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Lands :

Restoration of — purchased on nominal bid in an auction sale held for recovery of dues as arrears of land revenue.

GOVERNMENT OF BOMBAY.

REVENUE DEPARTMENT.

Resolution No. LND. 5055/121963-A.

Sachivalaya, Bombay, 5th January 1957.

Read—

Government Resolution, No. 7204/39, dated the 28th August 1947.

Government Resolution, No. 7204/39, dated the 22nd June 1948.

Government Resolution, No. 2879/49, dated the 29th July 1950.

Government Resolution, No. 2596/45, dated the 18th April 1951.

RESOLUTION.—The following points have been raised for the consideration of Government :—

*share*  
(a) whether the orders contained in Government Resolutions, No. 7204/39, dated 28th August 1947 and 22nd June 1948 in so far as they relate to property purchased on behalf of Government on nominal bid, are superseded by those contained in Government Resolution, No. 2556/45, dated 13th April 1951;

(b) whether the practice of purchasing the property on nominal bid on behalf of this Government should be followed in cases of recovery of arrears of dues other than those of this Government or should be restricted to cases in which this Government's arrears are to be recovered.

2. *Regarding (a).*—The orders contained in paragraph 1(B) of Government Resolution of 28th August 1947 and paragraph 1(B) of Government Resolution of 22nd June 1948 apply to purchases on nominal bid. It should be borne in mind that purchase on nominal bid made before the coming into operation of the Proviso to rule 128 and rule 129 (4) of the Land Revenue Rules are legal provided that no upset price was fixed in the proclamation and conditions of sale and due notice was given to the defaulter of the Government's intention that the land would be purchased on nominal bid.

3. *Regarding (b).*—Normally, the Collector and the other Revenue Officers should resort to the practice of purchasing the property on nominal bid on behalf of this Government in cases in which this Government's arrears are to be recovered. In cases in which the Collector thinks that nominal bid procedure should be resorted to with respect to the arrears other than those of this Government, the Collector should in consultation with the department or authority concerned, appoint a representative of the other Government or the authority concerned as his nominee to offer the bid and to purchase the property on behalf of that Government or the authority, as the case may be. The orders in Government Resolution, No. 2879/49, dated 29th July 1950, in so far as they are not in conformity with this procedure, should be treated as cancelled.

By order and in the name of the Governor of Bombay,

M. SIVAGNAM,

Under Secretary to Government.