that they should be sold by auction at a fair upset price.

2. In Madras, Government lands may be divided into three classes, firstly, lands required by Government for their own use; secondly, unassessed waste lands; and thirdly, lands which have become Government property by purchase in public auctions held for arrears of revenue.

3. Applications for lands from private individuals are limited to Government lands of the second and third classes, and since each piece of land applied for has to be sold in public auction at an upset price, I think it necessary to lay down a rule as to what should be the upset price.

4. The upset price for the sale of unassessed waste land may, I think, be an amount equal to six years' average quit-rent on the surrounding private lands, while lands of the third class may be charged with three years quit-rent, by reason of their not having once fetched six years' quit-rent when sold by public auction for arrears of revenue.

5. If this suggestion meets with your approval, I shall publish in the District Gazette, necessary notices for the disposal of applications which have been up to date received by me.

No. 31.

SUBMITTED for the orders of the Board.

2. Orders are requested also on the following points in connection with these sales:—

(1). Whether in each case the Collector should obtain the previous sanction of the Board.

(2). Terms of advertisement of sale.

(3). Terms of conveyance of the property to the purchaser.

3. When lands purchased by Government in a sale for arrears of revenue are re-sold, it seems necessary to give the purchasers to understand that the sale is free of all incumbrances *except such as were created before the 27th June* 1867. By Section 24 of Act VI. of 1867 (Madras) incumbrances prior to 27th June 1867, become transferred to Government when the Collector purchases lands on behalf of Government in sales under that Act; and unless Government re-sells the lands with these incumbrances (if any) it seems possible that Government may be held liable for any that may turn up at a future date.

MADRAS,
12th February 1873.

(Signed) D. ARBUTHNOTT,
Officiating Collector.

IN accordance with the policy approved in G. O., 15th June 1863, No. 1,045, the Board have recently directed that Government lands within the limits of the Madras District should not be given on durkhast, as in rural tracts, but should be sold by auction at an upset price.

2. The Collector now applies for instructions as to what the upset price should be. In the order just referred to it is fixed at 25 years' assessment. The Board resolve to recommend Government in the present case to allow the upset price to be fixed by the Collector at his discretion.

3. The previous sanction of the Board will not be required when land is sold, but a monthly return of sales should be submitted.

4. No form of advertisement need be presented, but if there are any incumbrances such as those alluded to in paragraph 3 they must be mentioned. The Collector will be good enough to state what incumbrances he means, giving examples of them.

5. The form of Conveyance given in Board's Standing Order, No. 151, may be used *mutatis mutandis*.

(A true Copy and Extract.)

J Grole

Secretary.

To the Secretary to Government, Revenue Department.
,, the Acting Collector of Madras.

Copy to the President, Municipal Commission, Madras.

Exd. G. A. Turton.

Ry. 90-91

101

Ry

Ry. 419.

The Govt. considers that when assessed Govt. land in the Madras District is permitted the sale should be subject to the established upset price of 25 years' assessment, but it has already been determined in the Public Dept (G.O. 25 March 1873 No. 418) that no Govt land in the Pondicherry District is to be sold without the special sanction of Govt

22 Apl 1873.

Rec 9th Apl 73. R 21st 14 To the Bd of Rev Dis 23 Apl 73

Rev 1873. Dept.

Board of Revenue,

MADRAS.

Ry. 810.

PROCEEDINGS, 12TH MARCH 1873, No. 363.

Dept 18 Mch 1873 ch 17

Encl.

Received 19th

MARCH.

No. 363.

Lands within limits of Madras District.—Recommendation made to Government that upset price in case of sale of—by public auction, should be fixed by Collector at his discretion. Collector informed that Board's previous sanction is not necessary for such sales, but that a monthly Return of them should be submitted, etc.

No 419 - 22 Apl 73.

9-12-82 ✓
5-1-85 ✓
24-2-85 ✓
28-11-88 ✓
14-3-90 ✓
28-11-90 ✓
15-12-98 ✓
7-11-96 ✓
14-5-02 ✓
16-2-05 ✓
9-8-13
27-12-16

18/9/17

6-5-19

16/1/20 ✓

Jud No 1402/73 — 671
27-6-73

B.P 2560
13-9-75

PO 3293 Mis
21-4-76
5-10-26 ✓

12-11-88 ✓

MADRAS RECORD OFFICE.

Government Records.

Revenue Department.

G. O. (Printed).

Dated 22-4 1873

No. 419