01/02/1894

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S.880—17-12-96.

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1188

DATED 21st March 99

[Despatch Abstract.]

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

~~Judicial~~ (189~~8~~) Department.

CURRENT No. 8203

From The Board of Revenue, Land Revenue, Madras.

Order Secret.

The leave is duplicate will be signed & countersigned & the Collr. advised.

No. 1559 ~~Misc.~~ REV.

Dated 30th November 1898.

Received

Registered 1/12

Enclosures 1

Spare copies

To

The Collr. of Godavari with the leave roll of connections.

Copy

For information with correspondence which led to the proposed revision of the leave rules.

See G.O. No. 569 15-2-97 Fin. Dept. The leaves will be drawn under Article 279 (a) of the Code & the rules be approved.

SUBJECT.

Submitting for the signature of the Secretary to Government, Revenue Department, a leave roll of the Ramachandrapuram Fort proposed to be issued to the Ex-zemindar of Ramachandrapur, Godavari District.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Office of the Board of Revenue,
(Land Revenue),
Madras, dated 30th November 1898.

Reference No.1859, dated 30th November 1898.

The Board submits for signature of the fair copy of a lease of the Ramachandrapuram fort drawn up in pursuance of the sanction conveyed in G.O.No.869 Misc., dated 15th February 1897 and in the form approved in G.O.No.4994, dated 23rd September 1897.

2. The delay in submission is due to the fact that the lease had on more than one occasion to be returned to the Collector for revision.

3. In the copy finally received and now submitted to Government the following inaccuracies are noticed:-

(a) In page 1, line 29 the word of has been improperly substituted for by.

(b) In page 1, line 31, the phrase In Witness whereof has been printed in witness thereof.

The necessary corrections have been made in this office and the Board requests that they may be initialled by the Revenue Secretary in addition to those included in the Collector's list.

Lionel Davidson
Ag. Secretary.

To the Secretary to Government, Revenue Department, with Deed & Plan in duplicate & spare copy of plan & draft lease & list of corrections.

C.B.

D
2 1,000—7-9-93.

REVENUE DEPARTMENT.

Current No. 8203

From The Board of Revenue Land Rev
No 1359 Rep.

Dated 30 XI 1897.

FOR ORDERS.

To under Secy

The Board of Revenue submits for execution a permanent lease, in duplicate, proposed to be granted to the Ex Zamindar of Ramachandrapuram in respect of the Ramachandrapuram Fort — buildings and ground (area, 636 acres).

2. The circumstances under which the grant of such a lease was decided on will be found set forth in the notes attached with G.O. Misc No 869 Rev dy 15th Feby 1897, and it will be seen therefrom that there were two alternative proposals then before Government viz

(1)

FOR ORDERS.

(1) to convert the property into an entailed estate and grant a permanent lease in respect thereof on an annual payment of Rs 12 &
(2) to sell the buildings to the Ex Zamindar for Rs 4550 and to grant him the site on assessment.

In consideration of the Ex Zamindar's impoverished condition, the Collector and the Board were inclined to favour the first proposal and the Govt accepted it at the time.

2 It has however since been ruled that permanent pattas should not be given unless the Govt is legally bound to do so. Permanent Pattas and permanent leases are practically the same & it is a question whether with reference to this ruling the Board should not be asked to give effect to the 2nd proposal if the Zamindar is willing to abide by it

(1) Please put up the proposals
(2) Ramachandrapuram a Union? What is its population

Go. 630
28. X. 98

Read 4 para G.O 869 & 4994

To under Secy

(1) Submitted — G.O. No 527 Rev. dy 16. IX. 98

(2) Ramachandrapuram is a union and its population (1891 census) is 9320 — page 93 of G.O. 2397 & dy 16. XII. 98

31.1.99

Secy

The Sale may be purchased (not granted (lest auctioned) to the Ex Zamindar

2. It may however be noted that 10 Rs per acre is the minimum fixed by the proposed Rules in Part II of the Appx to G.O. 527 & 16 Sep 98 (Rule 12).

The buildings are valued at 500 Rs only assessed in 1896 vide para 1 of BP. 494, Dist & 5 Nov 96 as G.O. 769 & 15-2-97. They may perhaps be handed over to the Ex Zamindar without charge as appears already decided.

3. Reference made

& a little deed taken in the form provided in the proposed Rules in Appx to G.O. 527 & 16 Sep 98 that the initial assessment though fixed at Rs 10 per ac this etc as already agreed above

therefrom to accrue in the Govt, may perhaps be interested in the title deed.

The
31-1-98

What is the value of the whole property — vide Buildings.

S.R. 4/98

To under Secy

In para 4 of the Collectors letter in G.O. No. 869 Rev dy 15th Feby 1897 it was reported that "the Site which measures 5·80 acres is said "to be worth Rs 725 and the buildings are valued at only Rs 800 though the Govt has in the past incurred Rs 4540 in the purchase and repair of the buildings alone"

The area of the Site has since been found to be 6·36 acres and its value will therefore be about Rs 800 and the value of the whole property about Rs 1300.

vide last line of Schedule to deed

?

DPW 10.99

Secy
Govt

The Lease was granted to Mr Chandra Nath Sen for a period of 30 years at a rental of Rs 25 per annum. The Lessee has since died and his widow has applied for the renewal of the lease for a further period of 30 years. The Collector has reported that the property is worth about Rs 1300 and that it is not desirable to grant a lease for so long a period as 30 years. The Board of Revenue are of opinion that the lease should be renewed for a period of 10 years only.

Read agmt GO 869 of 1994
11 917

Question of the Govt of India be referred under the rules.

It will be observed that the case is determinable,
(a) on failure for one month to pay the stipulated rent;
(b) on breach of any of the covenants i.e. not to assign, transfer, sublet or part with the possession of the premises without the written permission of the Govt;
(c) on failure of an heir to the lessee desiring to take the lease.

SR 18/98

To the Govt

Please see paragraphs 4 and 5 of the G.O. Resolution No 21-22-3-17 7.10.95 and para 2 of the G.O. letter to the Govt of Bombay No 1514 7.7.97, both of which are forwarded in G.O. No 527 16.2.98. It will be seen that it is left to the Local Govts to determine the forms of lease which should be executed when town sites, the property of the State are disposed of by auction

Read again GO 869/15.2.97 & 4494/23.9.97

...e form of a lease, the incidents
...of which would be regulated
...by the instrument of lease. The
...only conditions which the Govt
...of India would insist on being
...imposed in all cases of leases
...are (i) that the lease should not
...ordinarily be for a shorter period
...than thirty years, and should
...in all cases provide for renewals
...for a minimum period of ninety
...years, if not in perpetuity; and (ii)
...that the ground-rent, which should in
...all cases be fixed at the time of
...assessment
...be subject to revision not less
...frequently than at each renewal,
...if the grant is in perpetuity,
...at intervals not longer than
...thirty years. Other incidents of
...the lease, the Local Govt
...competent to settle.

It will perhaps be sufficient
...if these conditions are inserted in the
...lease

See Yule
11/1/97

The object of Govt is to
...to population

Agreed WS

Agreed WS
10-3-97

...benefit the zamindar personally, & guarantee to him
...personally, & guarantee to him
...on the conditions indicated in
...my note of 18th Jan[uary] ensuring a
...residence in the old part.

If however it is a mere
...conditional lease without
...power to the lessee to sublet
...or alienate, it is unnecessary
...to have a stipulation for
...revision of the lease as
...as there is no ground rent to
...be revised; & would
...also add a condition
...for forfeiture on the ground of
...misconduct or otherwise [illegible]
...misconduct or otherwise [illegible]
...ment in the opinion of Govt
...by the first night at dawn
...the Date become the resort of
...turbulents or be used for
...criminal purposes, or the
...[illegible] of the family neighb
...[illegible] be disloyal re
...[illegible] In cases of [illegible] grants
...[illegible] condition of good conduct is always
...[illegible] inserted.

6/3/97

Read agmt C.O. 869 of 15.2.97 & 4996 of 23.9.97

Read B.P. Ref no 1359 of 30th Nov: 1898 (C.O. 8203 of 98)

Order misc No 1188 of 21st March '99

The Govt Solicitor is requested to add a condition to the ~~form of~~ lease providing for the forfeiture of the property if the lessee on the ground of misconduct or other cause deemed sufficient in the opinion of Govt, ~~for the same.~~

To the Govt. Solicitor
with a form of the lease
Copy to the Rec. of Crown (Est.)
22/3/99

Au. 24-3-99

2171

To Under Secy

A draft C.O. is herewith submitted below.

Govt Law Offices 16.3.99

Secy 20/3/99

Draft C.O. is

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To under Secy

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When examined ______
When signed ______ } 189

READ AGAIN G.O., No. , DATED 189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—
A = Copy in full.
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Q = Copy heading only.