

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1915.

Enclosures

Spare copies

G.O. No. 1362, 9th December 1915.

Acquisition of Land.

Directing the publication in the *Fort St. George Gazette* of a notification for the — measuring 57·989 cents required for the Danish Mission secondary school, Tiruvannāmalai.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers:—

I

G.O. No. 1345, Educational, dated 30th November 1914.

II

G.O. No. 818, Educational, dated 29th July 1915.

III

Letter—from F. J. RICHARDS, Esq., M.A., I.O.S., Acting Collector of North Arcot.

To—the Secretary to Government, Educational Department.

Dated—Vellore, the 19th October 1915.

No.—Ref. on 912 B. & G.

With reference to G.O. No. 818, Educational, dated 29th July 1915, I have the honour to submit for publication in the *Fort St. George Gazette* a draft declaration for the acquisition of land for the Danish Mission secondary school in Tiruvannāmalai town.

2. The owners of the lands are not willing to part with them. They want compensation at Rs. 200 per cent in the event of the lands being compulsorily acquired. This rate is exorbitant. The rate adopted originally when the valuation of the lands was reported in this office letter D. Dis. No. 2439, dated 4th July 1915, was Rs. 75 per cent and was only approximate. The actual rate as per sale-deed relating to the sale of land in the vicinity in the year 1914 works out to Rs. 70 per cent. The total cost of the acquisition of 57,989 cents required for the school at this rate inclusive of the value of the buildings, trees and a well thereon and 15 per cent additional allowance amounts to Rs. 5,605-14-11. This will be met from the grant of Rs. 19,225 sanctioned in G.O. No. 1345, Educational, dated 30th November 1914.

3. English translations of the statements of the owners who object to the acquisition and a sketch of the lands to be acquired are enclosed.

ENCLOSURE.

Notification.

Under section 6, Act I of 1894, His Excellency the Governor in Council hereby declares that the land mentioned in the following schedule and measuring 57,989 cents, be the same a little more or less, is needed for a public purpose, to wit, for the extension of Danish Mission high school, Tiruvannāmalai; and, under sections 3 and 7 of the same Act, the Revenue Divisional Officer, Tiruvannāmalai, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

2. A plan of the land is kept in the office of the Revenue Divisional Officer, Tiruvannāmalai, and may be inspected at any time during office hours.

SCHEDULE.

Description of land, wet or dry, inam or poramboke, with survey or paimash number.	Name of owner or occupier.	Boundaries of the land required to be taken up.	Extent to be taken up.
<i>North Arcot district, Tiruvannāmalai taluk, Tiruvannāmalai village.</i>			
Gramanatham, S. No. 486-A.	Kattaya Kavundan and Anna-malai Kavundan.	North, house of Naramba Kavundan; east, mission high school; south, house of Periyathambi Kavundan; west, Palli street.	CENTS. 7-840
Do.	Periyatambi Kavundan	North, house of Kattaya Kavundan and another; east, mission high school; south, house of Sinnu Kavundan; west, Palli street.	16-855
Gramanatham, S. No. 485-A and S. No. 178, ryotwari dry.	V. Sinnu Kavundan and Chinna-thayee.	North, house of Periyatambi Kavundan; east, mission high school; south, house of Appaswami Kavundan and others; west, Palli street.	16-590
Gramanatham, S. No. 485-A.	Appaswami Kavundan and Vattan alias Pachai Muthu Kavundan.	North, house of Sinnu Kavundan and another; east, mission high school; south, house of Veenga Kavundan and others; west, Palli street.	8-321
Do.	Veenga Kavundan, Keechu Kavundan and Vijaya Kavundan.	North, house of Appaswami Kavundan and others; east, mission high school; south, house of Madhalambadiyal; west, Palli street.	8-383
Total ..			57-989

Order—No. 1362, Educational, dated 9th December 1915.

The draft notification for the acquisition of land measuring 57,989 cents required for the Danish Mission secondary school, Tiruvannāmalai, submitted by the Collector will be published in the *Fort St. George Gazette*.

2. Towards the estimated cost of the acquisition, namely, Rs. 5,606, a grant of Rs. 2,700 is payable from Provincial funds under the sanction conveyed in G.O. No. 1345, Educational, dated 30th November 1914. The Collector will be requested to call upon the correspondent of the school to deposit in the treasury the balance of Rs. 2,906, or such larger amount as may be found necessary on actual determination of the award, and to debit to Government, in consultation with the Director of Public Instruction, the amount specified above.

3. After acquisition the land should be conveyed to the manager of the school by a formal deed of conveyance to be drawn in consultation with the Government Solicitor.

(True Extract)

C. G. TODHUNTER,
Ag. Secretary to Government.

To the Director of Public Instruction.
" Collector of North Arcot.
" Accountant-General.
" Superintendent, Government Press,
with notification for publication.

NOTES CONNECTED WITH G.O. No. 1362, EDUCATIONAL,
DATED THE 9TH DECEMBER 1915.

[SUBJECT.—Acquisition of land for the Danish Mission Secondary school,
Tiruvannāmalai.]

From the Director of Public Instruction, dated 19th October 1915,
R.O.C. No. 912 B. & G.

Please see G.O. No. 818, Educational, dated 29th July 1915. As required in that Government Order the Collector of North Arcot submits a draft declaration for the acquisition of a piece of land required for the Danish Mission Secondary school, Tiruvannāmalai. As the question of the acquisition has already been decided there is no objection to the declaration being published in the gazette.

Cf. paragraph 3 of G.O. 729, Educational,
20th June 1914.

Page 7 of G.O. 973, Educational, 6th September 1915.

Ibid.

2. After acquisition, it has been usual in such cases to transfer the land to the party concerned by a formal deed of conveyance. The procedure has been considered by the Secretary to be circuitous. He observed "another time you want to give a site please give it and have done with it." With regard to this, the question as to the best method of transferring the land to the party has to be considered. Under section 16 of the Land Acquisition Act, when the award has been made the land vests absolutely in Government. It cannot, strictly speaking, be

Cf. pages 6 and 7 of G.O. 973, 6th September 1915.

regarded as a gift, inasmuch as not less than half the cost of acquisition is met by the party. There appears, however,

to be no objection to dispose of the land under Board's Standing Order 24, paragraph 5, as a sale on favourable terms for a public purpose. In fact such a procedure was followed in G.O. No. 1577, Revenue, dated 9th July 1915, in respect of a piece of land required by the Mission High school, Gooty. That case differed from the present one, in that the land originally belonged to Government, while in the present case the land will become the property of Government only after acquisition. But that does not appear to affect its disposal under Board's Standing Order 24, paragraph 5.

3. It is for consideration whether cases of lands proposed for acquisition for school purposes may, in future, be dealt with as above. The advice of the Revenue Department may be obtained before a decision is come to in the matter.

P.R.—12-11-15.

T.K.—14-11-15.

Will Revenue kindly advise? To give a man the price of a site, then acquire the site on behalf of Government and then take back the money and execute a formal conveyance of the site to him seems to be circumlocution *in excelsis*. There must surely be some common-sense way of making a grant of the land.

C. G. TODHUNTER—16-11-15.

To the Revenue Department.

REVENUE DEPARTMENT.

Submitted that the existing procedure, though somewhat cumbrous, seems to be the best. If as suggested by Educational such cases as the present are brought under Board's Standing Order No. 24, paragraph 5, as sales on favourable terms for a public

purpose frequent references to the Government of India will be necessary, as the powers of this Government in regard to sale of land other than waste lands is limited to Rs. 25,000—*vide* Board's Standing Order No. 24, paragraphs 4 and 5. Moreover if such cases are brought under Board's Standing Order No. 24, paragraph 5, the following procedure will have to be followed:—

(1) these cases should be included in the annual alienation statement submitted to the Government of India.

(2) The Government Order should, in each case, state that the grant is made expressly on the two conditions mentioned in paragraph 12 of Board's Standing Order No. 24 and the consent of the parties to abide by these conditions obtained—*vide* Government of India resolution in G.O. No. 226, Revenue, dated 1st March 1902

(3) Formal alienation statements in the prescribed form should be called for and sanctioned in each case.

M.R.N.—1-12-15.

The fact that the powers of this Government are limited to Rs. 25,000 seems of little importance, as there will be few cases involving a larger sum. But the procedure advocated by Educational does involve (1), (2), (3) of the Revenue note. Of these (2) is the only one that causes any work.

A. H. A. TODD—1-12-15.

I don't see any legitimate escape from the position that a transaction like this is a "sale on favourable terms" which falls under paragraph 5 of Board's Standing Order No. 24: or a "gift or grant" under paragraph 5 of the same Board's Standing Order. The case apparently only arises when land is compulsorily acquired for the purposes of transfer. The conditions in paragraph 12 do not apply to sales on favourable terms, but such sales must appear in the annual alienation returns unless in favour of a *local body* (see clause (4) of paragraph 10).

2. Circumlocution might be reduced, if the need for compulsory acquisition is known at the time when the grant-in-aid is sanctioned, by the issue of an order in some such form as the following:—

A grant of Rs. ——— is sanctioned towards the acquisition of a site and the construction of a building for ———.

RS.	
10,000	} 20,000
10,000	
of which 2,000 = cost of site.	
Government give 8,000	
+ 2,000	

When disbursing the grant the Director should withhold a sufficient sum to meet the entire cost of acquisition and place the amount so withheld at the disposal of the Revenue Department for payment to the owner of the site.

The order sanctioning the application of the Land Acquisition Act would call for an alienation statement under paragraph 5 of Board's Standing Order No. 24.

3. This is hardly a simpler process, but it does avoid advance to and recovery from the school authorities. Unless the latter are willing to dispense with a title-deed—which is not likely—a formal conveyance will still be necessary.

L. DAVIDSON—2-12-15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Submitted for orders as to whether, in view of the Revenue Department's inability to suggest any simpler method of transferring the lands, the present practice may be followed. If so, the draft order below is for approval.

P.R.—7-12-15.

T.K.—7-12-15.

C. G. TODD—8-12-15.

[G.O. 1362, Educational, dated the 9th December 1915.]

ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

DEPARTMENT.

II—38—3-14.

Current No., dated 191
G.O. No. 1362, dated 9-12-1915.

Number of MS. pages sent { (b) Correspondence:
(b¹) Notes:

Brief subject.....

(c) Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press).	E. T. copies to supply requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
FOR RECORD.*			
Madras Records ...	4	25	12
Ooty Records ...		6	4
For filing with original ...		1	1
Total ..		32	17

FOR ISSUE.†

	Letter only.	Complete G.O.	(d) Special issue copies of G.O.		Notes.
			No.	Papers.	
Signature copies.....					
India Office.....					
Govt. of India..... Dept.					
Revenue Department.....					
Public Works Department.....					
Local and Municipal Department.....					
Educational Department.....					
..... Dept.					
Public Dept.....					
Judicial Dept.....					
Political.....					
Financial Dept.....					
Marine Dept.....					
Ecclesiastical Dept.....					
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INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials alone being printed later.

* Copies distributed on (Press Clerk).
† Copies distributed on (Press Despatcher).

† To be initialled and dated.

TO PRESS, MADRAS OOTY.

A	B	C
Please send proof in duplicate. The papers have been carefully edited.	Proof returned corrected. Please strike off and send number of copies as indicated.	As the matter is clear manuscript has been carefully edited, (b) proof not be sent. Please print and supply number of copies as indicated.
.....	Type may be released after usual interval at once.	Type may be released after usual interval
Referencer. Clerk.	Referencer. Clerk.	Referencer. Clerk.
.....		
Supdt.	Supdt.	Supdt.

SPECIAL INSTRUCTIONS.

Acquisition of land

*Directing the publication in the
Tosh St George Gazette of a notification
for the measuring 57.989 cents required
for the Danish Mission Secondary School,
Tiruvannamalai*

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	13/12/15 - <i>SB</i>
First proof furnished on.....	24/12/15 - <i>SB</i>
Call for revised proof received on.....	
Revised proof furnished on.....	
Corrected proof received for striking on.....	22/12/15 - <i>SB</i>
Final copies supplied on.....	28/12/15 - <i>SB</i>

Account of copies.	Complete copies.	Notes.	Issue copies.	Special E.T. edition.
Supplied to Secretariat for Record.....	32			
" " " Issue.....	35			
" " " for Extra E.T. copies to supply requisitions for sale to the public.				4
For Volumes.....	16			
For supply to newspapers and institutions admitted to the privileges of the E.T.				
Total ...	88			

Statement of Kattaya Goundan, Palli Street, Tiruvannamalai.

I understand that the vacant land owned by me and Annaschala Goundan in the above street is proposed to be acquired for the Danish Mission School. The above land is enjoyed by us in equal shares. The value of the land and the trees thereon as estimated by Government is given below.

	Rs. A. P.
Land.	548 12 10
Trees.	0 7 0
	549 3 10
15 per cent on the above.	82 6 2
	631 10 0

Question. Are you willing to part with the land for the above sum?

Answer. I am not willing to part with the land. If the land is compulsorily acquired, compensation should be given at Rs. 200 per cent. It is only in that case that I am willing to part with the land. My younger brother Annamalai Goundan is absent from the town.

(True Translation)

Statement of Periathambi Goundan, Palli Street, Tiruvannamalai.

I understand that the house owned by me in the above street is proposed to be acquired for the Danish Mission School. The value of the ~~xxx~~ house and trees etc., as estimated by Government is given below:--

	Rs. A. P.
Land.	1,179 13 10
Building.	199 2 0
Tree.	3 5 0
Well	100 0 0
	1,482 4 10
15 per cent .	222 5 6
	1,704 10 4

Are you willing to part with the land for the above sum?

I am not willing to part with the land for the school house. If the land is to be compulsorily acquired, I shall part with

5
it compensation is given at Rs.200 per cent.

(True Translation)

Statement of Sinnagoundan and Chinnathaye XXXXXX, Palli St.,
Tiruvannamalai.

I understand that the vacant land owned by us in the above street
is proposed to be acquired for the Danish Mission XXX school. The value
of the land trees etc., as estimated by Government is as noted below.

Land.	Rs. A. P.
Trees.	1,161 4 10
	4 9 4

15 per cent.	1,165 14 2
	174 14 1

	1,340 12 3

Are you willing to part with the land for the above sum?

I am not willing. If the land is compulsorily acquired, I shall
part with it if compensation is paid at Rs.200 per cent.

(True Translation)

Statement of Appaswami Goundan, Palli St., Tiruvannamalai.

I understand that one half of the land owned by us in XXX equal shares
in the above street is proposed to be acquired for the Danish Mission School

Value of land.	291 3 9
Trees	0 7 6
Building.	186 14 0

15 per cent.	478 9 3
	71 11 10

	550 5 1

Are you willing to part with your house for this sum?

I am not willing to part with the house. But if the land is com-
pulsorily acquired, I shall part with it if compensation is paid at Rs.200
per cent.

(True Translation)

Statement of Vattan alias Pachai Muthu Goundan, Palli St., Tiruvannamalai

I understand that one half of the land owned by me and Appaswami
Goundan in equal shares is proposed to be acquired for the Danish Mission
School.

Land	291 3 9
Tree.	0 7 6
Building.	184 6 0

	476 1 3

15 per cent.

C.O.

6

Rs. A. P.
476 1 3
7 6 6

547 7 9

Are you willing to part with the house for this sum.

I am not willing to part with the house. If the house is
compulsorily acquired, I shall part with it if compensation is
paid at Rs.200 per cent.

(True Translation)

Statement of Veengaga Goundan, Palli Street, Tiruvannamalai.

I understand that 1/3 of the land owned by me, Kichu Goundan
and Vijayagoundan in equal shares in Palli Street is proposed
to be acquired for the Danish Mission School.

Value of land.	195 9 8
Tree.	0 14 5
Building.	57 14 0

15 per cent.	254 6 1
	38 2 5

	292 8 6

Are you willing to part with the house for the above sum?

I am not willing xx. But if the house is compulsorily ac-
quired, I shall part with it if compensation is paid at Rs.200 per
cent.

(True Translation)

Statement of Kichu Goundan Palli St., Tiruvannamalai.

I understand that 1/3 of the land owned by me, veengagoundan
and Vijaya Goundan in equal shares in the above street is proposed
to be acquired for the Danish Mission School.

Land.	195 9 8
Tree.	0 14 5
Building	57 10 0

15 per cent.	254 2 1
	35 1 10

	289 3 11

Are you willing to part with the house for this sum?

I am not willing. But if the house is compulsorily acquire
I shall part with it if compensation is paid at Rs.200 per cent
My brother Vijaya Goundan is absent from the town.

True translation

9

Statement of Annamalai Goundan Palli Street Tiruvannamalai.

I understand that one half of the vacant land owned by me and Kattaya Goundan in the above street is proposed to be acquired for the Danish Mission School. Kattaya Goundan is my elder brother. The land is enjoyed by us in ~~xxx~~ equal shares.

value of land.
Tree.

548 12 10
0 7 0

15 per cent.

549 3 10
82 6 2

631 10 0

Are you willing to part with the land for this sum?

I am not willing to part with the land for this value. If the land is to compulsorily acquired, compensation should be given at Rs.200 per cent.

(True translation)

Statement of Vijaya Goundan, Palli Street, Tiruvannamalai.

I understand that 1/3 of the land owned by me, veenga Goundan and Kichu Goundan is proposed to be acquired for the Danish Mission School.

value of the land.
Trees.
Building.

195 8 8
0 14 6
37 10 0

15 per cent.

234 2 2
35 1 10

269 4 0

Are you willing to part with the house for this sum?

I am not willing. But if the land is compulsorily acquired, I shall part with it if compensation is paid at Rs.200 per cent in which case alone I will be able to purchase a house for me.

(True translation)

W. L. Brown
for Collector.

25/10

25/10

M.A.23-16-15.

West

Danish Mission Church

Houses

Temple

Traveller's Bungalow Road

Talug office

W E

Tindivanam Road

Houses	Vacant land
	Houses
	Sale land
	Houses
Vacant land	

Mission Hostel

Houses

Houses

North Malakali Street

Palli Street

Dwelling houses.

Acquired Land's Dwelling houses to be acquired

Mission High School

Dwelling Houses.

Dwelling Houses.

N. Sinden as agent
at Rs. 22 6.6. 68-

818 29 7 1915

C. No. 3676, From the Collector of North Arcot, No. 912 Ptg dated 19. 10. 1915.

” ” ” ” ” ” ” ” 191

” ” ” ” ” ” ” ” 191 .

No. 136258, dated 9-12-1915

१५

The draft notification for the acquisition of ^(land measuring) 57.989 Cents required for the Danish Mission secondary school, Tiruvānamalai, submitted by the Collector will be published in the Fort St George Gazette.

2. Towards the estimated cost of the acquisition, namely, Rs 5,606, a grant of Rs 2,700 is payable from Provincial funds under the sanction

(J) Conveyed in Gono 1345 Sold, 30.11.11
The Collector will be requested to call
upon the correspondent of the school
to deposit in the treasury the balance
of Rs 2906, or such larger amount

as may be found necessary on actual determination of the award and to debit to Govt. in consultation with the S.P.G. ^{the} an amount equal to the grant specified above.

3. After acquisition the land should be conveyed to the manager of the school by a formal deed of conveyance to be drawn in consultation with the Govt. Engineer.

PP
7.12.15

8.12.15

J.H.
7.12.15

To, The S.P.G.
Collector of N. Arcot.
H.P.
S.P.G. with notification for publication.

(C)

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136

21/12/15

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