(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரந் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Records துறை

அரசாணை எண். 2377	அச்சகம்
மு. கோப்புத் தாள் எண்.	பலவகை
நாள் : 10-10-1881	199

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 19th October 1881.

No. 2377.

Read—again the following Proceedings of the Board of Revenue, dated 19th July 1881, No. 1439.

Read—the following letter from J. F. PRICE, Esq., Collector of Chingleput, to the Secretary to the Board of Revenue,

ENCLOSURE No. 1.

Circular from H. R. FARMER, Esq., Acting Sub-Collector of Chingleput, to all Tahsildars in the Sub-division of Chingleput.

IN continuation of this Office Circular Takid, No. 169, 1st November 1879, Tahsildars are directed to notify to their Revenue Inspectors and Village Officers that occupation of village-site in excess of the scale as laid down at page 545 of the District Gazette for 1863 (the local measure therein given being converted to acres and cents) should be charged single rates in cases where by such encroachment the other villagers do not suffer, and prohibitory rates when others have a right to claim house-site occupied in excess of scale by those already provided with house-site: thus, if a ryot in a village where there is plenty of vacant site to spare, in addition to his authorized grant, utilizes the adjoining ground for heaping up his straw or penning his cattle, he must be charged single assessment on the portion thus utilized, the assessment being determined with reference to the rate charged on the block surrounding it.

2. If on the other hand he has occupied the ground to the exclusion of others who are entitled to it and require it for house and back-yard, he should be charged prohibitory assessment at such rates as will be likely to induce him to relinquish what he holds in excess for the benefit of those fairly entitled to it under the rules. Cases of this kind should be brought to account in No. 16 Account, Village Manual, and settled at Jamabandi.

Letter—dated 20th June 1881, No. 206.

I HAVE the honor to request the instructions of the Board of Revenue as to whether the Circular, of which the enclosed is a copy, which has been drawn up by the Sub-Collector and which has my approval, may be issued in this district.

2. It has for its object checking the occupation by ryots of village-site in excess of the sanctioned scale, and for purposes other than houses and back-yards.

3. The evil is a growing one, and should, if the scale of allotments of village-site is to be maintained, be put down.

4. I have deemed it necessary to refer the matter for the orders of the Board, as exception might be taken to the Circular; it might be cancelled, and there would be trouble in regard to accounts and refunds.

Resolution—

THE Board resolve to communicate Mr. Price's letter to the Collectors named in the margin with the request that they will submit their views regarding the proposed Notification.

Messrs. Whiteside, Leman, Grose, Sewell, Gordon, and H. E. Stokes.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To W. S. Whiteside, Esq., Collector of North Arcot.
„ G. D. Leman, Esq., Collector of Ganjam.
„ J. Grose, Esq., Collector of Nellore.
„ H. Sewell, Esq., Collector of Trichinopoly.
„ H. P. Gordon, Esq., Collector of Bellary.
„ H. E. Stokes, Esq., Acting Collector of Salem.
Copy to the Collector of Chingleput.

Read—the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to the Secretary to the Board of Revenue, dated Chittoor, 9th August 1881, No. 292.

With reference to Board's Proceedings, dated 19th ultimo, No. 1439, I have the honor to state that I *quite* approve of the proposed notification of Mr. Price with regard to the assessment of village-site lands. I have long ago introduced in this district the rule to change single rates where, by unauthorized occupation of village-site, other ryots do not suffer, and prohibitory rates, when the encroachment is detrimental to the interests of the village community. The rule is regularly observed at the annual Jamabandi, when No. 16 Account of the Village Manual is scrutinized, and in which accounts these cases are generally entered and brought to notice. The system has had a wholesome effect in checking the wholesale misappropriation of village-site lands.

Read—the following letter from H. P. GORDON, Esq., Collector of Bellary, to the Secretary to the Board of Revenue, dated Raidrug, 16th August 1881, No. 4001.

I have the honor to reply to the Board's Proceedings of 19th July 1881, No. 1439.

2. It seems to me that Mr. Farmer's proposed Circular is objectionable on the ground that it affords, under given circumstances, sanction to the appropriation of village-site by parties who have already presumably their fair share of it, and tends to decrease the space available for an extension of house accommodation. It does not appear to me that it follows that because the ground is not now required by villagers for house accommodation, it may not subsequently be so required, and it seems to me very undesirable to put any obstruction in the way of extension. The Circular is presumably aimed at existing encroachments, but I imagine it will be impossible to prevent its being taken as a guide for future conduct, and in this view it seems to sanction encroachment under given circumstances, rather than to condemn it.

3. The object of the Circular is stated to be the checking of the occupation of village-site, and the means by which that end is sought to be attained is the imposition of assessment on the land taken up.

4. I am not acquainted with the circumstances of the Chingleput District, but assume that, as here, the plots taken up under the circumstances stated are small, and the assessment a few annas per annum, or, at any rate, far too little, when considered in connection with the special value of the land, to act as a prohibition.

5. It appears to me that prohibitory assessment affords a perfect remedy, and that it should be enforced ordinarily in the cases of all recent encroachments, *i.e.*, of less than twelve years' standing; where, however, the occupant has been allowed to incur expenditure to any considerable extent in building over the site, the prohibitory assessment should be, in my opinion, of a character to mark the unauthorized nature of the tenure without rendering the resignation of the excess necessary.

6. I see no objection to the imposition of ordinary assessment on land held in excess of the scale, in cases of long-standing encroachment, provided that the grant of the land took place subsequent to the fixing and publication of the scale. In cases arising previous to that date such imposition would not, it seems to me, be equitable.

Read—the following letter from G. D. LEMAN, Esq., Collector of Ganjam, to the Secretary to the Board of Revenue, dated Chatrapur, 25th August 1881, No. 2367.

With reference to Board's Proceedings, dated 19th July 1881, No. 1439, I have the honor to submit my views as follows.

2. The notification proposed would extend to cattle enclosures in villages and to threshing floors owned by ryots that are in excess of the allowance for their houses and back-yards the penalty assigned to cultivation by Board's Standing Order No. 39 (and No. IV of 1873) where villages are crowded, but would allow them upon easy assessment where there is plenty of room.

3. I think it wrong in principle. The Gramanattam is for the village people's houses. The allowance for ryot is sufficient, and not only so, but provision is made for a larger allowance in the case of special ryots who require it.

4. I think the permanent occupation by an individual of village-site without permission should be prevented as far as possible. Where the Survey Department have curtailed the village limits to such an area as may suffice for houses, there is no provision made for threshing floors, &c.

5. I therefore think that an order that all unauthorized permanent occupation in a village, whether crowded or not, should be prevented as far as possible by heavy assessment, would be a better one than that now proposed.

Read—the following letter from J. GROSE, Esq., Collector of Nellore, to the Secretary to the Board of Revenue, dated 29th August 1881, No. 3041.

I have the honor to reply to Board's Proceedings, 19th July 1881, No. 1439.

2. In the first place I may remark that no necessity exists for the proposed rules about village-site in this district, and this seems to me a sufficient reason against introducing them here.

3. The circumstances of the people differ from those in most other districts, because the speciality of Nellore is the rearing of cattle which require space, and an unusual amount of space is taken up in forming homesteads.

4. In any case I hope the rules will not be allowed retrospective action, and that future encroachments only will be dealt with under them. A rich ryot may become poor and so entitled to a smaller extent of house-site than was originally granted to him. Any ryot who had a house-site before the existing scale was fixed may be in possession of more land than is allowed by it. Many ryots have obtained pieces of Gramanattam by purchase and by Court decrees. At any moment new land may be taken up for cultivation and the Pattadars become entitled (under the scale) to more than the unoccupied extent of Gramanattam.

5. Cultivation (outside of back-yards) should always be charged prohibitive rates.

Read—the following letter from H. E. STOKES, Esq., Collector of Salem, to the Secretary to the Board of Revenue, dated 13th August 1881, No. 2059.

I have the honor to reply to Board's Proceedings, 19th July 1881, No. 1439.

2. The Board are perhaps aware that, while of making of orders there is no end, the proportion never carried out is considerable. The order prescribing a scale of occupation of village-site land appears to belong to this class. Its existence may be known to some candidates for the special tests, but I have never heard it referred to in practice, and I think it highly advisable that it should be allowed to quietly become entirely obsolete.

3. As for the strict and minute enforcement of it, contemplated by Mr. Farmer's Circular, I can scarcely conceive anything more inexpedient, unnecessary, and futile. It is inexpedient, because it will place in the hands of village officers and inferior Revenue subordinates a power of minute annoyance and oppression, and an excuse for exaction, of which they will readily avail themselves, and in regard to which they cannot be properly controlled. The amount of revenue which it will bring into the treasury will be petty and dearly purchased at the cost of the worry to the people. It seems to me just one of those cases of over-regulation which are not worth the cost and which take up men's time to the detriment of more important interests. I think the order unnecessary, because in this district—and I

should have thought that, after the elaborate adjustment of everything which was one of the features of Mr. Puckle's settlement, same would be the case in Chingleput—the extent of land allotted for village-site is fairly proportioned to the wants of the people, and is not excessive, as is shown by the infrequency of nattam cultivation, or of applications for extension of village-site. It is futile, because even if a village community were started with allotments correct according to scale, the varying wants of individuals would quickly lead to a redistribution; and in these circumstances the attempt to fix the allotments by prohibitory assessments appears to me possibly oppressive. It is much better to let the people settle these matters for themselves, merely seeing in the interest of Government that the total area allowed free of assessment is, in a general way, not excessive.

4. The scale itself may perhaps be of some use as a guide to officers allotting or revising village-site; but even in this light it is, I submit, absurd to suppose that it will answer everywhere. The habits, circumstances, and requirements of the people vary considerably between Ganjam and Cape Comorin.

Read—the following letter from H. SEWELL, Esq., Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated 19th August 1881, No. 2519.

In reference to Board's Proceedings, No. 1439, dated 19th July 1881, I have the honor to state that I do not think the notification proposed by the Collector of Chingleput, with regard to occupation of village-sites, would have a beneficial effect.

2. Two cases are provided for in the notification, first, where the occupation is practically unobjectionable, and, secondly, where it is objectionable.

3. In the first case, to notify to ryots that they will only be charged single assessment, would, I think, be a direct encouragement to them to encroach, as they are only too ready to do already, on the chance of getting land on easy terms. In the second case, Revenue officers are, I think, provided with sufficient power already under Standing Order No. 39 to prevent, or at least to check encroachments which are objectionable.

4. The proposed notification therefore seems to me inadvisable in the first case and unnecessary in the second.

Resolution—.

The opinions and the reasons for them which have been elicited in reply to the Board's Proceedings calling for report upon the proposals of the Collector of Chingleput regarding restrictions upon the unauthorized occupation of village-site, satisfactorily show that it is not desirable to publish a notice such as that prepared by the Sub-Collector. There is reason to fear that any such general notification would be utilized by subordinate officials as a means of annoyance, or even oppression, and that, while individuals might be punished, unauthorized occupation would possibly be extended. The power to charge when found necessary "prohibitory assessment" appears to the Board to afford sufficient protection.

(True Copies and Extract.)

E. Gubert
Acting Secretary.

To all Collectors.
Copy to the Secretary to Government, Revenue Department.
" " Member, Board of Revenue, in charge of the Settlement Department.

Encl. A. Grubert.

1881.

Board of Revenue,

MADRAS.

To

ALL COLLECTORS.

Printed October 24th.

Received

PROCEEDINGS, 19TH OCT. 1881, No. 2377.

SUBMITTING remarks upon the proposals of the Collector of Chingleput regarding restriction of unauthorized occupation by ryots of *Village-site* in excess of the sanctioned scale.