4-10-09

16-7-14

23-10-15

11/2/21

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1550

DATED 26th April 99

[Despatch Abstract.]

Approving the proposal of the Collector of Madras to carry out certain alterations in the heading of Columns 5 of the Madras Town Survey Register.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No	Department.	Date.
GO	255	Rev	17-1-98				

FURTHER PAPERS.

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

Revenue (1899) Dept:

Government {1899} of Madras.

LOCAL AND MUNICIPAL.

Enclosure No. 2679.

Recd. 20th April } 1899. *Enclosures* 1.

Regd. 20th — } *Spare copies*

G.O., No. 465 M., 29th March 1899.

MARCH.

See with reference to para 5 of the order please see col 5 of the register appended. The suggested alteration seems unobjectionable & may be appd? Or if it be deemed undesirable to mark a distinction between Municipal & Govt the word parenthesis may be simply omitted.

111
22/4/1899

"Municipal" land may be
'Corporate' land vested in the Mty
subject to conditions involving reversion
when the particular user ceases, or it
may be land which is vested absolutely in
the Mty having been purchased
from a private person or been
handed over by Govt.
In any case the distinction
municipal in the Register will
not affect the title & may be

Lands adjoining Streets in the Madras Municipality.

Accepting, with remarks, the recommendation of the Collector of Madras that transfers to the Madras Municipality of lands adjoining public streets may be made from time to time whenever found necessary.

To Under Secretary

Please see draft order para
as below.

aa
26.4.99.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper :—

G.O., No. 2693 M., dated 4th December 1897.

ABSTRACT.—Informing the President, Municipal Commission, Madras, with remarks, that Government cannot modify its orders declining to sanction the sale of certain lands adjoining streets in the Madras Municipality ; directing that all lands not being private property over which the public have acquired no right of way must be held to remain at the disposal of Government; and requesting the Collector of Madras to report in consultation with the President, Municipal Commission, what lands might be advantageously transferred to the Municipality for purposes of conservancy and for checking encroachments on public streets.

READ—also the following papers :—

From J. N. ATKINSON, Esq., Collector of Madras, to the Secretary to Government, Local and Municipal Department, dated Madras, 13th September 1898, Ref. No. 1371.

Adverting to the correspondence ending with G.O., Mis. No. 1301 M., dated 20th July 1898, I have the honour to forward, for favour of very early orders, letter from the Superintendent, Madras Survey, No. 2085 M. of the 2nd ultimo, and its accompaniments and also a report from my Tahsildar, No. 39 of the 27th May last.

2. The recent survey of the Madras Town was completed in March 1897, but in it the roadways proper have not been distinguished from the lands separating them from the adjoining private holdings. These lands are Government property (*vide* G.O., No. 2693 M., dated 4th December 1897) and may or may not be transferred to the care of the Municipality according to the circumstances of each case. Mr. Greene states, and I agree, that the survey of all the roads in Madras requires revision and that all lands not being private property should be separately demarcated with stone, surveyed and mapped. He says that his department will be able to carry out this work under the supervision of a competent Sub-Assistant, who should be assisted by a Revenue officer of a grade not lower than the rank of a Revenue Inspector and also by a Municipal officer. A Revenue Inspector will be spared and he will be instructed to refer all doubtful cases to the Tahsildar and, if necessary, the land will be inspected by the Deputy Collector. I have addressed the Municipal President for the help needed from him and trust he will have no objection to give it.

3. The Superintendent, Madras Survey, has published a notification* in the *Fort St. George Gazette* inviting complaints, if any, within three months, to the existing demarcation and any corrections that may be needed with reference to the objections, if any, will be made both on the ground and in the records.

* Page 1102 of Part II of the *Fort St. George Gazette*, dated 16th August 1898.

4. The Superintendent promises to furnish me with survey plans and area books of each division immediately on their completion and also with a list of Government and Municipal lands. The plans and area books of all the divisions are expected to reach me by the beginning of 1899 and he suggests that the issue of quit-rent certificates based on the measurements of Revenue Inspectors be deferred till then, the reason assigned being that the continuance of the existing system of measuring lands when certificates are applied for is likely to lead to confusion. He adds that, when the survey records have been supplied, it will only be necessary to make a survey of

the lands which do not form whole survey fields, that for a whole survey field it will suffice if a copy of the area book relating thereto giving its number, area and measurements is taken in the certificate and no further survey by a Revenue Inspector should be necessary, while in the case of a certificate for a portion of a survey field the subdivision can be made by some scientific method. This, however, it will be seen is at variance with the registration Rule No. 4 appended to G.O., No. 1513, dated 19th July 1879, which lays down that every property for which certificate is applied for should be measured by a Revenue Inspector and the result of such measurement be reported to the Deputy Collector. When those rules were framed, a resurvey of the town was not in contemplation. I agree with Mr. Greene in considering that it would be convenient if the issue of fresh certificates be stopped till the completion of the survey and the receipt of survey records, as it will facilitate the introduction of survey results in the revenue accounts. The above rule may require revision and the orders of Government in the Revenue Department will be applied for and obtained through the Board of Revenue on the receipt of reply to this reference. Stopping the issue of the certificates will of course occasion some public inconvenience, but this may be disregarded, regard being had to general advantages to be achieved by a complete agreement between the actual state of things and the records. To this end therefore the Deputy Collector proposes, and I agree with him, to complete the issue of all certificates where notices have been already given and when the new survey results have been furnished to continue the issue of fresh certificates adopting the measurements of the Survey Department and consulting that department whenever necessary, and in case of sub-divisions of an entire field the necessary measurements will be made by this department and the survey records altered then and there.

5. One more point brought to notice by the Superintendent is the omission of the word "Municipal" in column 5 of the survey register. The present entry "Poramboke" is obviously misleading for a poramboke may either be a Government or Municipal land. As column 5 already contains the word "Government", the Superintendent proposes to alter "Poramboke" into "Municipal" and I see no objection to this being done.

ENCLOSURE.

From G. P. GREENE, Esq., Acting Superintendent, Madras Survey, to the Deputy Collector of Madras, dated 2nd August 1898, No. 2085-M.

[*Reference*—Your letter, No 486-C., dated 8th June 1898, forwarding report of the Tahsildar of Madras on the examination of lands along the margins of three roads, viz., Mount road, Old Jail road and Wall Tax road.]

In continuation of my letter, No. 708-M., dated 14th March 1898, I have the honour to return the Tahsildar's report, together with the report and plans submitted by my Sub-Assistant Mr. Sundram Aiyar, who accompanied the Tahsildar during the examination of the roads under reference.

2. It will be seen that, in the recent survey of the Madras town, which was completed in March 1897, roadways proper have not been distinguished from the lands lying between them and adjoining private properties, which, according to G.O., No. 2693 M., dated 4th December 1897, belong to Government and which may or may not be "handed over to the care of the Municipality." I am therefore of opinion that the survey of roads throughout the town should be revised and that "all lands, not being private property, over which the public have acquired no right of way" should be separately demarcated with stone, surveyed and mapped.

3. This work can be carried out by the Survey Department under the supervision of a competent Sub-Assistant, but it is necessary that he should be assisted by a Revenue Officer, not below the grade of Revenue Inspector, and by a Municipal officer. If you can arrange for the deputation of two such officers, I shall have the work started at once.

4. A notification (copy enclosed) under the Madras Survey and Boundaries Act IV of 1897 has been sent for publication in the *Fort St. Geogre Gazette*. Such

corrections as may be necessary with reference to complaints received before the expiration of three months from the date of above notification will be made both on the ground and in the records.

5. Arrangements will be made to furnish you with the survey plans and area books of each division as fast as they are completed, which will be accompanied by a list of Government and Municipal lands in the attached form.

6. It is expected that the plans and area books of all the divisions will be supplied to you by the beginning of 1899, and I would suggest that the issue of quitrent certificates, based on measurements made by Revenue Inspectors, should, until then, be discontinued. The continuance of the present system of measuring lands when certificates are applied for is likely to lead to confusion as will be seen from the enclosed map, a copy of which was sent to you with Assistant Superintendent Mr. Srinivasa Aiyangar's letter, No. 521 E., dated 17th June 1898.

7. When the survey records have been supplied, it will only be necessary to have a survey made of those lands which do not form whole survey fields. For a whole survey field, it will suffice if a copy of the area book relating thereto, which gives its number, area and all measurements, is taken in the certificate. No further survey by a Revenue Inspector should be necessary. In the case of a certificate granted for a portion of a survey field, the survey field can be sub-divided by some scientific method.

8. This change will probably necessitate a revision of the rules (in respect to the registration of land, &c., and to the issuing of certificates) embodied in G.O., No. 1513, dated 19th July 1879, but it will be seen from the Collector's letter printed with the Government Order just mentioned that when the rules were framed, a resurvey of the Madras town was not contemplated.

9. There is one more matter I would bring to your notice and that is the omission of the word "Municipal" in column 5 of the survey register (form enclosed). The present entry "Poramboke" in this column is misleading, because "Poramboke" lands either belong to Government or to the Municipality—column 5 already contains the word "Government." The word "Municipal" will therefore now be substituted for "Poramboke".

10. An early reply to this letter is requested.

From J. N. ATKINSON, Esq., Collector of Madras, to the Secretary to Government, Local and Municipal Department, dated Madras, 27th October 1898, Ref. No. 683 G. & B.

Adverting to the concluding sentence of paragraph 2 of my letter, Reference on No. 1371 of the 13th ultimo, I have the honour to report that the President, Municipal Commission, whom I addressed, informs me that the only officer he can depute for the purpose of assisting at a resurvey of the roads in Madras is his Acting Engineer, but that his services cannot well be spared. Unless, therefore, Government sees fit to direct the Municipality to lend the services of a competent officer, the work will have to be done without any Municipal representative.

2. The Acting President remarks that it would be highly unsatisfactory if the work were deputed to incompetent persons. There is of course no intention of entrusting the work to any but the professional department that has dealt with the demarcation of the rest of the town. The proposal was that the representatives of the two departments interested should assist the Survey officer in this special work and I do not therefore share the apprehensions of the President in this respect. He also suggests that it would be far better for this department to prepare a list of lands which are claimed to be treated as Government lands and send it to him for any remarks he may have to offer. As no list can be prepared till the lands by the side of the streets have been identified as Government property and separately demarcated, the proposal practically amounts to a suggestion to resurvey the streets of the town by the Revenue Department. The registers of the Deputy Collector's office do contain a list of Government lands but they do not include lands lying by the side of roads

which were hitherto treated as municipal lands and classed as streets. Under instructions from Government all such lands over which the public have acquired no right of way are now to be treated as Government land, so that the work of classifying and bringing all such lands on the registers of the Revenue Department must be done once for all by the Survey Department.

3. The President says that the list would not be a long one unless it is the intention of Government to claim the sides of all wide streets and payal lands, which will entail dual authority in matters of conservancy and encroachments and lead to many difficulties. With reference to this remark, I may observe that in paragraph 3 of G.O., No. 2693 M., dated 4th December 1897, the Government has already directed that all such lands must be held to remain at the disposal of Government. The list of Government lands to be permanently retained may eventually not be a long one, but from what has already been seen of the three streets already inspected, the unclassified list of lands referred to in the order of Government will certainly be a long one. In any case it is essential that the land registers of this department should contain a complete list of lands to be handed over to the Municipality and those to be retained in the hands of Government.

4. Under the above circumstances, I strongly recommend that the President, Municipal Commission, may be desired to depute one of the municipal officers on the special duty in question.

Ref. No. 1297.

The Collector is requested to report whether any, and if so, what additional establishment will be required for the resurvey of the roads referred to, how long it will take to complete it, and what will be the total cost of carrying it out.

(Signed) H. TREMENHEERE,
Secretary to Government.

22nd November 1898.

From J. N. ATKINSON, Esq., Collector of Madras, to the Secretary to Government, Local and Municipal Department, dated Madras, 26th January 1899, Ref. No. 824 G. & B.

In reply to Government Memorandum No. 1297, Local and Municipal, dated 22nd November 1898, I have the honour to report that the Superintendent, Madras Survey, who was written to on the subject, states that it is not possible to furnish any trustworthy estimate of the probable time and cost of re-demarcating all the roads within the municipal limits, and that both will depend upon the number of disputes which will probably delay the work indefinitely. He considers that the publication of the maps, which now show actual possessions, need not be delayed, and that when it is decided by the Municipality or any other authority to alienate lands within municipal limits, such lands can be marked out and measured by a surveyor, the exact position and limits of these alienations being shown in the survey records in the same way as all changes in occupation are shown after the completion of every survey.

ORDER—No. 465 M., dated 29th March 1899.

In its Proceedings, No. 2693 M., dated 4th December 1897, dealing with the question of the ownership of lands adjoining streets in the Madras Municipality, the Government expressed the opinion that it would be expedient, for purposes of conservancy and for checking encroachments on public streets, that, at any rate, certain plots of land along the margins of roads should be handed over to the care of the Municipality, and accordingly directed the Collector of Madras to report in consultation with the President what lands might advantageously be so transferred.

2. A list of lands claimable by Government along three of the streets was, at the instance of the President of the Municipal Commission, Madras, prepared by the Tahsildar under instructions from the Deputy Collector, with the assistance of an

officer of the Survey Department, and the Collector stated in his first letter read above that the list had been communicated to the Superintendent, Revenue Survey, for remarks, that the work of preparing lists of lands belonging to Government by the side of all the streets in the town was too large and too difficult to be undertaken singlehanded, and that it could not be done satisfactorily without the new survey registers then under preparation in the Survey Department. In his second letter the Collector stated that in the survey of the town of Madras, which was completed in 1897, the roadways proper had not been distinguished from the lands separating them from the adjoining private holdings, that these lands were Government property which might or might not be transferred to the care of the Municipality according to the circumstances of each case, that, as observed by Mr. Greene, the Acting Superintendent of Survey, the survey of all the roads in Madras required revision and that the work could be carried out by the Survey Department with the assistance of a Revenue Inspector and a Municipal Officer. The Collector accordingly suggested that the Municipal Commissioners should be requested to depute one of their officers for this purpose. In reply to a reference made to him on the subject, however, the Collector reports that it is not possible to furnish any trustworthy estimate of the probable time and cost of re-demarcating all the roads within the municipal limits and that these will depend on the number of disputes which may arise and which may probably delay the work indefinitely. He considers that the publication of the survey maps, which now show actual possession, need not be delayed and suggests that, when it is decided by the Municipality or any other authority to alienate lands within municipal limits, such lands can be marked out and measured by a surveyor, the exact position and limits of these alienations being shown in the survey records in the same way as all changes in occupation are shown after the completion of every survey.

3. In view, therefore, of the circumstances stated by the Collector and of the lengthy character of the enquiry, of the indefinite expense, and of the delay that would take place in issuing the new maps, the Government accepts the Collector's recommendation that transfer to the Municipality of lands adjoining public streets may be made from time to time whenever found necessary, and accordingly resolves to modify paragraph 4 of G.O., No. 2693 M., dated 4th December 1897, to this extent.

4. The maps of the survey of Madras already prepared by the Survey Department may now be issued with the following note which should be printed at the foot of each register immediately above the signature of the Superintendent of Survey and on the first page of each atlas of maps supplied to the Madras Municipality and other public bodies:—

"*Note.*—The limits of roads and other lands now registered as 'poramboke' are subject to revision as they include not only roadways, &c., which are vested in the Municipality, but also Government lands over which the public have acquired no right of way. The plots belonging to Government will be shown in the survey records from time to time as their limits are defined, each plot receiving a separate sub-number in the map and other records."

5. The proposed alteration in the heading of column 5 of the survey register, referred to in paragraph 5 of the Collector's first letter, will be considered in the Revenue Department.

(True Extract.)

A. F. Eggington

for *Secretary to Government.*

To the President, Municipal Commission, Madras.
" Collector of Madras (with 11 enclosures returned).
" Revenue Department (with a form in original).

Exd. A. F. Eccleston.

Revenue Department

Read G.O. No. 465 M. dy 29-3-99.
re: transfers to the Madras Municipality of lands adjoining public streets. (C.No. 2670 of 99)

Order Mis No. 1550 dy 26-4-99

The proposed alteration in the heading of Column 5 of the Madras Town Survey register is approved.

To The Hon'ble Dept.
The Supdt. of Madras Survey

aa
20-4-99

MADRAS TOWN

Division

Block No.

Madras Town Survey Register.

Name of locality or Street.	Number. Re-survey 1895-97.	Number. Old survey 1854-64.	Number. Certificate or Bill No	Number. Govt., Private, Inam or Poramboke.	Names of owners. As registered in the Collector's office.	Names of owners. As reported by occupants.	Adjoining Survey Nos. North	South.	East.	West.	Area by Old Survey. Cawnies.	Grounds	Square feet.	Area by Cutcherry. Cawnies.	Grounds	Square feet.
1	2	3	4	5	6	7	8	9	10	11	12			13		

Accounts. Acres.	Square feet.	Area by Re-survey—1895-97. Holding. Cawnies.	Grounds.	Square feet.	Payal & Koradu. Square feet.	Total. Acres.	Square feet.	Difference between cols. 17 & 14. Excess. Acres	Square feet.	Deficit. Acres.	Square feet	How the holding is utilized.	Remarks.
14		15			16	17		18		19		20	21

12/29-5/1948

When given for copying ____
When copied ____
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	
LETTR OF GOVERNMENT.								
[illegible] WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only