

General Order by the President in Council, No. 700 dated 3rd July, 1855

At the recommendation of His Excellency the Commander-in-Chief the Honourable President of the Council of India in Council is pleased to substitute the following for paragraph 7 of Government General Order No. 179 of the 12th September, 1836 :

All houses in a military cantonment, not being occupied by a person belonging to the army on duty, at the station, or whose residence therein may be authorised by Government, which may be deemed by the Commanding Officer of the Station suitable from their locality for the accommodation of officers, shall be claimable for purchase or for hire, at the option of the owner; in the former case at a valuation, and in the latter at a rent, to be fixed, in case of the parties disagreeing, by a Committee of Arbitration constituted as follows :

HOUSES CLAIMABLE FOR PURCHASE
OR HIRE AT OPTION OF OWNER

COMMITTEE OF ARBITRATION

1982. At stations, such as Secunderabad, where the ground in foreign territory, but assigned by the Nizam's Government to Her Majesty's Government for military purposes, the above rules as regards the rental of houses and allotment of officers in the cantonment are to have equal effect.

APPLICATION OF RULES TO BRITISH
CANTONMENTS, IN FOREIGN
TERRITORY

EXEMPTION OF BANGALORE

Bangalore is especially exempted from the operation of these rules. Kamptee and Cuttack are under the Bengal Cantonment rules.

6. No ground will be granted except on the following conditions, which are to be subscribed by every grantee, as well as by those to whom his grant may subsequently be transferred;

Condition of occupancy

1st—The Government to retain the power of resumption at any time on giving one month's notice and paying the value of such buildings as may have been authorised to be erected.

Resumption of land

2nd—The ground, being in every case the property of Government, cannot be sold by the grantee; but houses belong to Govt. of other property thereon situated may be transferred by one military or medical officer to another without restriction, except in the case of reliefs, when, if required, the terms of sale or transfer are to be adjusted by a Committee of Arbitration.

*Land cannot be sold by grantee.
Transfer of houses between Military Officer.*

3rd—If the ground has been built upon, the buildings are not to be disposed of to any persons, of whatever description, who does not belong to the army, until the consent of the officer Commanding the station shall have been previously obtained under his hand.

Arbitration in case of transfer on relief. Transfer of house to civilian.

4th—When it is proposed, with the consent of the General Officer, to transfer possession to a native, should the value of the house, buildings or property to be so transferred exceed Rs. 5,000, the sale must not be effected, until the sanction of Government shall have been obtained through His Excellency the Commander-in-Chief.

Transfer of native.

7. All houses in a military cantonment, being the property of persons not belonging to the army, which may be deemed by the Commanding Officer of the Station suitable, from their locality, for the accommodation of officers, shall be claimable for purchase or for hire at the option of the owner; in the former case at a valuation, and in the latter at a rent, to be fixed, in case of the parties

Houses claimable for purchase of hire at option of owner.

disagreeing, by a Committee of Arbitration constituted as follows.

8. The Committee is to be composed of one civil officer the principal one, if practicable, at or in the vicinity of station, the Commanding Officer of the Cantonment, and an officer belonging to the station to be named by the proprietor of the premises; and their decision whether relating to the terms of purchase or rent, is to be conclusive, unless it shall be reversed by Government, for whose orders the proceedings of the Committee are to be submitted. through His Excellency the Commander-in-Chief, whenever

Composition of Committee of Arbitration

Appeal.

the proprietor of the premises which they have valued is dissatisfied with their award.

9. When the houses of the officers of one corps are to be transferred to those of another, as on the occasion of a relief, if a difference of opinion should arise as to the fair terms of the transfer, the price shall be fixed by a Committee of Arbitration, constituted as in the last paragraph, but to which, in such cases, there is to be given an additional

Arbitration in case of transfer as on relief :

members to be named by the intending purchaser.

No appeal.

10. in this case there is to be no appeal. and the decision of the Committee of Arbitration is to be final.