

Copy of :

GOVERNMENT OF TAMIL NADU

ABSTRACT

MUNICIPALITIES - Municipal Buildings, stalls, shopsbunks, lands etc., - Lease beyond 31.3.1985 - Orders issued - Notification published.

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MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT.

G.O.MS.No.285

Dt. 29.4.85.

Read:

1. G.O.Ms.No.395/RD&LA., dated 5.3.77.
2. G.O.Ms.No.194/RD&LA., dated 16.2.82.

Read also:

3. Petitions from stall-holders in various Municipalities.
4. From the Director of Municipal Administration, Lr.No.72289/84/RM dated 5.2.85.
5. Government Lr.No.12667/MVI/85-1/M.A.&W.S. dt. 21.3.1985.

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ORDER:

The Government have carefully considered the question of leasing out the Municipal buildings, stalls, lands, sheps, bunks etc., beyond 31.3.1985. They have decided to allow the existing lease-holders to continue in the premises for one more year (i.e.) from 1.4.85 to 31.3.86, subject to the condition that the existing lease-holders agree to pay, during the period from 1.4.85 to 31.3.86, at an increased lease amount at 15% (fifteen percent) over and above the lease amount for the year 1984-85, in addition to the lease amount for 1984-85.

2. The Government also direct that the Municipal Council resort to public auction of the lease once in every three years and that the system of public auction of the Municipal properties mentioned above shall be implemented from 1.4.86. A successful bidder shall not be allowed to take part in the public auction, at the most for than two times. The lease amount will be fixed for the first year at the rate of highest bid in the public auction. The lease amount for the second year shall be at 15% more than the amount for the first year in addition to the lease amount for the first year. The lease amount the for first year shall be at an increased rate at 15% more than the amount for the first year in addition to the amount for the second year. The Cooperative Government departments and Government Undertakings can take the municipal properties on lease paying the rates fixed by the Public Works Department, without participating in the public auction.

3. In continuation of the instructions issued in Govt.Lr.No.12667/MVI/85-1/M.A.&W.S. dated 21.3.85, the Government direct that the existing lease in respect of the properties mentioned above shall be extended for the year 1985-86 and the lease amount shall be collected for 1985-86 at an increased rate at 15% more than the lease amount for 1984-85, in addition to the lease amount for that year.

4. In conformity with the instructions issued in (p.t.o.)

Government Memo No.29300/MVII/76-2/RD&LA dated 27.3.76 and in accordance with the orders in the preceding paragraphs the Government have decided to amend rule 12 of the Tamil Nadu District Municipalities Rules issued under Tamil Nadu District Municipalities Act, 1920 relating to Receipts and Expenditure of Municipal Councils.

5. The Notification appended to these orders shall be published in an Extra-ordinary issue of the Tamil Nadu Government Gazette.

/BY ORDER OF THE GOVERNOR/

J.R.RAMANATHAN,
Commissioner and Secretary to Govt.

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APPENDIX
NOTIFICATION

In exercise of the powers conferred by sub-section(1) and clause.(d) of sub-section(2) of section 303 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Governor of Tamil Nadu hereby makes the following amendments to the rules relating to the Receipts and Expenditure of the Municipal Councils published with the Local Self Government Notification No.618 dated the 1st May 1933, at page 215 of 218 of Part I-A of the Fort St. George Gazette, dated the 13th June, 1933, as subsequently amended.

AMENDMENT

In the said Rules, in rule 12(1) sub-rule (3), for clauses (b) and (c), the following clauses shall be substituted, namely:-

- "(b) The lease of vacant lands and buildings, including bunks and stalls etc. shall be granted only in public auction once in every three years in the first instance, commencing from 1.4.1986. The lease holder shall pay the lease amount for the first year at the rate of highest bid in the public auction. The lease amount for the second year shall be at an increased rate at 15% (fifteen per cent) over and above the lease amount for the first year. The lease amount for the third year shall be at an increased rate at 15% (fifteen per cent) over and above the lease amount for the second year.

Provided that the existing lease in respect of the properties mentioned above shall be extended for the year 1985-86 and the lease amount shall be collected for 1985-86 at an increased rate at 15% more than the lease amount for that year. The lease amount for twelve months from 1.4.1985 to 31.3.1986 shall be 15% (fifteen percent) over and above the lease amount for the year 1984-85.

Provided further that this sub-rule shall not apply to the Cooperative Organisations, Government Departments and Government Undertakings, which if they so desire, can without participating in the public auction, taken on lease the lands and buildings, including bunks, and stalls etc., at the lease rates fixed by the Public Works Department.

(c) A successful bidder in public auction of the properties mentioned in the preceding sub-clause, shall at the next, participate in the public auction not more than two times. Application for renewal of lease should reach the Executive Authority 90 (ninety) days prior to the expiry of the lease period.

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