

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 1694 M.

DATED 2<sup>nd</sup> Oct. 1896

[Despatch Abstract.]

Encroachments

Recording, with remarks, Chairman's report as to the action taken in the matter of — in the Conjeevaram Municipality, and requesting the Superintendent of Madras Survey to state when the Survey of the Municipality will be complete.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

| G.O. | No.  | Department. | Date. | G.O. | No. | Department. | Date. |
|------|------|-------------|-------|------|-----|-------------|-------|
| Cuo  | 3346 | ky          | 96    |      |     |             |       |
| Cuo  | 380  | ky          | 97    |      |     |             |       |

Local & Munl. (1896) Department.

CURRENT No. 7 SEP. 1896

3- SEP 1896

From The Chairman, Municipals, Council —  
 Congressmen  
 Thro' The Sub-collector and Collector  
 of Chungking (S. I.)

No. 49

Dated 30<sup>th</sup> August 196

Received 17 SEP 99

Registered 61

*Enclosures one*

*Spare copies*

SUBJECT.

Submits report as to the action taken in the matter of encroachments.

Forwarded.

V.R  
28/9/96

WWD  
29-9-96

MSA 30.9.96

Chingfuch  
8-9-26

2/15/79

To The chairman, M.C. Congressmen, the  
the city of Chicago.  
of 1899. Aug 26/1899 Rev. Dept.

Forwarded.  
D. S. Mendenhall, U.S. Geol. & Nat. Hist. Survey  
to the U.S. Nat. Hist. Survey, Washington, D.C.  
4.9.96

# BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

Municipal Office Congjuvarum  
30 August 1896.

From, The Chairman of the Municipal Council  
Congjuvarum

To The Chief Secretary to Government  
Madras  
Through the Subcollector and Collector  
Chingleput

Sir,  
With reference to para 2 of the Government  
Order contained in G.O. No. 863 of date 21 May  
1896 directing me to submit a report as to the  
action taken in the matter of encroachments in  
the Municipality, I respectfully beg to submit  
a statement to show what progress has been made  
in the work.

2. As will be observed from the statement, herewith  
I have commenced to deal with these encroachments  
which were traced out by the Subcollector and  
Deputy Collector, Pandamuntha Aiyangar, who were  
deputed to the inspection of the encroachments  
in the town - These mostly comprise encroach-  
ments made since 20 February 1889. The  
list has been sent to this Office for necessary action  
being taken by the Council, Exhibits in  
all 1163 encroachments of which herewith.

(a) 719 cases of encroachments in  
which removal was considered  
necessary by the Subcollector &  
the Deputy Collector in consultation

of the width of the streets rendered narrow from the fact of these encroachments

(b) 48 Cases in which prosecution was considered necessary by the said Officers, as the individuals therein abrogate the conditions of the papers granted to them by the Municipality

(c) 396 Cases of encroachments in which removal was not considered necessary by the said Officers but removal was suggested to the Charles-

3. These lists were placed before the Council for necessary action and the Council ordered the issue of notices in all the Cases of encroachments (a) and to prosecute 8 Cases recommended by the Sub Collector out of 48 in (b). As it was considered difficult for the Council to deal with the whole Cases enumerated in (a) at once, as most of the individuals therein will come forward with their objections and to hear them will take a long time, I issued notices in 153 encroachments traced out by the Sub Collector out of 719 (a) and issued orders for the prosecution of 8 Cases in (b).

4. As regards encroachments recommended to be removed (a) In the matter of these encroach-

ments notices were issued in the 153 encroachments as stated above. In all of which parties were served with notices. 39 out of them protested against the removal, some on the ground of long possession; some that they have not encroached upon the Municipal land; others that they are in existence before the Municipal Act came into operation. These papers were placed before the Council in not less than 3 of its sittings, by properly convened for the disposal of the Cases, with a view to prosecution of those who have failed to remove the encroachments under the notices issued to them. The Council at last resolved to appoint a sub-committee to inspect the encroachments and to examine the documents that may be produced before it by the parties in support of their claims. The sub-committee accordingly inspected the encroachments and enquired about them and found that in 19 Cases, encroachments had been removed, in which no further action is necessary; in 85, removal of encroachments is necessary; in 16, encroachments should be rented; in 7, encroachments <sup>were known to be old</sup> but of which 2 should be removed on payment of compensation. In the remaining 26

Cases Enquiry has not been completed, as in some Cases parties were allowed time for the production of their documents and in others inspection and measurement were found necessary. The Council in adopting the Recommendation of the Sub Committee, ordered formal notices being issued in the 85 Cases recommended by the Sub Committee for removal of encroachments, and if they fail to do so they may be prosecuted. Steps are being taken to carry out the Resolution and for the speedy disposal of the 26 Cases in which time was allowed to parties to produce their documents, as also those for which inspection and measurement was considered necessary by the Sub Committee.

5. As regards (b) Cases in which prosecutions were suggested by the Sub Collector and Dy Collector

Of the 48 Cases for prosecution, 8 are Cases in which prosecutions were suggested by the Sub Collector and the rest are those suggested by the Dy Collector. The Council sanctioned the prosecution of the 8 Cases recommended by the Sub Collector - Out of which 7 were prosecuted and in the remaining one Case, the party having removed the encroachment he was not prosecuted. Out of 7 Cases prosecuted, 6 resulted in conviction and 1 in acquittal.

The Defendant in the one Case acquitted, was prosecuted for erecting a shop room without permission and as he had produced a pass in his trial permitting the erection he appears to have been acquitted. This pass was omitted to be shown in the list furnished from his Office to the Sub Collector this morning, but however steps will be taken either for its removal or to enforce payment of rent, should it be found to be an encroachment on the Municipal land. Out of the 6 Cases convicted in 5 Cases encroachments have been removed and in the remaining one, no steps were taken for the removal of the encroachment. As the Sub Collector did not think it necessary to recommend rent being charged - Steps are being taken to find out whether his construction is on Municipal land and if it is found so, it will be charged rent.

In 40 Cases suggested for prosecution by the Dy Collector, the list for prosecution was placed before the Council in its meetings held on the 27 July and 3<sup>rd</sup> August 1896 and it has at last in its meeting of the 26 Instant, resolved to prosecute 29 Cases and to withhold <sup>its</sup> sanction in 10 Cases - As in 2 Cases the parties removed their encroachments; in one, promised to remove

It, in 1 the Encroachment. Consists of 2 loose stones  
as steps which can be made to be removed; in  
4, parties were considered to have not. Acted  
Contrary to paper granted to him, in 1 party  
also since and in 1 it is difficult to prove  
any Encroachment — And in the remaining  
1 Case it has Order for the inspection of the  
place. In the 10 Cases in which sanction  
was withheld, the places will be inspected &  
if the parties have Encroached upon Princi-  
pal lands, the Council will be moved to  
inquire them ~~parties~~ either to remove the  
Encroachments or pay rent for the same  
According as the circumstances may require.

6. As regards Encroachments (C) to be rented.

No notices were issued to the  
parties in these Cases. In many of these  
Encroachments measurement is necessary  
to find out extent of the Encroachments  
before any action is taken in the matter.  
It is therefore necessary to defer any action  
in it until the Survey of the town is  
complete and the Survey Registers are  
received. The Survey Dept. is still going  
on with their operations in the town. There  
is no intimation when the Registers are likely  
to be sent here. It is would take a long

time before the whole Registers are printed and  
sent. I beg that Orders might be passed to  
send me such Registers that have been completed  
for any one of the 4 Divisions of the town.  
If I cannot get them at an early date and  
if I should proceed with the work without  
the Survey Registers, I beg that the Services  
of the Muzum of the village may be  
placed at my disposal till such time  
the work may be completed, for, without  
him it is not possible to ascertain the  
pymach extent of each house.

7. Besides the Encroachments traced out  
by the Sub Collector and the Dy Collector, there  
were other Encroachments discovered since  
I took charge of this Office which amounts  
to 233 in number. In all of which pro-  
secutions were entered with the sanction  
of the Council and it resulted in Conviction  
102 Cases; in Acquittal in 18 Cases for  
want of sufficient evidence and the  
remaining Cases are pending disposal.

In 102 Cases convicted the Encroachments  
in 101 Cases were removed.

8. To trace out the Encroachments of  
less than 12 years standing I have got  
4 Registers opened, one for each Division

G. In Conclusion I beg to state that encroachments are rife throughout the town and endeavours are being made to put them down.

The above is a list of the names of the persons who have been  
 in the office of the Secretary of the Board of Education since  
 the 1st of January 1870.

[illegible]

Statement showing details of measures  
in G. O. No. 863 M. dat

| Officers by whom inspected | Recommended for removal of steps, Koradus &c by the inspecting officers | Orders passed by the Council for removal of Koradus, steps &c | Removal of Koradus, steps &c | Removal of Koradus, steps &c |
|----------------------------|-------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------|------------------------------|
| 1                          | 2                                                                       | 3                                                             | 4                            | 5                            |
| Sub Collector              | 153                                                                     | 85<br>16<br>69<br>26<br>1<br><del>153</del>                   | 16                           |                              |
| Deputy Collector           | 566                                                                     | "                                                             | "                            | "                            |
| Total                      | 719                                                                     | 85                                                            | 16                           |                              |

Municipal office }  
 Conference on 30<sup>th</sup> August 18<sup>th</sup> March.

1. *Expenditure* as directed  
 2. *Expenditure* as directed

|  |  |  |  | cases<br>on which<br>acted | cases<br>acquitted | Total | Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--|--|--|--|----------------------------|--------------------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  |  | 13                         | 14                 | 15    | 16.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|  |  |  |  | 6                          | 1                  | 7     | The cause of one acquittal was owing to the production of a pass by the defendant permitting him to construct a sejour room for which he was prosecuted and which was thro' an oversight in the office omitted to be entered in the list of passes given to the Sub Collector. In the 6 cases convicted the removal in 5 was enforced and in the remaining one case attempt was not made for its removal as the Sub Collector recommended it to be routed. |
|  |  |  |  | "                          | "                  | "     | In the 566 encroachments suggested to be removed by the Deputy Collector as shown in Column 2 notices are being prepared. Out of 40 cases shown in Column 9 of prosecutions the Council withheld prosecutions in 10 cases, one is pending its enquiry and the remaining 29 cases prosecution is sanctioned in which orders are being issued.                                                                                                               |
|  |  |  |  | 6                          | 1                  | 7     |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

18-  
Municipal office

Statement showing details of measures adapted in the matter of encroachments in the Coimbatore Municipality as directed in G. O. No. 863 M. Dat 21<sup>st</sup> May 1896.

| Officer by whom inspected | Recommended for removal of steps, Koradus &c by the inspecting officer | Orders passed by the Council for Removal of Koradus, steps &c | Removal of Koradus, steps &c | Encroachments removed | Encroachments pending disposal | Encroachments considered to be sold by the Council | Total | Prosecutions recommended by the inspecting officer | Prosecutions sanctioned by the Council | Encroachments removed before prosecution | Cases prosecuted | Cases convicted | Cases acquitted | Total | Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------|------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------|-----------------------|--------------------------------|----------------------------------------------------|-------|----------------------------------------------------|----------------------------------------|------------------------------------------|------------------|-----------------|-----------------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                         | 2                                                                      | 3                                                             | 4                            | 5                     | 6                              | 7                                                  | 8     | 9                                                  | 10                                     | 11                                       | 12               | 13              | 14              | 15    | 16                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Sub Collector             | 153                                                                    | 85                                                            | 16                           | 19                    | 26                             | 7                                                  | 153   | 8                                                  | 8                                      | 1                                        | 17               | 6               | 1               | 24    | The cause of one acquittal was owing to the production of a pass by the defunct permitting him to construct a sejour room for which he was prosecuted and which was thro' an oversight in the office omitted to be entered in the list of passes given to the Sub Collector. In the 6 cases convicted the removal in 5 was enforced and in the remaining one case attempt was not made for its removal as the Sub Collector recommended it to be retained. |
| Deputy Collector          | 566                                                                    | "                                                             | "                            | "                     | "                              | "                                                  | "     | 40                                                 | 29                                     | "                                        | "                | "               | "               | "     | In the 566 encroachments suggested to be removed by the Deputy Collector as shown in Column 2 notices are being prepared. Out of 40 cases shown in Column 9 of prosecutions the Council withheld prosecutions in 10 cases, one is pending its enquiry and the remaining 29 cases prosecution is sanctioned in which orders are being issued.                                                                                                               |
| Total                     | 719                                                                    | 85                                                            | 16                           | 19                    | 26                             | 7                                                  | 153   | 48                                                 | 37                                     | 1                                        | 17               | 6               | 1               | 24    |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Municipal office }  
Coimbatore 30<sup>th</sup> August

Municipal  
Chairman