

1,000-6-12-96.

CUT

Govt. of {1896} Madras.
REVENUE.

To

The Local and Municipal
Department.

Dated

Recd.



Encl.

Mis. G.O., 27 January 1896, No. 345

SUBJECT.

Requesting the Board of Revenue
to submit a report on encroachments
by zemindars &c on communal poramboke.

File.

Order No. 249 min 8/12-296

Recorded.

hwd

16.11.96

Copy to the Collector of Vizagapatnam
Dated 18/3/96

[L & M.]
[9,000-8-8-96.]

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 249 M

DATED 12th February 1896

[Despatch Abstract.]

Encroachment.

Recording G.O., Revenue Department, requesting the
Board of Revenue to submit a report on --- by zemindars, &c, on
communal poramboke.

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No. , MISCELLANEOUS.

BACK PAPER, No.

OF 189

FURTHER PAPER, No.

OF 189

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH
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Copied by

Examined by

Local & Municipal
Revenue Department.

CURRENT No. 350h

Proceedings of the Madras Government.

Read Endorsement from the Local and
Municipal Department, dated 5th December 1895, No. 1720,
transferring to the Revenue Department for necessary action?
Endorsement from the Collector of Vizagapatam, dated 1st
October 1895, C.No. 5045.

Order thereon, dated 27th January 1896, No. 345 12a.

The papers read above relate to a claim made by the Maharajah of Vizagapatam to vacant house sites and sides of roads within the Municipality of Vizagapatam. This is the third instance which has come to the notice of Government within the last twelve months in which Zamindars and other proprietors of land have laid claim to communal property, i.e., lands set apart for the convenience or common use of the community, as their own private property. The correspondence ending with G.O. No. 1009 H dated 7th October 1895, communicated in Revenue G.O. dated 30th October 1895, No. 4395, refers to the objection raised by the Zamindars of the whole Inam village of Kurur to the proposed sale by the Municipality of Kurur of two vacant sites within Municipal limits and the subsequent claim of the Zamindars to all vacant house sites and avenue trees within those limits. G.O. dated 16th October 1895, No. 1085, refers to a similar claim made by the Jaghir-dar of Mubai in Chingleput to the avenue trees standing on the southern tank road within Joghire limits. The Government has reason to believe that such claims on the part of Zamindars and holders of whole Inam villages are by no means uncommon and fears that considerable inconvenience will be caused by encroachments on communal property unless timely steps are taken to regulate and resist these claims.

2. In G.O. dated 21st May 1884, No. 664,
it was decided that no claim should be put forward on the

half of Government to poramboke lands in & Zemindaries as the rights of Government in such lands had been alienated to the Zemindars at the time of the permanent settlement; and in G.O. dated 7th November 1887, No. 1043 a similar decision was announced in regard to poramboke lands in whole tract villages. But as distinctly stated in these two Government orders (paras 21 and 27 of the former and para 5 of the latter) the alienation did not and could not affect the pre-existing rights of the village communities in such lands, and the Zemindars and other assignees of the revenue ought to be prevented from depriving the village of any part of the communal poramboke (i.e. the poramboke referred to as "permanent portion" in the former G.O.) that is really wanted by them. As the village communities in this Presidency are neither wealthy nor public spirited, they cannot be expected to take action against encroachments on their rights, as for instance, when a Zemindar lets out a part of the village site or of a town or cattle stand for cultivation. The difficulties of individual action against a powerful landlord are very great and the Government is disposed to think that the only feasible plan of protecting the communal lands from encroachment is to vest them in local boards or Municipal Councils by legislation.

3. Before, however, taking any action in the matter, His Excellency the Governor in Council desires to have information as to whether, and to what extent, Zemindars and other proprietors have encroached upon lands reserved for communal purposes at the time of the permanent or other settlement as the case may be, and accordingly directs the Board of Revenue to submit a report on the subject.

(True Extract)

L. H. B. W.

Secretary to Government.

INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 12-2-96

No.

249 m.

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[Despatch Abstract.]

Encroachments

Recording L.D. R.D. re-
-questing the Board of
Revenue to submit a
report on
by Zemindars & on
Communal poramboke.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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 When signed _____

189 .

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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