M.R.O. 14—5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2505 Press Mis.

477-479

Dated 24 — 10 — 1867.

Not to be folded or roughly handled

Read the following papers :—

No. 477. Proceedings of the Board of Revenue, dated 23rd September 1867, No. 6,111.

Read the following letter from the Acting Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated 12th July 1867, No. 200.

1. There have been several Government buildings sold lately in this district, the Travellers' Bungalow at Nellore, the old Talook Cutcherry at Guduru, &c.; applications are made for the grant of the old sites for building purposes, but with the permission of the Board I would propose to put these sites up to auction, and carry the proceeds either to the District Road Fund, or lay them out in the improvement of village streets, &c.

2. The Board are aware that village sites are granted free of charge. In many towns and villages we find sites which have been abandoned for a number of years; there are no houses standing; and the places often become a local nuisance from the practice pursued by the neighbours of shooting all their rubbish there, and resorting thither for necessary purposes.

3. As the lands were originally granted free of charge *for a particular purpose*, I do not see why they should not be resumed. A notice might be published calling on the owners to appear within six months and occupying the lands, and in case of their failing to do so, the sites might be put up to auction and sold. For such sites in large towns there would often be a brisk competition, and the proceeds so obtained might advantageously be laid out in municipal and sanitary improvements. I suggest the matter for the Board's consideration.

---

1. The Board are of opinion that if the site of the Nellore Bungalow, referred to in paragraph 1 of the foregoing letter, is not required for public purposes, it may well be made over to the Municipality. The Acting Collector is requested to submit his opinion on this proposal.

2. The other sites referred to, when not forming part of the village "Nattam," should be sold under the Freehold Rules.

3. The question raised in paragraph 2, as to the disposal of any surplus village site, will be considered hereafter.

No. 478. Proceedings of the Board of Revenue, dated 11th October 1867, No. 6,588.

Read again letter from the Acting Collector of Nellore, dated 12th July 1867, No. 200, recorded in Board's Proceedings, dated 23rd September 1867, No. 6,111.

Read also the following letter from the same Officer, dated 1st October 1867, No. 923.

1. I have the honor to reply to the Board's Proceedings, No. 6,111, dated 23rd September 1867.

2. I see no objection to handing over to the Municipality the site of the old Travellers' Bungalow at Nellore. I have already handed over to them certain sites for which they applied for the purposes of public bandy-stands. I would request

distinct instructions as to whether the Collector is authorized to hand over to the Municipality vacant sites within Municipal limits, or whether the sanction of the Board or Government is in every case to be first sought and obtained.

3. When such vacant sites are made over to a Municipality, have they the power of selling the same by auction or only of making them for Municipal purposes? Land is often required for Latrines, Urinals, Refuse pits, Bandy-stands, &c. There are also many building sites which have been abandoned for a number of years. Should not some rule, I would suggest, be adopted, authorizing the lapse of such site if left vacant for a certain number of years, and should the lapse be to Government or to the Municipality.

Resolved that the foregoing papers be submitted to Government, in view to orders being passed on the points raised by Mr. Boswell in his second letter.

No. 479. Miscellaneous. ORDER THEREON, 24th October 1867, No. 2,505.

1. The Government have already declared in Government Order dated 10th April 1867, No. 829, which was communicated to all Collectors, that they are not prepared to make over unreservedly to Municipalities all waste land within Municipal limits, but that they will consider favorably any definite proposals for employing such waste for the improvement of individual towns.

2. Collectors were in the same Order instructed not to alienate waste to Municipalities without sanction, which order Mr. Boswell appears to have disregarded. He will report precisely what he has done in the way of making over sites for bandy-stands.

3. As waste land will only be made over to Municipalities for definite and specified purposes, the Commissioners must of course be guided by the terms of the Order in disposing of the land.

4. The law provides means for preventing waste sites from becoming nuisances, but the mere lapse of time cannot be admitted as destroying any right of property in a vacant site where such exists.

5. The Municipality can have no claim, as of right, to the reversion of such sites.

(True Extract.)
(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Public Department.
,, the Acting Collector of Nellore.

Exd. S. T. Augustin.

Revenue Department

No. 2505

Proceedings of the Madras Government
Under date the 24th October 1867.-

Read the following
Proceedings of the Board of
Revenue.-

Requesting Actg Collr of Nellore to submit opinion on proposal for making over the site of the Nellore Bungalow to the municipality; stating that the other building sites, when not forming part of the village "nattham" should be sold under the Freehold Rules, and that the question as to the disposal of any surplus village sites, will be considered hereafter. — (Rev enter 23d Septr/67 No. 6111.)

Submitting to Govt letter from Acting Collr of Nellore in view to order being passed on points raised by him on the subject of making over to Municipality vacant sites, &c. — (Rev enter 11th Octr/67 No. 6588.)

The Government have already declared in Governt order dated 10th April 1867 No. 829 - which was communicated to all Collectors - that they are not prepared to make over unreservedly to

to municipalities all waste land within municipal limits - but that they will consider favourably any definite proposals for employing such waste for the improvement of individual towns. -

Collectors were in the same order instructed not to alienate waste to municipalities without sanction. This order Mr Boswell appears to have disregarded. He will report precisely what he has done in the way of making over sites for Bandy-stands -

As waste land will only be made over to municipalities for definite and specified purposes - the Commissioners must

of course be guided by the terms of the order in disposing of the land.-

The law provides means for preventing waste sites from becoming nuisances. but the mere lapse of time cannot be admitted as destroying any right of property in a vacant site where such

The Municipality can have no claim, as of right to the reversion of such sites.

L.B.

11 Copies to the D of Pub Depts
5 " " Public Depts
1 Sup. Coll of Kellers

3-12-84

Revenue 1867 Despts
Pro of Govt of on 0 Acts

No 2505.

Pro of the Madras Govt
d/ 24 October 1867

From the Collector of Nellore
d/ 30 October/67 C No 2008.

Pro of the Board of Re
d/ 9 May/68 C No 1602.

Pro No 456-457 d 10.4.67
" 446-447 d 26.9.67

No 4779