

34
Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1908.

Enclosures

Spare copies

G.O., No. 789, 25th November 1908.

C
Acquisition of land.

Approving the proposal of the Director of Public Instruction to acquire under the Land Acquisition Act a portion of the compound of the Victoria Jubilee Hostel for an addition to the play-ground attached to the Kumbakonam College at a cost not exceeding Rs. 1,400.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

Letter—from the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 10th January 1908.

No.—Ref. on Cur. No. 9285 of 1906.

Owing to the limited area of the ground available in the Kumbakonam College compound for the various games and sports it has often been found necessary to obtain on payment of rent a piece of private land adjoining the college to be used as foot-ball ground. As even this land was low and unsuitable for the purpose, the Principal of the College suggested that a substantial addition should be made to the existing play-ground and that a portion of the Victoria Jubilee hostel compound which is reported to be not required for hostel purposes would, if taken over by the college, form an excellent foot-ball ground and supply a long felt want. The President of the Executive Committee of the hostel who was addressed by the Principal on the subject replied that the committee had no objection to the acquisition under the Land Acquisition Act of the site required for the college but that they were not in favour of a lease being given, for the following reasons, viz.:—

- (1) That certain valuable trees will have to be cut down ;
- (2) That a fair income was being derived from the leasing out of the usufruct of the trees ; and
- (3) That the sale-proceeds of the strip of land required for the college play-ground will add to the Reserve fund of the committee which was small.

As additional play-ground appears to be very desirable, I have the honour to support the proposal to acquire a portion of the hostel compound under the Land Acquisition Act and to submit a plan and an estimate of the cost of the acquisition amounting to Rs. 1,400 with the request that early orders may issue in the matter.

I beg to add that the above valuation is based on the rate of compensation originally paid by the hostel committee.

II

Memorandum No. 86-3, Educational, dated 9th March 1908.

From paragraph 5 of Mr. Bilderbeck's letter, dated 13th November 1896, printed with G.O., No. 97, Educational, dated 18th February 1897, it is observed that the entire plot of land on which the Victoria Jubilee hostel stands was acquired as much with the object of adding to the play-ground accommodation of the College as to make the situation of the hostel healthy. The Government therefore consider it unnecessary that a portion of this land should be acquired for a foot-ball ground

for the college. The Director of Public Instruction is requested to ascertain from the general committee of the hostel whether in view of the fact above stated they have any objection to the utilization of a portion of the hostel compound as a play-ground to the college.

(By Order.)

C. A. SOUTER,
Asst. Secretary to Government.

To the Director of Public Instruction.

III

Letter—from the Hon'ble Mr. A. G. BOURNE, D.Sc., F.R.S., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 17th July 1908.

No.—Ref. on Cur. No. 9285 of 1906.

With reference to your Memorandum No. 86-3, dated 9th March 1908, I have the honour to submit the following remarks :—

In paragraph 5 of his letter, dated 13th November 1896, Mr. Bilderbeck recommended the acquisition of a certain piece of land adjacent to the college on the ground that its acquisition would supply an urgent want by adding considerably to the play-ground accommodation of the college and would at the same time secure a healthy environment for the hostel. The attention of the hostel committee was drawn to the above proposal and they were asked to state whether they had any objection to the utilization of a portion of the hostel compound as a play-ground to the college. From their replies, I gather that the majority of the members of the committee are against the free grant of a portion of the hostel compound for the use of the college, the chief reasons urged being—

- (1) That the whole site on which the hostel now stands was acquired for the use of the hostel and at the expense of its own funds ;
- (2) That the committee can ill afford to forego the price of the land as the funds at their disposal are very limited ; and
- (3) That Mr. Bilderbeck's letter does not refer to this ground, but to the one to the east of the college which was then used as the college play-ground.

From the correspondence on the subject, it is apparent that the present site of the hostel is no doubt different from the one recommended by Mr. Bilderbeck in his letter quoted above ; but as regards the cost of it, it has to be observed that the grant of Rs. 25,000 sanctioned in G.O., No. 97, Educational, dated 18th February 1897, and the Jubilee fund collected for the erection of the hostel buildings, were lumped together, and any expenditure on the hostel cannot, therefore, be regarded as having been ear-marked as pertaining to the Jubilee collection as stated by the committee. On the other hand, Mr. Bilderbeck in recommending the purchase of the original site proposed that the cost of the purchase be debited to the Government grant-in-aid of the hostel and Government have accepted his proposal in G.O., No. 97, Educational, dated 18th February 1897.

It is, therefore, a matter for consideration whether, on the mere ground that the site to the west of the college was acquired instead of the one to the east of it (both being equally adjacent to the college), the objects which the additional site was intended to serve and the manner in which the cost of it was proposed to be met should also be considered to have changed.

That the hostel funds are limited does not also appear to be a sufficient reason as the question of supplementing the hostel funds is sure to receive the favourable consideration of Government, when the need arises.

Order—No. 789, Educational, dated 25th November 1908.

The Government approve the proposal of the Director of Public Instruction to acquire under the Land Acquisition Act, a portion of the compound of the Victoria Jubilee Hostel for an addition to the play-ground attached to the Kumbakonam College, at a cost not exceeding Rs. 1,400.

2. The Collector of Tanjore will be requested to take steps to acquire the land.

(True Extract.)

H. D. TAYLOR,
Secretary to Government.

To the Director of Public Instruction.
,, Collector of Tanjore, with a sketch and an estimate.
,, Public Works Department.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 789, EDUCATIONAL, DATED
25TH NOVEMBER 1908.

[SUBJECT.—*Acquisition of land for a play-ground attached to the Kumbakonam College.*]

Previous papers.

G.O., No.	97,	Educational,	dated 18th Feb.	1897.
" "	304	" "	30th May	1899.
" "	528	" "	2nd Sept.	1902.
" "	3322	" "	25th April	"

From the Director of Public Instruction, dated 10th January 1908, No. 9285.

The Director of Public Instruction requests sanction for the acquisition of a portion of the compound of the Victoria Jubilee hostel at Kumbakonam for addition to the existing play-ground attached to the Kumbakonam College.

2. He states that owing to the limited area of the ground available in the college compound for the various games and sports, the Principal of the College has suggested that a substantial addition should be made to the existing play-ground and that the land above referred to would form an excellent foot-ball ground and supply a long felt want.

3. The land in question is stated to be not required for hostel purposes and the President of the Executive Committee of the hostel who was addressed by the Principal is stated to have replied that the committee had no objection to the acquisition of the site under the Land Acquisition Act, but that they were not in favour of a lease of the site being given to the College.

4. The Director of Public Instruction states that an additional play-ground appears to be very desirable and accordingly supports the proposal to acquire the land under the Land Acquisition Act. He has submitted a plan and an estimate. The cost of acquisition amounts to Rs. 1,400. The estimate was prepared by the Executive Engineer and the Director of Public Instruction states that the valuation is based on the rate of compensation originally paid by the Hostel Committee.

5. For orders whether the Director of Public Instruction's proposal for the acquisition of the site, measuring 1.51 acres, may be approved. If approved, the Collector of Tanjore will have to be authorized to acquire the site in question under the Land Acquisition Act, and the notification published in the *Fort St. George Gazette*.

C.S.—17-1-08.

The proposal to acquire a portion of the hostel compound may be approved and the Collector requested to take steps for the acquisition. The Director of Public Instruction does not say how he proposes to meet the cost of the acquisition which is estimated at Rs. 1,400. There appears to be no specific provision for this purpose in the Civil Budget estimate, or in the Civil Works estimate of the Public Works Department. The Director of Public Instruction may be asked to state from what source he proposes to meet the cost of the acquisition.

K. RANGASWAMI AYYANGAR—18-1-08.

A The Director of Public Instruction can be asked how he is to meet the cost after it is settled whether the land is to be acquired. A good play-ground is a necessity in a college.

C. A. SOUTER—18-1-08.

Is any information available as to how the Hostel Committee acquired the site of the hostel? Was it by purchase from the funds of the committee, or was it a grant from Government?

This appears to be a device of the Hostel Committee to raise funds. If the land was given to the committee as a free grant by Government, then it should be retransferred to Government free of cost, if not required for hostel purposes.

H. D. TAYLOR—20-1-08.

There is no information as to whether the site of the hostel was acquired at the cost of the funds of the committee or of a Government grant. From paragraph 3 of G.O., No. 97, Educational, dated 18th February 1897, it is observed that the Government accepted the proposal of the Hostel Committee that the site of the hostel should be acquired by Government, and that the cost of the acquisition (Rs. 2,000) should be debited against the grant of Rs. 25,000 sanctioned by Government in aid of the hostel. In his letter No. 951 G & B., dated 23rd October 1898, paragraph 5, the Collector stated that he would defer the acquisition of the land legal trustees to the fund. The draft notification for the acquisition of the land was published in this department and the compensation for the land (Rs. 6,480) was included in the estimate of Rs. 58,600, sanctioned for the hostel in G.O., No. 3322 W., dated 25th November 1902. It is not, however, clear whether the cost of the acquisition of the land was paid from the Government grant of Rs. 25,000 or from the funds of the committee.

Vide page 2 of G.O., No. 304, Educational, dated 30th May 1899.

until the disposal of the question of the G.O., No. 528, Educational, dated 2nd September 1902.

was included in the estimate of Rs. 58,600, sanctioned for the hostel in G.O., No. 3322 W., dated 25th November 1902.

That does not matter. The Government grant was part of the Hostel funds.

H. D. TAYLOR.

G.O., No. 3322 W., dated 25th April 1902.

the whole of the estimated cost of the work including the Government grant at the disposal of the Public Works Department.

K. RANGASWAMI AIYANGAR—31-1-08.

C. A. SOUTER—1-2-08.

The file may now go to the Director of Public Instruction for remarks with reference to "A" on page 1.

H. D. TAYLOR—3-2-08.

To the Director of Public Instruction.

OFFICE OF DIRECTOR OF PUBLIC INSTRUCTION.

Please see G.O., No. 97, Educational, dated 18th February 1897 (I have seen this since writing the current in this file. It is put up in the file relating to the hostel rules with which I am dealing).

2. In paragraph 5 of the letter from the then Secretary to the hostel committee on page 4 of G.O., No. 97, Educational, dated 18th February 1897, it is proposed that Government should acquire the site upon which the hostel was subsequently built as much, or rather more, for the benefit of the college as the hostel. The land was acquired upon the strength of this letter. I hold therefore that the land is available as college playground and that there is absolutely no obligation to pay the hostel for it.

3. If a time comes when the hostel is in dire need of further funds, Government will doubtless be prepared to consider the question, but this is not the case at present.

4. I was at Kumbakonam yesterday and discussed this with the Sub-Collector (Mr. Jackson) who quite agrees that the terms of the original transaction had been overlooked.

5. There is no objection whatsoever to the college using this land. There will be a trifling loss of income from some trees which must come down and it will be necessary for the college to spend some money on levelling the ground. This is desirable in any case as there are some small but very insanitary pools upon it.

A. G. BOURNE—6-2-08.

The Director of Public Instruction's note shows that my suspicions in my note of 20th January 1908 were well founded and that the hostel committee is endeavouring to obtain funds to which it is not strictly entitled.

Please put up the "further orders", if any, as regards the subsequent adjustments, of cost, referred to in the last sentence of paragraph 3 of G.O., No. 97, Educational, dated 18th February 1897.

H. D. TAYLOR—8-2-08.

Please see paragraph 5 of the Collector's letter on page 2 of G.O., No. 304, Educational, dated 30th May 1899, in which he proposed to defer action for the acquisition of the land until the question of legal trustees to the fund was disposed of.

2. The draft declaration for the acquisition of the land was published under G.O., No. 528, Educational, dated 2nd September 1902. The compensation for the land amounting to Rs. 6,480 is included in the estimate for the work sanctioned in G.O., No. 3322 W., dated 25th November 1902. There is no information as to whether the cost of the land was debited to the grant-in-aid to the hostel, as directed in paragraph 3 of G.O., No. 97, Educational, dated 18th February 1897. The Public Works Department may, it is submitted, be requested u.o. to state if it has any information as to the debit of the cost of the acquisition of the lands in question.

K. RANGASWAMI AIYANGAR—19-2-08.

C. A. SOUTER—20-2-08.

To the Public Works Department.

PUBLIC WORKS DEPARTMENT.

For this scheme the Government gave a grant-in-aid of Rs. 25,000 to supplement the funds in the hands of the Hostel Committee. An estimate of Rs. 58,600 for the hostel buildings, which included a provision of Rs. 6,480 for land compensation, was sanctioned in 1902 and the execution of the work was entrusted to the Public Works Department when the requisite funds including the Government grant of Rs. 25,000 which the Hostel Committee had previously drawn were placed at the disposal of the Executive Engineer. The Government grant and the Jubilee funds were not separately accounted for.

* *Vide* letter of the Executive Engineer, Tanjore division, No. 6969, dated 22nd October 1904, in G.O., No. 3330 W., dated 15th November 1904.

But as the site was acquired before building work was started and as the Government grant was first * expended, it may be taken that the cost of site was met from the Government grant.

P. K. SUBBA AIYAR—25-2-03.

From the Executive Engineer's letter referred to above, it is clear that all but about Rs. 2,000 of the Government grant for the hostel was expended before the Jubilee funds were touched. The land must have been acquired before building was begun, so it may be assumed that it was paid for out of the Government grant and not from Jubilee funds.

H. D. TAYLOR.

A. G. ROMILLY—26-2-08.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

It would not seem to matter whether the land was acquired from the Government grant or the Jubilee funds. The grant was as much part of the hostel resources as the funds, being a free gift.

C. A. SOUTER—28-2-08.

The portion of the compound attached to the Jubilee Hostel, Kumbakonam, which is required for the purposes of the college play-ground, may be acquired for the college and the estimated compensation Rs. 1,400 may be paid over to the Committee of the hostel. The land was originally acquired from funds placed at the disposal of the Hostel Committee, partly from public subscriptions and partly from Government grant.

H. D. TAYLOR—29-2-08.

The Director of Public Instruction in his note on page 2 *supra* seems to think that it is unnecessary to acquire this land and I really do not see why it should be acquired. It belongs to the hostel, but why should Government acquire it, at any rate, without ascertaining whether the use of it for the students cannot be obtained without its acquisition? We can at least try.

H. B[RADLEY]—3-3-08.

Please draft accordingly.

H. D. TAYLOR—4-3-08.

The draft memorandum placed below is for approval.

K. RANGASWAMI AIYANGAR—7-3-08.

Issue.

C. A. SOUTER—9-3-08.

[Memorandum No. 86-3, dated 9th March 1908.]

From the Director of Public Instruction, dated 17th July 1908, No. 9285.

In Memorandum No. 86-3, Educational, dated 9th March 1908, the Director of Public Instruction was requested to ascertain from the General Committee of the Victoria Jubilee Hostel, Kumbakonam, whether, in view of the fact that the entire plot of land on which the hostel stands was acquired as much with the object of adding to the play-ground accommodation of the college as to make the situation of the hostel healthy, they have any objection to the utilization of a portion of the hostel compound as a play-ground for the Government College, Kumbakonam.

2. In reply, the Director of Public Instruction states that the majority of the members of the Committee are against the free grant of the land to the college for the following reasons:—

Largely contributed by Government.

H. D. TAYLOR.

(1) The whole site on which the hostel now stands was acquired for the use of the hostel at the expense of the hostel funds;

(2) The Committee can ill-afford to forego the price of the land as the funds at their disposal are very limited; and

(3) The land referred to by Mr. Bilderbeck in his letter, dated 13th November 1896, printed with G.O., No. 97, Educational, dated 18th February 1897, is not identical with this, but is the one to the east of the college which was then used as the college play-ground.

3. The Director of Public Instruction observes that the present site of the hostel is no doubt different from the one recommended by Mr. Bilderbeck in his letter referred to above, but adds that any expenditure on the hostel cannot be said to have

been met from the funds of the hostel alone inasmuch as the Jubilee fund and the Government grant of Rs. 25,000 were lumped together. He further points out that the Government in paragraph 3 of their order No. 97, dated 18th February 1897, approved the Committee's proposal that the cost of acquiring the site (*viz.*, Rs. 2,000) might be debited to the grant-in-aid of the hostel.

4. As to the contention of the Committee that the funds of the hostel are limited and that the Committee cannot, therefore, forego the price of the land, the Director of Public Instruction does not consider that it is a sufficient reason, seeing that the question of supplementing the hostel funds is sure to receive the favourable consideration of Government, when the need arises.

5. Attention is solicited to the remarks of the Under Secretary and the Secretary on page 4 *supra*. As the Committee of the hostel are not willing to hand over a portion of the site to the college, it is for consideration whether the land may be acquired by Government on payment of the proposed compensation of Rs. 1,400. The payment of this sum may, if necessary, be taken into consideration if, and when, the Committee of the hostel on any future occasion raise the question of supplementing the hostel funds by a Government grant.

P.R.—22-7-08.

K. RANGASWAMI AIYANGAR—22-7-08.

The site, I submit, should be acquired.

C. A. SOUTER—23-7-08.

I think we may wait further till we hear from Mr. Bedford as to the action which the Committee proposes to take as to the rules for future management of the hostel.

H. D. TAYLOR—24-7-08.

It is really a question of law whether Government have power against the majority of the Committee to take over this land and let the college boys use it without paying compensation for it. I doubt whether we have the power. But perhaps the matter had better stand over and be considered when Mr. Bedford's proposals come in.

M. H[AMMICK]—27-7-08.

To lie over till 20th August, or till the Committee's proposals are received on the linked file.

H. D. TAYLOR—28-7-08.

The Committee's proposals have not yet been received. This file may lie over till they are received.

K. RANGASWAMI AIYANGAR—19-8-08.

Yes.

C. A. SOUTER—21-8-08.

The Committee's proposals have been received and are dealt with in the linked file.

K. RANGASWAMI AIYANGAR—11-11-08.

This matter has been fully dealt with in the notes above. It seems to me that the site must be acquired. What Government contributed was a grant to the Hostel funds, and it cannot be asserted that any definite portion of the sum paid for the land came from the Government grant. The grant, so far as can be seen,

C. A. SOUTER—12-11-08.
H. D. TAYLOR—13-11-08.

H. D. TAYLOR—13-11-08.

G. S. F[ORBES]—14-11-08.

M. H[AMMICK]—16-11-08.

H. D. TAYLOR—17-11-08.

K. RANGASWAMI AIYANGAR—21-11-08.

C. A. SOUTHER—23-11-08.

H. D. TAYLOR—24-11-08.

G. S. F[ORBES]—24-11-08.

[G.O., No. 789, Educational, dated 25th November 1908.]

READ AGAIN G.O., No., dated.....190

" " " " "190

READ ALSO:—

C. No. 86, From the D.P.D., No. 9285, dated 10. 1. 1908

" " 1604, " " " " " 17. 7. 1908

” ” ” ” ” 190

ORDER.

No. 789, dated 25-11-1908

The Government approve the proposal of the D.P.I. to acquire under the Land Acquisition Act, a portion of the compound of the Victoria Jubilee hostel ^{on} for addition to the play-ground attached to the Kumbakonam College.

2. The Collector of Tanjore will be requested to take steps ~~for the~~ ^{to} acquisition ~~of~~ ⁱⁿ the land.

at a cost of
Succ. Exp. R. 1400

76 The S. P. S.
Colls of Tangor with a Skele
P. W. S. and an estimate

ORDINARY.

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EDUCATIONAL
LEGISLATIVE DEPARTMENT.

Current No., dated 190 ..
G.O., No. 789, dated 25-11-1908.

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Acquisition of Land
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Kumbakonam College

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