

L. A. M.
1899-12-9-98.

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 2197 M.

DATED 17. 12. 98.

INDEXED.

RECORDED

[Despatch Abstract.]

Encroachments.

Approving the proposals of the Head
asst. Collector as modified by the Collector
of South Arcot regarding the removal
of — on public streets in the Chidambaram
Municipality.

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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Local & Munl. (1898) Department.

CURRENT No. 3260

Mun

Order

The proposals of the
Head Assistant Collector
as modified by the Collector
are approved.

13
30/11/98

14/12/98

Copy sent
to Mr. M. S.

From

The Ag Collector of
South Arcot

No. 772/98

Dated 14 October 1898

Received

Registered

Enclosures (2)

Spare copies

19 OCT 1898

SUBJECT.

Reporting the action taken for
the removal of the encroachments
on public streets
in the Colindale area
The Chairman, Mr. Chidambaram
Collector of South Arcot
The Head Assistant Collector
should be required by the District Collector
to report the action taken for the removal of the encroachments
on public streets in the Colindale area
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on public streets in the Colindale area

G.O.	No.	Department.	Date.
So	1642	En ✓	1-9-88
So	1325	En ✓	2-6-97
So	863	En ✓	21-5-96
So	1024	En En	26-1-98
So	1513	En	15-10-94
So	4741	En	20-3-88

[illegible]

No 1299 of 98
Dis

Cuddalore.
22 October 1898.

From The Ag: Head Assistant Collector of
Southbrook
To The Collector of Southbrook

Sir,
With reference to your order no 587 of 7-8-98
Eng

I have the honour to report as follows:—
At the beginning of last month, I inspected in com-
pany with the Special Deputy Tahildar all the Cases
of Euroachment which he had recommended to be
removed. My opinion on each Case I have written
against it in the four registers compiled and sub-
mitted by the Special Deputy Tahildar. In these
registers the Deputy Tahildar has written his re-
commendations against each Case, and I think these
registers might be handed over to the Council
for distribution to the Divisional Councillors
with instructions to carry out the Deputy Tahildar's
or my recommendations or report to the Council
Cases in which they deem it advisable not to
carry them out; they should also submit a fort-
nightly or monthly progress report showing how

for they are carrying out the special officer's instructions. These progress reports should I recommend be submitted by the Chairman to me and sent on by me to you for your perusal.

2. There are a few general observations I want to make in the matter. In recommending the removal of certain encroachments, I have satisfied myself that the removal is absolutely necessary in the interests of the public. For this reason I negatived some proposals of the special officer to remove certain other encroachments. I think removal should not be ordered unless absolutely necessary as it would cause undue hardship to the parties concerned. The total number of removals I recommended are roughly summarized:-

	Erected in contravention of license	Licensed	Not existing according to survey plan of 93.	Not Licensed.
Division I	3	10	21	16
Do. II	2	2	3	5
Do. III	"	1	7	1
Do IV	"	1	3	2
	5	14	34	24

Grand total 77.
or a total of 77 encroachments in all and of these only 48 are licensed or of long standing.

2197m & 12/12

3. As to the method of removal, those built in contravention of license or without license may be ordered to be removed on pain of Criminal prosecution of the occupiers. As regards those already licensed, no license dates from older than 84, and the license can be revoked by the Municipality. As regards those existing for a long time, about which it is difficult to get accurate information, the Council I think, must make up its mind to acquire them in cases where the encroachment is older than 12 years. They will get sufficient funds from the levy of fees and rents as here after detailed. In this connection it should be remembered that no alienation without sanction of Government since 20.2.89 is valid.

This ref. must be placed in some place in flag it.

4. In treating of encroachments which it is not necessary to remove and which should be allowed to remain, the class of encroachment has to be taken into account. The different encroachments as noted by the Deputy Tahildar are

- (1) Pials
- (2) Veraudals or stone koradus in front of pials.
- (3) Veraudals converted into enclosures.
- (4) Mud Koradus
- (5) Paudals
- (6) Steps.

These again should be classed as before in to

(1) Erected in contravention of license (2) not licensed (3) Licensed (4) Older than 12 years. As for the first three classes, fees should be levied as for granting a license (2) for annual renewal of license, the penalty for refusal of payment being of course refusal to grant or renew the license and order to remove the encroachment and criminal prosecution. As for the 4th class, I think the site should be assigned outright to the owners on payment of such amount if any, that the Municipality sees fit. No encroachment should be permitted to remain unlicensed and no new encroachment should be allowed without a license.

5. The scale of fees I should recommend would be.

	Granting license	Renewing license (annual fee)
For pials.	12 annas per sq. yard.	6 annas per sq. yard.
Enclosed Stone koradus.	10 Rs -	5 Rs -
Open Stone koradus.	8 Rs -	4 Rs -
Mud koradus	6 Rs -	3 Rs -
Paudals	4 Rs -	2 Rs -
Steps	2 Rs -	1 Rs -

6. As regards steps, the great majority of which are unlicensed, I should recommend that, if they

are not found in the Municipal Survey plan of 93, they should be removed altogether and owners ordered to put them inside the verandah or koradus. But this need not be insisted on if there is a drain in front of the house which has to be crossed; but if the street is narrow only a slab footway should be allowed. In such cases fees should be levied as above. The Council will have the power of exempting any person or class of persons from the payment of fees for steps on account of poverty. I should also recommend the removal as far as possible of mud koradus. They are usually exceedingly unfidy and in bad repair, and can be of little practical use to the owners, while they tend to ruin the street by forcing all the rain water to run down the centre of the street.

7. As to the construction of drains in all cases in which encroachments are allowed to remain, care should be taken to see that they will not interfere with drains likely to be constructed at a future time. If so, a bond should, invariably be taken from the owners and duly executed between him and the Municipal Council, binding himself and his heirs

bein to bear the expense necessary to carry the drains round the obstructions or under it. I have noted in the registers the cases in which, I think this should be done.

8. With regard to particular streets, I have made some notes in the registers. I have not recommended the removal of any encroachments in the Car Street. With regard to the East Samadhi

all the encroachments should be removed, as the public suffer great inconvenience during festival times from the narrowness of the street. If the Council think this too sweeping a measure, no

koradw should be allowed to be higher than 1 foot and it should not be erected nor have Sammandis, so that the people may pass along it during festivals. In the West Samadhi ^{street} all the temporary

shops should be cleared away. In the Hazardat the six shops which encroach the north side when it enters the West Car Street, should be removed.

I have also recommended that the corners of the Samadhi road and Railway feeder roads should be widened. The recommendations as to Mahalathi

Street should be carried out as it is an important railway feeder road.

9. The Municipality should maintain as far as possible a width of 27 feet for side streets and 35 to 40 feet for main streets. It would be advisable to lay out bench marks indicating the side drains in the main streets. All posts on the road sides of a drain should be removed to the other sides of the drain; no encroachment should subsequently be licensed unless the site has been inspected by at least 2 Councillors and the encroachment has been declared by them to be unobjectionable and the exact dimensions and description of the building allowed should be stated in the Census.

10. In Conclusion I wish to say that the Special Deputy Tahildar has done his work in a very zealous and creditable manner. He has worked hard at a duty which cannot have given him self much pleasure and which exposed him as I know personally, to much recrimination and abuse. Of this latter, he has wisely taken no notice, and I have satisfied myself from several inspections of his work, both before or after it was finished that his work was

7) was thoroughly and methodically done and that
he deserves credit for carrying it through.

11. The Deputy Tahiti's report and the 4 books
referred therein are herewith forwarded.

I have to

(Signed) E. H. Wallace

Ag. Head Asst. Collector

(True Copy)

W. H. Johnson

For Ag. Collector.

2
3260/m/98

South Arcot.

Collector's office

Cuddalore

7th August 1898

No 589

Ag.

From.

L. M. Weights Esquire

Ag. Collector of South Arcot.

To

The Head Asst. Collector of
South Arcot.

Sir

Ref. G. O No 1325 M. Dated 2nd June 1897

Government directed that the Head Asst. Collector
should inspect in person each Kovadu (in the Chidambaram
Municipality) or other Panchayat on the
public street, make out a list of all those which
are objectionable and should be removed, instruct
the Chairman to have them removed and see that
it is done. Under subsequent orders a Special
officer has been appointed to do the inspection
and prepare the list. Considerable progress has
been made in the work and it becomes necessary
to consider how the list of encroachments, which
find from the accompanying abstract furnished
to me by the Special officer are somewhat lengthy
can best be dealt with.

The

287m 812
The encroachments fall into two main divisions,
those which have been licensed by the Council,
and those which have not, and each of these
again may be subdivided into objectionable
and unobjectionable cases. Inasmuch however
as under the Bye laws the Council has the
power to revoke any license granted and as all
alienations made since February 1889 without
the sanction of Government are invalid it
will apparently only be necessary to make two
lists of objectionable and unobjectionable cases.
In the order above quoted Government laid the
responsibility of determining what were objec-
tionable encroachments on the Head Quarter Officer,
who is now replaced by the Special Officer,
and the responsibility involves the exercise
of a considerable amount of discretion.
I request therefore that you will be good
enough to inspect as many of the cases
noted by the Special Officer as "objectionable"
as you can.

The Bazaar Street appears to have become
narrowed

narrowed by encroachments to such an extent
that it will probably be necessary to assist our re-
moval in nearly all cases. In the Car Street the
it appears to me that the removal of encroachments
is in most cases not required. The introduction of
a drainage scheme for the town will eventually
necessitate the construction of side drains between
the houses and the lines of Coconut trees, and
it seems to me that a good plan would be to put
up brick works to layout the probable lines of
side drains.
Encroachments which could not possibly interfere
with these side drains need not I think be in-
terfered with - and the sanction of Government
might be sought for the alienation of the
sites occupied outright. The occupiers will no
doubt try to make out that the license fee
(if any) paid formed the purchase money of
the site but that Contribution can hardly
hold good.

Encroachments abutting on to the line of the
side drains and all "Steps" and footways
over the drains should be licensed and are
Annual

annual fee or rental levied for renewals.
Some cases will probably remain in which
owing to the nature of the encroachment
its removal in order to clear the line fixed
upon for side drains would necessitate the
demolition of the entire frontage of the
house and its reconstruction possibly at
considerable expense. In such cases the
house owner might be made to enter into an
agreement (drawn up in proper form on stamped
paper) with the Chairman of the Municipal
Council for the time being, binding himself
his heirs or assigns to carry out solely at
his own expense such works as may be re-
quired by the Chairman for passing the
drains, under or round the encroachment.
The site occupied might then with
the permission of Government be sold outright.
The Head Assistant Collector will be good enough
to make his inspections in company with the
Special Officer before the latter issues of
employment cases and submit a report
in the light of the foregoing observations.

287m 812¹²
The annual rental payable for such encroachment
as he proposes to permit should be specified.
The encroachment in the Samadhi may I think
be dealt with on the same principles. These
Samadhis are apparently wide enough for
all ordinary purposes, but during the time
of festivals they are doubtless not sufficiently
wide for the crowd that surges into the temple.
The opinion of some (if possible) disinterested
townspeople might be taken on this point and the
question discussed in the report.
The other streets of the town do not present
any special features apparently and the question
whether an encroachment is objectionable or not
can be decided simply with reference to the
obstruction to traffic thereby caused (or likely
hereafter to be caused by neighbours encroaching
up to or beyond the same mark).

I have &c
(Signed) L. M. Wyndham
Ag Collector

(True copy)

W. J. Brown
For Ag Collector

lines indicated to the Head Assistant Collector by me in my letter No 587 dated 7th August 1898. His recommendations are generally sound and in accordance with my suggestions and may be approved subject to the following remarks.

* Copy submitted

Para 1 of Head Assistant Collector's letter. The progress reports to be submitted by the Chairman need not be fortnightly or monthly; quarterly reports will be sufficient. The quarterly reports should be submitted to Government through me as directed in G.O No 1325 M Dtd 22 June 1897

Para 4 Encroachments older than 12 years. These will have to be acquired or allocated, the owners cannot now be required to purchase the sites, because so far as I am aware, no means exist of recovering anything from them in case of refusal, & that while the ignorant might pay up on demand, the educated and probably worst offenders would not.

Para 5. The scale of fines recommended may be off.

Para 9. In para 3 of G.O No 1325 M Dtd 22 June 97 it was ordered that no license for a korada should be given in future without the specific sanction of Government. This order should be forced for some years to come in my opinion.

2. I retain the 4 reg. and from the Head Assistant Collector to him for being sent and to

to the Chairman, on receipt of orders on this letter.
3. I am awaiting the receipt of certain information from the Chairman before I report on the revision of the house tax by the Special Deputy Tahildar in Chedambaram.

I have the honour to be
Sir
Your most obedient servant

Ch. Johnson
For the Collector.

I have the honour to be,
Sir,
Your most obedient servant,

Collector.

When given for copying
 When copied
 When examined
 When signed

189

29/12

READ AGAIN G.O., No. , DATED
 189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPER NOT FILED UP, BEING MEANT FOR DESPATCH
 IN / DISC. LE.

N.B.—

- A = Copy in full.
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- P = Copy abstract only.
- Q = Copy heading only.

L. A. M.
2,800-127

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