

GOVERNMENT OF TAMIL NADU
ABSTRACT

MARKETS - Private markets in Municipal areas - Acquiring the rights of municipal council to hold private market and to levy fees therein - Instructions for acquisition - Issued.

RURAL DEVELOPMENT & LOCAL ADMINISTRATION DEPARTMENT

G.O. Ms. No. 1112

2497

Dated: 29.7.1983

Read :

G.O. Ms. No. 349, R.D.&L.A., dated 16.3.1983.

In the G.O. read above the Director of Municipal Administration has been requested to issue suitable instructions to the municipal councils to take steps to acquire the rights of any person to hold private market and to levy fees therein by invoking the provision contained in Section 267A of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) wherever feasible, to improve their finances. The above acquisition shall be made under the Land Acquisition Act, 1894 (Central Act I of 1894). The Government issue the following instructions to be followed in processing the individual cases:-

- (i) Any Municipal Councils intending to acquire the rights to hold private markets in its area and to levy fees therein should take a decision after going into the merits of each case and the decision taken should also cover the provision of funds towards compensation payable to the existing holders of the private market under the Land Acquisition Act, which should be met by the Municipal Council. Necessary resolutions in this regard should be passed by the Municipality.
- (ii) Thereafter, the Executive Authority should address the District Collector concerned with the requisition for the acquisition of the rights in the prescribed form in Form I of Appendix XII of Part IV of the Land Acquisition Manual (A specimen copy is enclosed) under copy to Director of Municipal Administration.
- (iii) The Collectors on receipt of requisition will initiate Land Acquisition proceedings through the Revenue Divisional Officers and ensure expeditious completion.
- (iv) The Municipal councils shall also arrange to place the funds at the disposal of Land Acquisition Officer at the time of requisition itself; and
- (v) In the event of orders of higher authorities viz. Director of Municipal Administration/Government being required by the Municipality in the matter of taking a decision to acquire the rights in any particular case or with reference to provision of funds, the clearance of the authority should be obtained before addressing the District Collector with the requisition for acquisition.

2. The District Collectors are requested to issue suitable general instructions to the Revenue Divisional Officers with reference to the instructions mentioned in para 1(iii) above.

3. The receipt of this order may be acknowledged.

4. This order issues with the concurrence of Revenue Department vide its U.O.No.33300/C2/83-1, dated 23.4.1983.

(BY ORDER OF THE GOVERNOR)

H. B. N. SHETTY,
COMMISSIONER & SECRETARY TO GOVERNMENT

/TRUE COPY/

Encl t. RC. NO. 13/C1/118135/83 dt. 21.12.1983

Examiner's Office,
'C' Section.

Copy communicated to all officers as per Category IV of this list.

(Sd.) N. GOVINDAN,
DEPUTY EXAMINER OF LOCAL FUND
ACCOUNTS.

/TRUE COPY/

Com. Sec. Dr. 13.12.1983
S. S. Srinivasan

SUPERINTENDENT.

SSS

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