

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 4424

DATED 24 Aug.

[Despatch Abstract.]

Sanctioning the grant to the municipal council
Manupore of 75 cents of land for use as the site of
Hospital assistants quarters subject to the condition
that the land shall revert to Govt when it ceases to
be used for the purpose intended.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 6431



From

The Board of Revenue, Land
Revenue, Madras.

Order

No. 2769 Misc.

Dated 23rd July 1897.

Received 1897-77

Registered

Enclosures

Spare copies

SUBJECT.

Submg. for the sanction of Govt. appli-
cation for the alienation on be-
half of the Municipal Council Mangalore
of 75 cents of land in Attavar vil-
lage required for the construction
of quarters for the Hospital Assis-
tants attached to the Municipal
Hospital
Council.

17/7/97
30/7/97
18/8/97
19/8/97
20/8/97

BACK PAPERS.

G.O.	No.	Department.	Date.
	15-87		26-11-57
	1314		9-1-58
	279		21-1-58
	6		11-5-71

FURTHER PAPERS.

G.O.	No.	Department.	Date.

II. Statement showing the alienation of Land Revenue

District	Village, estate or township	Area in acres.	Yearly assessment in equivalent foregone.	Capital amount, i.e., 29 times the amount shown in Col. 4.	Party or parties in whose favour alienated.	Class of alienation as per in alienation Govt. of India Circular No. 11-358-I of 16-10-96.	Grounds of alienation.	Authority sanctioning and date of order.	Number	Remarks.
1	Attamatt village, Mangalore town.	0.75	Rs. 9-0-0	Rs. 261	Municipality of Mangalore.	6	for providing quarters for the hospital assistants of the municipality.	7	60	
South Canara.						7				

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1657
25-2-58



Proceedings of the Board of Revenue (Land Revenue).

NO:2769 Misc.dated 23rd July 1897.

Read application for alienation of land received from W.H.Welsh Esq., Collector of South Canara to the Secretary to the Commissioners of Land Revenue, Madras Ref. NO.2299-Ver dated ^{30 April} ~~1st July~~ 1897; and the following reference thereon dated 11th May 1897:-

Presumably the amount noted in col.5 of the statement read above represents the value of the land as a freehold. The Collector is requested to state the rate of assessment imposed on land of similar quality in the locality and the probable value of the land under consideration if charged with an assessment at the local rate. ~~local rate~~. Read also letter from the same officer Ref. No.2299-Ver dated 1st July 1897.

-----:o:-----

Resolution. Submitted to Government with reference to its Orders Nos.279 Mis. and 1319 Mis. dated 21st January 1896 and 9th March 1897, respectively.

2. The Collector recommends the alienation, in favour of the Municipal Council, Mangalore, of 75 cents of land in Attavar village required for the construction of quarters for the Hospital Assistants attached to the Municipal hospital in lieu of the site of the existing quarters which has been retransferred to Government. He submits a statement showing the estimated yearly rent value and the market-value of the land. A second statement showing the loss of revenue is appended to these Proceedings with reference

to para 7 of Board's Progs. No.67, dated the 22nd. February last.

The Board supports the Collector's recommendation,

740 1657
263.5)3.

189 .
Board of Revenue
(Land Revenue),
MADRAS.

on the distinct understanding that
the land is to be used as a site
for Assistants' quarters.

(True Extract).

Freeman
Secretary.

To

TO

The Secretary to Govt., R.D.,—

with Collr's letter & a stat.

to be ret'd. & copy of statement.

The Collector of South Canara.

Q.B.

Subject.

1131 Pich under
19-12-95

Rev 98 279
21-1-96

CN 6481 of 97

Note

The Govt wanted
a site to erect quarters
for the hospital assis-
tant attached to
the police hospital
at mangalore ~~but~~
none was available
except the municipal
hospital assistants
quarters to the rear
of the police hospital.
At the same time,
the municipality
wanted a site to
erect quarters for its
hospital assistants
(and Govt sites were
available) in the
vicinity of the new
municipal ^{Wenlock} hospital.
An arrangement was
accordingly entered
into by which the
municipality agreed
to give up its site ^{gratis}
"in expectation that
the Govt will be
pleased to grant a

17/8/97
Rev 101

"a ^{free} site for the new
quarters in the vic-
inity of Wenlock
hospital." This arrange-
ment was approved
by Govt in G.O. No.
1031 Pub d. 19-12-95.

It was found,
however, that the
site surrendered
by the Municipality
had been ^{originally} granted
to it by Govt for certain
specified purposes, i.e.
for a market place
and for construction
of lines for the town
police and that
by erecting quarters
for its hospital assis-
tants instead, the
municipality had
violated the conditions
of the grant and
rendered it liable
to resumption by Govt.
But the Govt stated
that ~~it~~ ^{would} not
exercise its right to
resume the site.

G.O. No. 277
21-1-96

G.O. No. 600 d. 4-1-71

G.O. No. 1031 Pub
19-12-95

without compensa-
tion and ^{accordingly directed} that orders
~~should~~ ^{should} be issued in the
Revenue Dept. in
regard to the site
to be granted to the
municipal council
in lieu of that which
will now be retrospec-
tively passed to Govt.

The current noted
at the top of this
note contains proposals
for the alienation
of certain land to
the municipality in
compliance with the
above order.

2. It is a question whether
under the circum-
stances, the transaction
should be considered
as one of exchange
or as a free grant
of land to the muni-
cipality. In the former
case, it is competent
to the local Govt
to alienate the land
without reference to

the Govt of India as the full value of the land is only Rs 561 (300 + 261), i.e. less than Rs 10000, the limit laid down in para 7 of the Govt of India Resⁿ in G.O. 681 Pubd 6-6-72. Even if the transaction is viewed as a gift to the municipality, it is equally open to the Local Govt to sanction the grant provided quarters for hospital assistants are deemed to be included within the words "Hospitals, Dispensaries or other public works" occurring in para 9 of the said Resⁿ. Other wise, the special sanction of the Govt of India seems necessary.

3. Orders are requested

* flagged A.

in G.O. 118-16824 L
4-9-74
flagged C.

4. The Govt. of India in their Resolution of the 19th July 1894 decided that all hospital assistants employed in sanctioned appointments, whether under Government or Local Boards of municipalities, should be granted by the authorities paying their salaries free-quarters or house-rent in lieu, on the condition that the hospital assistant concerned provided himself with quarters within a convenient distance of his duties or of the hospital or dispensary in which he may be employed and that in places where free quarters are not provided and where suitable quarters within a convenient distance are not obtainable, the Govt. or the local body concerned, as the case may be, should build free quarters.

In accordance with the above decision, the

Public Works Department
was informed that
quarters for civil hospital
assistants should in-
variably be provided for
in estimates for new hospitals
or dispensaries to be constructed
from Provincial revenues,
while all Local Boards
and Municipal Councils
and the Municipal Council
of Madras were informed
in G.O. No. 1542 dt. 24.1.95, that ~~quarters for hospital~~
quarters for hospital
assistants on a ^{specified} ~~defined~~
scale should be provided
"in the case of all hospitals
"and dispensaries which
"may hereafter be con-
"structed as well as in
"cases in which it is necessary
"to construct quarters
"where none are available
"within a convenient
"distance of the existing
"institutions"

From the above it would
seem that quarters for
the hospital assistants
should be treated as a

0 p. 177 +

Yes, it should be treated as a
"gift" for the construction of a
Hospital.

19/8/97

C.A.
14 Aug 97

11/11/87

~~part~~
part of the Institution
(Hospital). If the above
view be concurred in,
the case would fall under
the first clause of para 9
of the Resⁿ of the Govt of
India of Feb. 1872, in
G.O. No. 681 Pub. d. dt. 6.6.1872
and as the market
value of the land proposed
to be granted to the
Municipal Council,
together with the capitalised
value of the assessment
thereon, is less than Rs 3000
the sanction of the Local
Govt. would be sufficient.

17/8/97

Sp. 24-51

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L. O. (min) no 4424 d/24 aug

The grant to the Municipal Council Mangalore of 75 per cent land for use as the site of Hon Assistant's quarters is sanctioned subject to the condition that land shall revert to Government when it ceases to be used for purpose intended.

12487

768-27ms

From orders.

To The Board of Rev (S.P.)
with enclosure
Copy to the local and mun.

(A.)
21 aug 97

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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