

C.L.M. CIRCULAR NO. 3/1959Alienation of State Land occupied on T.O.L.

It sometimes happens that state Land for which applications have been received, is occupied on a temporary basis by holders of licences issued by Collectors under Rule 31 of the Terengganu Land Rules 1951. This is specially liable to occur in Town Areas.

2. Collectors are aware that T.O.L.'s, which may not be transferred are only valid during the calendar year of issue and have been renewed annually. No matter how many times a T.O.L. has been renewed, it confers no right in the land to the licence, and may be cancelled at any time without notice. The fact remains that holders of T.O.L.'s, tend to regard themselves as owners of the land. They often build houses on them which they sell to others, which is completely illegal. When State Land occupied in this way is alienated to a third party, the result is usually a flood of petitions from the licensees or purchasers of buildings, who insist that they have a prior claim to consideration. This is an entirely mistaken view, but it is a widely held view of the public in general.

3. To avoid complications arising from existing occupation on State Land to be alienated, Collectors are requested to note that in future when making reports to the Commissioner of Lands and Mines to enable him to prepare recommendations for Executive Council, they should always say whether the land occupied or not. If the land is occupied on T.O.L., Collectors should include in their report proposals for supplying the T.O.L. holders with land elsewhere. If there are not town planning or other objections, T.O.L. holders should, if they so desire, be permitted to enter their own applications for the land and the Collectors of Land Revenue's report should cover these applications.

4. The above consideration should also be borne in mind by Collectors when alienating land within their powers. If it results in conflicting applications, the matter must be referred to the Commissioner of Lands and Mines as required under section B(i)(d) of Gazette Notification 174 of 22/3/1956 (delegation of power under section 18 Land Enactment).

5. The Collector should note that the issue of T.O.L.'s, in general, is undesirable and should be avoided except in very special circumstances.

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COMMISSIONER OF LANDS & MINES,
TERENGGANU.

(M.J.T. McMann)

To: All Collectors of Land Revenue.

c.c. Hon'ble State Secretary, Terengganu.

K. Terengganu: 18th. February, 1959.