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Lands:  
Nomadic Tribes and Backward  
Class Communities.  
Grant of - to, for  
housing purposes.

Government of Maharashtra,  
Revenue Department,  
Resolution No. LND.3957/45098-A,  
Sachivalaya, Bombay, 28th February 1961.

Read:- Government Resolution, Revenue Department No. LND.3957/93282-AI, dated 23rd November 1957.

RESOLUTION:- Government considers that the scheme for the settlement of Nomadic Tribes and Backward Class communities by providing them with house sites, sanctioned in the Government Resolution No. LND.3957/93282-AI, dated 23rd November 1957, would not solve the problem in a satisfactory manner. It is necessary to declare the sites granted to these persons for housing purposes as Gaothan and to exempt these persons from payment of assessment. Moreover persons belonging to the Ex-Criminal Tribes also require to be settled somewhere. In supersession of the orders contained in the Government Resolution No. LND.3957/93282-AI, dated 23rd November 1957, Government is therefore pleased to direct that for the settlement of the persons belonging to the Nomadic Tribes, Ex-Criminal Tribes and Backward Class Communities, the following steps should be taken:-

(i) in future any person or a group of persons belonging to Nomadic Tribes, Ex-Criminal Tribes or Backward Class Communities wishing to settle down should apply for land through the Mamlatdar or Tahsildar who may be authorised by the Collector to assign waste lands where they are available for the purpose of settlement, if such lands are free from objections. This should, however, be done in consultation with, but not necessarily with the concurrence of the Local Village Panchayat or representative villagers where there is no Village Panchayat. If no suitable Government waste land conveniently located is available, any private land which may be suitable can be acquired for this purpose at Government expense. Lands should then be allotted to these persons free of cost and assessment.

Are there any  
nomadic tribes  
in District?  
Please examine  
and report  
in time. E.L.T.  
Sd/-  
9/3  
Gov. Ref. 6

[The area and value of the individual house site should not exceed 2 gunthas and Rs.200/- respectively. In case where these limits are exceeded, the Collector should submit proposals to the Divisional Commissioner who may pass final orders in exercise of the powers delegated to him under Government Resolution No. RVA.2557/170960-R, dated 28th February 1958 or submit the case for orders of Government;

*The area of an individual house site shall be 1500 sq. ft. irrespective of the number of members in the family.*

(ii) if any unauthorised occupation of Government or private lands is already made by these persons in groups, the encroachment may be regularised, if there is no objection on any other grounds, as for example, Ribbon Development Rules; preservation of forests, safeguarding of canals etc. by allotment of the site free of cost and assessment to individuals or their families, if necessary, after acquiring the private land and without imposing any penalty, provided that these persons agree to redistribute or realign the plots in accordance with such layouts as may be prescribed by the Mamlatdar or Tahsildar in consultation with the Public Health and other authorities. The cost on account of such acquisition redistribution and realigning of plots shall be borne by Government;

(iii) any instances of encroachment in future should be dealt with promptly and may be regularised without imposing any penalty provided that the individual or the group who would settle down in such area would do so according to such layout as may be settled by the Mamlatdar or Tahsildar;

(iv) The grants of house sites made under sub paragraphs (i), (ii) and (iii) above shall be in "occupancy" rights in the Western Maharashtra and Marathwada regions including Rajura Taluka and in "Bhumiswami" rights in the Vidarbha region, subject to the condition that the grantee shall not sell, mortgage, encumber or otherwise transfer the land so granted to him except with the **prior** permission

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of the Collector, which shall ordinarily not be granted save for valid reasons.

(v) the sites granted to these persons for housing purposes should be declared as Gaothans and should be treated on par with the recognised Gaothans.

2. All Collectors are requested to devote special attention to this problem and to see that all such Gaothans are declared before 31st May 1961. They are also requested to work out immediately and report to Government through the Divisional Commissioner the cost involved in the Scheme and the amount of estimated expenditure for implementation of the Scheme during the financial year 1961-'62. The Divisional Commissioner should submit their consolidated report to Government as early as possible.

By order and in the name of the Governor of Maharashtra,

V.G. RANANAVARE,  
Assistant Secretary to Government.

To

All Divisional Commissioners,  
All Collectors and Deputy Commissioners,  
The Settlement Commissioner and Director of Land Records,  
The Director of Social Welfare, Maharashtra State,  
The Registrar of Co-operative Societies, Maharashtra State,  
Poona,  
The Chief Conservator of Forests, Poona,  
The Assistant General, Maharashtra State, Bombay (through the