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21-2-74

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

DEPARTMENT

Revenue

G.O. No.	248	Press
B.P. No.		Mis.
Dated	21-2-1883	197

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 17th January 1883, No. 126:—

Read—the following G.O., dated 19th December 1882, Mis. No. 4386, Revenue:—

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Chief Secretary to Government, Financial Department, dated Madras, 8th November 1882, No. 423:—

I have the honor, with reference to G.O., dated August 4th, 1879, No. 1486,

* Colored green in the map. to forward a list accompanied by a map, showing the "position,* extent and

nature" of the waste plots of Government land within the limits of this District. The delay in its submission is due partly to the labor involved in its preparation and partly to the frequent changes in the *personnel* of this office and that of the Deputy Collector. During my absence of less than two years, no less than eight changes occurred in the office of Collector of Madras, and three in that of Deputy Collector.

2. From the list, it appears that plots of Government waste exist in eight out of the fifteen divisions into which the town of Madras is divided. The waste land is not equally distributed throughout the divisions, but ranges from over 260 cawnies, comprising five numbers, in Vyasarpadi, to 1,874 square feet in Triplicane, representing two numbers. The numbers range in extent from over 200 cawnies to a few square feet. The total extent of waste is cawnies 607, grounds 4, and square feet 549 $\frac{1}{2}$.

3. Under the circumstances above stated, it is not wonderful that the Conaco-pillays under the orders of the Deputy Collector are powerless to prevent squatting and unauthorised encroachments of all sorts. Were they increased tenfold in numbers, it would be found quite impossible to look after plots of waste land, many of which are of small extent surrounded on all sides by occupied lands. To meet this difficulty, the Board in their Proceedings, No. 382, dated February 17th, 1875, sanctioned the leasing out such plots "to private individuals as yearly tenants-at-will for the highest annual rent the lands would fetch, however small." This concession has, as is clear from the Deputy Collector's letter, failed to attract applicants for waste lands. The Deputy Collector attributes this to the term of the lease being restricted to one year and the consequent insecurity of the tenure, and I am inclined to agree with him in so thinking and also as to the remedy he proposes, which is to grant leases to private persons for all such lands on the sole condition that possession can be resumed by Government at three months' notice, and that no compensation is to be claimed from, or payable by, Government in consequence of such resumption. This provision would, I consider, suffice to maintain the right of Government in respect of such land.

4. At present, as the Board are aware, the sanction of Government † is necessary in every case before a piece of land can be sold. This rule is the cause

† G.O., March 26th, 1873, No. 317. of loss of Government revenue: Small pieces of land—more particularly in the neighborhood of bazaars and pacherries—are gradually encroached upon, till they are in the end incorporated in the adjoining occupied land and Government is none the richer. When the land is in too large blocks to be simply appropriated,

there is no one to undertake the trouble and cost of keeping the land free from prickly-pear and other noxious vegetation, with which it is speedily overgrown. A claim made by the Municipality for reimbursement of the amount expended by them in clearing prickly-pear from Government waste land which led to the call for the present report is an instance of the latter, and

* Appavoo Gramany *versus* Secretary of State. a good example of the former appears in the case * now pending before the High Court, in which it is in evidence that

land in the immediate neighborhood of the Gun Powder Manufactory entered in the Survey Registers as Government land and in charge of the officials of the Gun Powder Manufactory, was appropriated, building erected and trees planted without the knowledge either of the officials connected with the factory, or of the office of the Deputy Collector. The trespassers, who have since been turned out, now claim damages as owners of the land, for trespass, from the Government upon whose land they successfully squatted.

5. As it thus appears that no amount of possible vigilance will put a stop to squatting so long as plots of Government waste remain unoccupied and practically unguarded in nearly every quarter of the town, I would propose that Government be requested to reconsider their order absolutely prohibiting the sale of Government land in any case without special reference to them; that having fixed on plots of land which are considered eligible for their requirements, they be recommended to permit the sale without reference of all other plots of ground not exceeding four grounds in extent. I quite agree with the Deputy Collector in thinking that nothing short of this will prevent the present annually recurring loss of revenue.

Order—dated 19th December 1882, M.s. No. 4386.

Referred to the Board of Revenue, with copies of Government Orders, Financial Department, dated 20th May and 4th August 1879, Nos. 995 and 1486, for remarks.

(True Extract.)

FORT ST. GEORGE,
19th December 1882.

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government, R.D.

To the Board of Revenue, with eleven enclosures.

ENCLOSURE No. 1.—List of Waste Plots of Government Land.

ENCLOSURES Nos. 2 to 9.—Maps.

ENCLOSURES Nos. 10 and 11.—Copies of Government Orders, 20th May 1879, No. 995, and 4th August 1879, No. 1486.

Resolution—dated 17th January 1883, No. 126.

In reply to the foregoing order, the Board resolve to submit the following observations for the consideration of Government.

2. By G.O., dated 26th March 1873, No. 317, it was ruled that "no Government land should be sold in the Presidency District without the sanction of Government," and, although in 1875† a suggestion of the Board that lands bought in by Government should be leased to yearly tenants-at-will was adopted, the rule regarding alienation by sale has never been modified.

3. The grant of annual leases was an expedient designed to prevent squatting upon Government waste land; but it is evident from the Collector's letter that the object contemplated has not been attained, and the Board do not think that the proposal now made by the Deputy Collector of Madras—viz., that leases be granted on condition that the lessee vacate on three months' notice being given to him—is likely to prove successful.

4. The fact is that Government neither require, nor can their establishments look after, all the land in the District which has been reserved, and Mr. Melville points out that, while small plots are occupied without payment of revenue, larger plots not unfrequently become overgrown with prickly-pear and other noxious vegetation.

5. The Board agree with the Collector that some modification of the rule contained in the Government Order of 1873, referred to above, is called for, and would suggest that a selection be at once made of the plots of waste lands which are at all likely to be needed by Government, and that, for the future, the Collector be authorized to sell by auction, without reference to higher authority, plots not reserved, provided that the area of any one plot do not exceed 4 grounds.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Chief Secretary to Government, Financial
Department, with nine original enclosures
returned.

Copy to the Collector of Madras.

No. 256.

Transferred to the Revenue Department for disposal.

(By order.)

(Signed) E. S. LAFFAN,
Ag. Under Secy. to Govt., F.D.

5th February 1883.

ORDER—dated 21st February 1883, No. 248, Revenue.

Land Revenue, No. 25.

A copy of the list furnished by the Collector will be forwarded to the President of the Madras Municipal Commission through the Financial Department with reference to his letter read in G.O.,

4th August 1879, No. 1486.

2. The Government agree with the opinion expressed by the Board in paragraph 3. The object in view is not likely to be attained by granting such leases as are suggested by the Collector, under which the position of the lessees would be even more precarious than that of tenants from year to year.

3. The proposal made in paragraph 4 seems more promising. It is impossible for Government to lay down once for all what spaces it may be expedient to reserve, but they certainly do not wish to retain all the numerous minute plots which appear in the Collector's list. If these can be brought under occupation instead of lying neglected, it would be an advantage to the general community and the public revenue would derive some benefit.

4. The Collector will make it generally known that he is prepared to receive applications for the purchase of unoccupied waste lands in the District of Madras subject to the approval of Government. Building plots, not exceeding 4 grounds in extent and forming part of or adjoining a village or pancherry site, may be put up to auction without reference to Government, subject only to the condition that

they shall be built on or permanently enclosed within a year. Applications for other plots must be submitted to Government for orders, accompanied by a neat and intelligible plan of the locality and its surroundings. The rough tracings now furnished by the Collector hardly convey any information whatever.

(True Extract.)

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government.

To the Financial Department, with nine
enclosures.
„ Board of Revenue.

Encl. W. H. French.

89 Copies.

26/10/97 ✓
22-3-98 ✓
15/3/00 ✓
20.11.05.
19.12.05 ✓
15-3-13 ✓
27-5-13 ✓
3-8-17
5-11-36 11

Original

Govt. of 1883 Madras.
REVENUE.

Issued

Recd

Encl.

G.O., 21st February 1883, No. 248.

FEBRUARY.

Waste Lands

in the Town of Madras.—Orders passed on proposals for conservancy of—

PROCEEDINGS OF THE BOARD OF REVENUE.

Read—the following G.O., dated 19th December 1882, Mis. No. 4386, Revenue :—
Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Chief Secretary to Government, Financial Department, dated Madras, 8th November 1882, No. 423 :—

I have the honor, with reference to G.O., dated August 4th, 1879, No. 1486, to forward a list accompanied by a map, showing the "position, * extent and nature" of the waste plots of Government land within the limits of this district. The delay in its submission is due partly to the labor involved in its preparation and partly to the frequent changes in the personnel of this office and that of the Deputy Collector. During my absence of less than two years, no less than eight changes occurred in the office of Collector of Madras, and three in that of Deputy Collector.

2. From the list, it appears that plots of Government waste exist in eight out of the fifteen divisions into which the town of Madras is divided. The waste land is not equally distributed throughout the divisions, but ranges from over 260 cawnies, comprising five numbers, in Vyasaripadi, to 1,874 square feet in Triplicane, representing two numbers. The numbers range in extent from over 200 cawnies to a few square feet. The total extent of waste is cawnies 607, grounds 4, and square feet 5493.

3. Under the circumstances above stated, it is not wonderful that the Conacopillays under the orders of the Deputy Collector are powerless to prevent squatting and unauthorized encroachments of all sorts. Were they increased tenfold in numbers, it would be found quite impossible to look after plots of waste land, many of which are of small extent surrounded on all sides by occupied lands. To meet this difficulty, the Board in their Proceedings, No. 382, dated February 17th, 1875, sanctioned the leasing out such plots "to private individuals as yearly tenants-at-will for the highest annual rent the lands would fetch, however small." This concession has, as is clear from the Deputy Collector's letter, failed to attract applicants for waste lands. The Deputy Collector attributes this to the term of the lease being restricted to one year and the consequent insecurity of the tenure, and I am inclined to agree with him in so thinking and also as to the remedy he proposes, which is to grant leases to private persons for all such lands on the sole condition that possession can be resumed by Government at three months' notice, and that no compensation is to be claimed from, or payable by, Government in consequence of such resumption. This provision would, I consider, suffice to maintain the right of Government in respect of such land.

4. At present, as the Board are aware, the sanction of Government† is necessary in every case before a piece of land can be sold. This rule is the cause of loss of Government revenue. Small pieces of land—more particularly in the neighbourhood of bazaars and pacherries—are gradually encroached upon, till they are in the end incorporated in the adjoining occupied land and Government is none the richer. When the land is in too large blocks to be

† G.O., March 26th, 1873, No. 317.

similarly appropriated, there is no one to undertake the trouble and cost of keeping the land free from prickly-pear and other noxious vegetation, with which it is speedily overgrown. A claim made by the Municipality for reimbursement of the amount expended by them in clearing prickly-pear from Government waste land which led to the call for the present report is an instance of the latter, and a good example of the former appears in a case* now pending before the High Court, in which it is in evidence that land in the immediate neighbourhood of the Gun Powder Manufactory entered in the Survey Registers as Government land and in charge of the officials of the Gun Carriage Manufactory, was appropriated, building erected and trees planted without the knowledge either of the officials connected with the factory, or of the office of the Deputy Collector. The trespassers, who have since been turned out, now claim damages as owners of the land, for trespass, from the Government upon whose land they successfully squatted.

* Appavoo Gramany *versus* Secretary of State. As it thus appears that no amount of possible vigilance will put a stop to squatting so long as plots of Government waste remain unoccupied and practically unguarded in nearly every quarter of the town, I would propose that Government be requested to re-consider their order absolutely prohibiting the sale of Government land in any case without special reference to them; that having fixed on plots of land which are considered eligible for their requirements, they be recommended to permit the sale without reference of all other plots of ground not exceeding four grounds in extent. I quite agree with the Deputy Collector in thinking that nothing short of this will prevent the present annually recurring loss of revenue.

Order—dated 19th December 1882, Mis. No. 4336, Revenue.

Referred to the Board of Revenue, with copies of Government Orders, Financial Department, dated 20th May and 4th August 1879, Nos. 995 and 1486, for remarks.
(True Extract.)

FORT ST. GEORGE,
19th December 1882.

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government.

To the Board of Revenue, with eleven enclosures.

ENCLOSURE No. 1.—List of Waste Plots of Government Land.

ENCLOSURES Nos. 2 to 9.—Maps.

ENCLOSURES Nos. 10 and 11.—Copies of Government Orders, 20th May 1879, No. 995, and 4th August 1879, No. 1486.

RESOLUTION—dated 17th January 1883, No. 126.

In reply to the foregoing order, the Board resolve to submit the following observations for the consideration of Government.

2. By G.O., dated 26th March 1873, No. 317, it was ruled that "no Government land should be sold in the Presidency District without the sanction of Government," and, although in 1875 † a suggestion of the Board that lands bought in by Government should be leased to yearly tenants-at-will was adopted, the rule regarding alienation by sale has never been modified.

3. The grant of annual leases was an expedient designed to prevent squatting upon Government waste land; but it is evident from the Collector's letter that the object contemplated has not been attained, and the Board do not think that the proposal now made by the Deputy Collector of Madras—viz., that leases be granted on condition that the lessee vacate on three months' notice being given to him—is likely to prove successful.

4. The fact is that Government neither require, nor can their establishments look after, all the land in the district which has been reserved, and Mr. Melville points out that, while small plots are occupied without payment of revenue, larger plots not unfrequently become overgrown with prickly-pear and other noxious vegetation.

5. The Board agree with the Collector that some modification of the rule contained in the Government Order of 1873, referred to above, is called for, and would suggest that a selection be at once made of the plots of waste lands which are at all likely to be needed by Government, and that for the future the Collector be authorized to sell by auction, without reference to higher authority, plots not reserved, provided that the area of any one plot do not exceed four grounds.

(A true Copy and Extract.)

Acting Secretary.

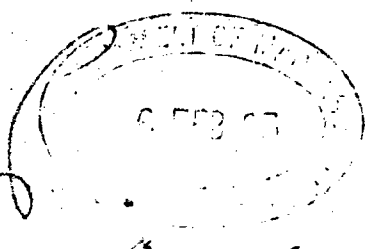
To the Chief Secretary to Government, Financial Department,
with nine original enclosures returned.
Copy to the Collector of Madras.

d. A. Raitt.

Revenue (1883) No. 825

Financial (1883) No. 10

Board of Revenue,
MADRAS.



256

Transferred to the Rev.
Dy. for disposal.
(By order)
Secretary to the Board

5/2/83

Printed

Printed January, th.

Read R.D. 25/6

Enc.

Proceedings, 17th January 1883, No. 126.

Dec 22/83
Used 26 Jan 4.

Remarking on proposals of the Collector of
Madras for conserving waste land in the dis-
trict of Madras.

REVENUE DEPARTMENT.

No. 825

From the Board of Rev.

Dated 17th January 1883. N. 126.

FOR ORDERS.

a draft G.O. will be found
at the end - 1883

+ G.O. of 20th May 1879
N. 998. Fin. 25/6.

* G.O. of 1st Aug 1879. N. 11486
Financial 25/6.

The correspondence contain-
ed in this paper has its
origin in a claim made
by the Madras Municipality
in 1879 for re-instrument of the
expense incurred in clearing
waste land. This claim
was disallowed by Govt;
but on a reference then
made by the Municipality
the Comr of Madras was
directed to prepare and
submit "a list of the
Presumptive lands which
require conservation." A
list has been accordingly
submitted by the Comr, and
in the present paper is
embodied his letter giving

cover to it.

In 1873, the Govt directed that no Govt land in the Madras District be sold without their sanction, and subsequently in 1875, accorded approval to an order of the Board of Rev. Authorities the Collr to lease out to individuals as yearly tenants - at-will lands bought in by Govt at sales for arrears of Revenue. The Collr states that this concession has, owing to the restricted term of tenancy, failed to attract applicants, and that, owing to the difficulty of watching or conserving ^{smaller} ~~land~~ the numerous small spots of ground scattered over the whole town, the ^{smaller} are encroached upon and incorporated into adjoining private premises, unobserved,

G. O. Public Dept
of Madras 1873-4
317

G. O. 1st Nov 1875 No.
1532

while larger blocks become overgrown with noxious vegetation.

3. The ^{Collr} proposal, which is supported by the Board, is that it should be decided once for all what lands are likely to be needed for Govt purposes and require to be reserved, and that of the rest, plots not exceeding 4 grounds should be permitted to be sold by the Collr without reference to higher authority. Presumably, it is intended that as regards larger plots not required by Govt, the sanction of Govt should be obtained in each case.

4. Four grounds are less than one-fourth of an acre, and it does not seem likely that detached spots of this size will be required for ^{any} Govt purpose. It is suggested therefore

that the above proposal,
which seems to accord in the
main with the Honble Mr
Sullivan's note on the
"For orders" paper of the
Public Dept, may be
sanctioned ~~on the~~ with the
addition of the condition
therein specified, ^{with} that the
land shd be built on or
otherwise permanently
occupied within a certain
specified time (suggested
one year). In the case of
larger plots, the course
indicated in the note referred
to, vizt that the Comr shd
make known that applications
to purchase will be received
subject to the approval
of Govt - and ^{shd} submit for
order each application received
with a survey map, seems
to be the best.

5- Although the words
used in the letter of the
President of the Municipal

FOR ORDERS.

Commission, on which G. O.
Fin. Dept, of 11th Augt 1879, was
passed, are "Purampok lands",
the object apparently was
to call for a list of such
good lands only (whether
designated Purampok or
waste) as are likely to be
intruded or squatted
upon, or to become nuisances,
and the list furnished
seems to meet this object.
It is pointed out in
Honble Mr Sullivan's note.
It appears unnecessary to
call for a supplementary
list for cemeteries, public
gaming grounds and
small water courses and
creeks.

The matter seems to have
been fully discussed &
I appended a draft G.O.
for approval.

Land Revenue

G.O. No. 248 of 21.2.83.

A copy of the list furnished by the Collector will be forwarded to the Presd. of the Madras Municipal Commission thro' the Fin. Dept. with reference to his letter read in G.O. 4 Aug. 79, No 1486.

The Govt. agree with the opinion expressed by the Board in Para 3. The object in view is not likely to be attained by granting such leases as are suggested by the Collector, under which the position of the leases will be even more precarious than that of tenants from year to year.

The proposal made in Para 4 seems more promising. It is impossible for Govt. to lay down once for all what spaces it may be so decided to reserve, but they certainly do not wish to retain all the numerous minute plots which appear in the Collector's list. If these can be brought under occupation instead of being neglected, it would be an advantage to the

General community & the public Revenue and derive some benefit.

The Collector will make it generally known that he is prepared to receive applications for the purchase of unoccupied waste lands in the Dist. of Madras subject to the approval of Govt. Building plots, not exceeding four grounds in extent and forming part of or adjoining a village or pancherry site, may be put up to auction without reference to Govt. ^{only} subject to the condition that they shall be built on or permanently enclosed within a year. Applications for other plots must be submitted to Govt. for orders, accompanied by a neat & intelligible plan of the locality & its surroundings. The rough tracings now furnished by the Collr. hardly convey any information whatever.

M. M.
19 Feb

Shri Financial Dept.
with Govt. Secy.
21-0 Board of Revenue
D.O. 2-3-83.

C. N. 825

For orders

Conservancy of waste
grounds in Madras
town.

Print-
2/2

From the
Hon. Secy. Comm. Madras