

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1825

DATED

19th May.
99

[Despatch Abstract.]

Requesting the Board of Rev. to report on
the question whether all sums received by
the ^{Madras} Municipality ^{in part was} on account of ^{its} alienation
of forest land should be recovered ^{with interest} from
that body.

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 (189⁹) Department.

CURRENT No. 22/5

From

The Board of Revenue, Land
Revenue, Madras.

Order

B. No. 118. Ref.

Dated 28th March 1899

Received 29th

Registered 30th

Enclosures —

Spare copies —



SUBJECT.

Reporting to Government the unauthorized alienation of certain Government land in Madras by the Madras Municipality and requesting that the Municipal Commissioners may be moved to refund the sale proceeds to Government.

Madras, 28th March 1899.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

READ— the following :-

1. Again Board's Proceedings No. 793 R, dated 28th February 1898. Reference No. 1053 dated 20th September 1898.
2. Again Board's Proceedings No. 2616 R, dated 21st October 1898.

3. Also letter from Herbert Bradley Esquire, Acting Collector of Madras, Ref.No.685/G & B dated 13th March 1899.

Reference No. ^B 118 dated 28th March 1899.

The Collector of Madras brings to notice the fact that the Madras Municipal Commissioners have alienated on their own authority what appears to be Government land forming part of survey No. 1308 of Tondiyarpur.

2. Survey No.1308 is entered in the Survey Register as Government property and a proposal to sell 675 sq.ft.there-

Name of certified holder	Extent Acres cents	Consideration money Rs.	Date of sale	of subject to quit-rent to a private individual, is now before Government
1.Parthasaradhi Chetti &c.	0 41	650	20-9-79	
2.Muniswami Chetti	0 25	550	17-11-79	
3.Shaikh Servur	0 7	105	13- 2-63	
4.Velayuda Nayakar	0 9	150	prior to 1870	
	0 82	1455		

September 1898. Certain other portions of this survey number which are specified in the margin are occupied, subject to quit-rent, by private individuals who allege that they obtained them from the Madras Municipal Commissioners in exchange for their own lands taken up for the Robinson Park. In three out of the four cases there are deeds of conveyance executed by the Municipal Commission which make no reference to any exchange but distinctly specify money consideration for the alienation. In the fourth case the sale deed executed by the Municipality

e No 65-27/98
under 8th/10th
3329/100
18-9-99 W

is not forthcoming, but a sale deed subsequently by a private party in respect of this land mentions the fact that the land was originally purchased from the Municipality at an auction sale. The only record that can be traced regarding the transfer of Government land to the Madras Municipality for assignment in exchange for private lands taken up for the Robinson Park is Government Order No. 355 Rev. dated 8th March 1884. But this Government Order refers to survey No. 66 and not survey No. 1308. As no order making over S. No. 1308 to the Municipality can be traced the Collector presumes that the Commissioners acted without authority in alienating the lands which, at the local market rate of the present day, are worth Rs. 600 a ground (~~X~~ 5½ cents). He accordingly requested the President, Madras Municipality, to transfer to Government the amounts realized by the sale, viz., Rs. 1455. After some correspondence, the Engineer, Municipal Commission, has requested the Collector to allow the claim to stand over pending the settlement under paras 3 and 4 of Government Order No. 2693 M, dated 14th December 1897 of the whole question of Municipal and Government land in Madras.

3. The Collector considers that the Government Order last referred to does not contemplate the transfer to the Municipal Commission of such large and valuable pieces of land as the latter body has already disposed of for private occupation and requests that Government may be moved to direct the Municipality to remit the sum of Rs. 1455 already demanded from it. The Board submits the case for the orders of Government with an expression of concurrence in the Collector's recommendation.

Lionel Swinerton

Acting Secretary.

To
The Secretary to Government,
Revenue Department.

Md. R. V.

J. S. C.

Revenue Department
Read Bd's Ref B. No 118 of
28th March 99. (C. No 2215)

To the Under Secy.

For orders as to whether
the Collr's recommendation
may be approved.
Submitted that the current
may be referred to the
Lt. M. Secy for remarks.

U. M.
22/4/99

Secy. A. M. may be done?
25/4/99

LT M. Secy No. 143 of 26.4.99

Note: There must be many other
similar cases to this of alienation to
Municipality of lands really belonging to Govt
and it hardly seems advisable to dispose
of this single case without asking whether
there are not quantities of others of the same
kind. The amount claimed will probably
come to a very large sum, and it will be
difficult to lay down one final rule
Govt is going to claim full alienation

26/4

25.5.99

Made in past years - no matter
what the Auditor's Office to it. It
seems unfair to require him for
sums paid to the Municipality in
1863. or even 1879. And if the sums
are really due interest on them should
be paid also.

In previous orders it does not
seem to have been decided to go back
to recover on alienation already made;
all that was intended apparently was
to recover in future cases.

Mr. W. H.
26.10.99

Rev. Dept. No.

Rev. Dept.

Order Secretary

For orders as to whether a
reference may be made to the
Board as suggested by the Rev. Dept.

Sey
11/5/99

11/5/99

Please see draft below.

11/5/99

Sey

16.11

11/5/99

19/5

Read Bd's Ref B. No 118 d
28.3.99 (C. No 2215)

Order No. 1825 d 19 May 99

The Govt. considers
~~that it is likely that there~~ ^{as there are probably}
~~are~~ many cases similar
to the one now reported,
of alienation by the Munici-
pality of lands belong-
ing to Govt. ^{In respect of which there are} ~~and that~~
~~therefore it is desirable to~~ ^{arises}
~~decide the question whether~~
~~all~~ sums received by the
Municipality in past years
on account of such ali-
enation, ~~with interest on~~
~~them from the date of the~~
~~alienation~~, should be
recovered ^{with interest} ~~from~~
that body. The Board of
Rev. is ^{therefore} requested to report
~~on this point~~ fully on

the extent to which such alienations
have been made as far as can be
ascertained & to furnish the Govt with
their views on the subject

11/5/99

16.11

To the Board of Rev. (A.R.)

V. H. 11.5.99

11/5/99

11/5/99

Q = Copy heading only.