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Sec't II-27-15,004-22-8-46.

Education & Public Health

(194⁶) Department.

Mis. **SERIES.**

G.O. NO. 2332 Education

Dated 6th December, 1946

[Despatch Abstract.]

Land Acquisition-Trichinopoly District-Trichinopoly Municipality
Inam Tennur Village-T.S.No.386-Anglo-Vernacular Hindu Girls' School-Notification
under section 4(i) of the Act-published.

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Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

REVENUE DEPARTMENT. Subject.

LAND ACQUISITION--(Trichinopoly)--Trichy Taluk--Trichy Municipality--Inam Tennur village--T.S.No. 336--for the extension of Anglo Vernacular Hindu Girl's School, Temur--Draft 4(1) notification--Submitted.

Station: Madras.

Ref.I. 2764/46-3.

Dated 7-11-46.



C. A. Ramakrishnan, Esq., I.C.S.,
Joint Secretary, Board of Revenue.

Sir Gerald Priestley, K.C.I.E., I.C.S.,
Commissioner of Land Revenue and Irrigation.

Read: From the Collr. of Trichy, Re.B5. 3042/46 dated 4-9-46.
From the Collr. of Trichy Re.B5. 3042/46 dated 4-10-46.
From the Collr. of Trichy Re. B5. 3042/46 dated 11-10-46.

REFERENCE:- Submitted to the Government.

2. In the circumstances reported by the Collector the Board agrees with him and recommends that the draft notification under Section 4(1) of the Land Acquisition Act may be approved and ordered to be published in the Gazette. It also recommends that irrespective of the question of half grant, the Government may be pleased to sanction a nominal contribution of one anna as proposed by the Collector, so that the legality of the acquisition may not be questioned later.

To
The Secretary to Government, Education & Public Health.
with enclosures in original.

Copy of the letter from the Collector of Trichinopoly, Re. No. 3042/46-B5. dated 4-10-46 to the Secretary, Board of Revenue, Madras.

Ref:- Board's Ref. I-2764/46-1 dated 21-9-46.
Board's Ref. No. I-2764/46-2 dated 23-9-46.

The correspondent of the Anglo Vernacular Hindu Girls School had stated in his application for the acquisition of the land for the extension of the school that he had applied to the Director of Public Instruction for sanctioning half grant from Government for the cost of the acquisition of land but he has not stated about the result of his efforts to secure the grant. But however he has deposited the initial cost of acquisition to proceed with the acquisition. I have now addressed him to state whether any grant was sanctioned from Government to the institution for meeting the cost of acquisition. I shall submit my further Para 2 of the Board's reference.

2. According to para 8, Chapter VI of part III of the Land Acquisition Manual reports with Draft declaration under Sec. 6 of the Land Acquisition Act are to be submitted to Government through the Board of Revenue if there are strong objections to the acquisition during the 5A enquiry. In the present case, as there was objection even from the very outset, i.e., during the preliminary enquiry stage, the Draft Notification under Sec. 4-1 was submitted through the Board so that there may be opportunity for the Board for deciding the validity or otherwise of the objections even before the publication of 4(1) notification. In this connection, I would invite reference to Board's No. I. 3025/45-1 dated 7-11-45 to Government P.W.D. on this report Re. 5462/45 dated 19-10-45, submitting draft 4(1) notification to the acquisition of lands for the Government High School, wherein the objections raised in the case were with and the report was submitted to Government through the Board. A similar procedure was followed in this case also.

3. Remarks on the objection petition presented to the Board called for in second of the Board's reference cited above report on the objection of the owner against the acquisition.

has already been embodied in para 4 of my report dated 4-9-46. The objection petition addressed to the Board contains no fresh points.

Para 2 of the objection Petition: It has been stated that the Revenue Divisional Officer, Trichy has not inspected the site for investigating objection. This version is not correct. The Revenue Divisional Officer has inspected the site and offered his remarks on the objection in his report. Besides the Personal Assistant also has inspected the site and he has fully agreed with the views of the Revenue Divisional Officer.

As regards para 3(1) of the objection petition, it is not at all necessary that the charity should be conducted in the same place. As a matter of fact there was a school located at the site for a very long time till recently when the petitioner purchased it for his private use. The petitioner's remarks about the sufficiency of the site are superfluous. It is for the School and educational authorities to say whether the site selected for the extension of the school is suitable for the purpose. The objection in para 3 (iii) of the petition has been dealt with in the Revenue Divisional Officer's report. The present school has been in existence there for a No. of years without any disadvantage arising from the busy road frontage. In this matter, the objector has no locus stand.

Para 4 of his petition deals with valuation. This is no objection to the acquisition. His claims for valuation will be examined at the time of the award enquiry and correct valuation will be fixed at the time of the submission of the draft declaration. Evidently the petitioner's object in raising such frivolous objections even from the beginning appears to be only with a view to boost the cost of the building and site to be acquired and this plain enhanced compensation. The objections may be overruled.

(True Copy)

Copy of the letter from the Collector of Trichinopoly, Re.B5. 3042/46 dated 11-10-1946 to the Secretary, Board of Revenue, Madras.

Ref: Collector's Re.3042/46-B.5. dated 4.10.46 on Board's Ref.I.2764/46-1 dated 21.9.46 & 23.9.46.

In continuation of para 1 of my report read above, I submit herewith a copy of the letter of the correspondent, Angle-Vernacular Hindu Girl's School dated 9-10-1946. It is seen therefrom that no grant was sanctioned by Government and that the Director of Public Instruction informed the Inspectress of Schools that no provision can be made in part II of the budget estimate for 1946-47. The correspondent has renewed his application for the grant now. He states that the object of his application for the grant is to meet the cost of acquisition. If a nominal contribution is sanctioned, then there would be no necessity for sanctioning a Government grant. Any how the correspondent has deposited out of the funds of the institution a sum of Rs.4200/- for the cost of the building which is involved in the acquisition.

Copy of the letter No.51/46 dated 9th October 1946 from the Correspondent, Angle Vernacular Tennur Hindu Girls' School, Tennur, Trichinopoly to the Collector of Trichinopoly.

Ref: Re. No.3042/46-B.5. dated 2.10.46.

Sub: Land Acquisition - Trichinopoly Taluk - Inam Tennur - T. S. No.386 - Acquisition for the extension of the school.

I beg to report that I deposited a sum of Rs.4200/-

being the full costs of acquisition of the building and site as estimated for by the Executive Engineer, Plan 35% Settlement as per instructions of the Revenue Divisional Officer vide his D.Dis.No.982/45 dated 31-12-45 (Copy enclosed).

I applied to the Director of Public Instruction, to provide in the budget of 1946-47 for payment of half Government grant as per provisions in the Grant-in-aid-Code, after the final award is passed by the acquisition officer. But the Director of Public Instruction, in his proceedings Re.4361/B/44 dated 14.9.45, informed the Inspectress of Schools that no provision can be made in part II of the budget estimate for 1946-47 as the collector has not yet ordered the acquisition (Copy enclosed). Hence immediately I came to know that order has been passed by the Collector recommending the issue of 4(1) notification, I have addressed the Director of Public Instruction in No.49 dated 30-9-46 for making necessary provision for half grant from Government in the budget estimate for 1947-48. I expect that necessary provision will be made, and that half Government grant will be sanctioned early and amount not exceeding one half of the actual cost acquisition will be disbursed as per provision in the Grant-in-aid code (Rule 51 to 55) after the final award is passed by the Acquisition Officer.

The above half Government grant is for the acquisition of the building and site under reference only. In

The grant has not yet been sanctioned and the orders of The Director of Public Instruction will be submitted on receipt

P.T.O.

From

T. A. Varghese Esquire I.C.S., Collector, Trichinopoly.

To

The Secretary to Government, Public Health and Education Department,
M A D R A S.

Through

The Secretary, Board of Revenue, M A D R A S.

Sir,

Land Acquisition and alienation - Trichy Taluk - Trichinopoly
Municipality - Inam Tennur Village - T.S.No.386 - Draft 4 (1)
notification - Submission. (L) 69 ev 44

The Correspondent of the Anglo-Vernacular Hindu Girl's School at Tennore has applied for the acquisition of the site in T.S.386, in with the building thereon, for purposes of extension of the school premises and to provide increased accommodation. T.S.386 is situated in Inam Tennore Village within the Trichinopoly Municipality and measures 4769 feet. The Director of Public Instruction has also recommended the application.

The school is at present located in T.S.385, a private building belonging to the above institution and the proposal is to acquire the adjacent site with the building thereon so that, if the intervening wall is demolished the entire area may form one compact block. From the remarks of the Inspecting Official, extracts of which have been furnished by the Correspondent and from the recommendation of the Director of Public Instruction, it is observed, that the acquisition of this extra site is quite necessary to accommodate the increased strength and to provide additional class rooms for the VIIIth standard, newly started. The Correspondent has agreed in writing to abide by all the conditions of acquisition and alienation and has deposited an approximate cost of Rs.4200/-. He has also reported that no further land will be required for the school at a later stage. Sanction for half grant from Government is however yet to be obtained. In view of the real need of a site for the school, I submit herewith draft 4 (1) notification for the entire extent in T.S.386 measuring 4769 square feet with the building therein, for publication in the Fort St. George Gazette.

2. Land: The site applied for T.S.386 measuring 4769 square feet lies whole Inam Village of Tennore and is situated in Ward II of Trichinopoly Municipality. It is registered as whole Inam Dry with gram classification at 2-1-2 and bearing an assessment of Rs.4-12-0 per acre. It is building in 'bbustiti'. The Melwaram right belongs to Atha Busa Durga under T.D.No.823 and it is in the management of the Executive Trustee.

Owners and Interested persons: The Melwaram right is exercised by the Executive Trustee for the time being Janab Syed Muldeen Batcha Sahib, 1/0 Peer Batcha Sahib residing at Chinnakkadal Street, Trichinopoly. The Kudivaram right is owned by Sri P.R.M.S. Chellappa Chettiar by right of purchase of the site and building from the S.P.G. Mission on 11-12-40. The building is in the possession of the Kudivaramdar. Names of the Melwaram and Kudivaramdars with all interested persons have been included in the draft 4 (1) notification.

4. objection: The only objection to the acquisition is from the owner of the building Sri P.R.M.S. Chellappa Chettiar. The main grounds of his objection are:

- i. that the place is being used by him as an 'Annadana Madam' for feeding the poor and the acquisition will deprive him of this performance of this charity.
- ii. that the school authorities can select other better sites for the school.
- iii. that the school is at present located in an unsuited place facing a busy road full of bus traffic and
- iv. that there is no further scope for improvement or further extension for the school at this site and that the management may find it difficult at a later stage, to give full scope for expanded activities.

P.T.O.

- 4 -

I am also submitting a copy of this letter to the Director of Public Instruction with a request for favour of early sanction for half Government grant.

/True Copy/

Copy of letter D.Dis.No.982/45 dated 31-12-45 from The Revenue Divisional Officer, to the Correspondent:

Copies of the Executive Engineer's letter No.R.C.1102 dated 24-12-45 and Re.No.1055 R dated 10-12-45 communicated to you.

2. Please remit the approximate cost of acquisition as valued by the Executive Engineer including 15% Settlement and apply for acquisition.

-True Copy-

Copy of Re.No.4361/B.4/44 dated 14.9.45 of the Proceedings of the Director of Public Instruction Madras.

The Inspectress is informed that no provision for the payment of grant to the school can be made in part II of the budget estimate for 1946-47 as the Collector has not yet ordered the acquisition of the building.

/True Copy/

TR.7.11.

for Jt. Secretary.

The Revenue Divisional Officer, Trichinopoly who inspected the site has held the objections frivolous and quite untenable. A copy of his report is enclosed. In addition to this my Personal Assistant also inspected the site on 24-8-1946 and agreed with the recommendation of the Revenue Divisional Officer, Trichinopoly. The existing accommodation is very much cramped and insufficient and the acquisition of the adjacent building is quite essential. As already observed the demolition of the intervening wall; will easily provide a compact block for the school.

The objection of the owner that the site is required for conduct of a charity is not tenable and the so called charity can as well be performed elsewhere. That the existing school is in a crowded locality and on bus route is beside the point. The School has been in existence there for several years and it is neither practicable nor fair to suggest to the management to construct a new buildings detached somewhere else. It is quite unnecessary to look into the very distant future when the school may probably develop into a High School. Looking for a practical point of view, acquisition of P.S. 386 for the expansion of the school seems to be the best course. The Educational authorities are pressing for the acquisition which must be pushed through. In the above circumstances the objection petition deserve no consideration

5. Recommendation: The draft 4 (1) notification may be caused to be published in the Fort St. George Gazette. A nominal contribution of 1 annas may be sanctioned, as the acquisition is made on behalf of a private institution at its cost for a public purpose.

Routine: The application of the correspondent with necessary enclosures, a topo sketch of the site, the written statement of the correspondent agreeing to abide by the conditions of acquisition and alienation, the objection petition ~~xxx~~ and a mahazar received from the General public supporting the acquisition are enclosed.

Var. 5.9. 15.9.46.

Copy to the Revenue Divisional Officer, Trichinopoly with reference to his No. 380/46 dated 2.7.46. with records of enquiry returned.
Copy to the Tahsildar, Trichy.
Copy to the Director of Public Instruction, Madras for information.

For Collector, Trichinopoly.

Form of Notification to be issued under section 4 of the Land Acquisition Act 1 of 1894 as amended by Act XXXVIII of 1923.

Whereas it appears to His Excellency the Governor of Madras that land specified in the schedule below situated in the Inam Tennur Taluk, Trichinopoly District is needed for a Public to ~~which~~ for the extension of the Anglo-Vernacular Tennore Hindu Girls School, Trichinopoly. Tannur, notice to that effect is hereby given to all whom it may concern in accordance with the provision of section 4 (1) of the Land Acquisition Act of 1894 as amended by the Land Acquisition Act of XXXVIII of 1923 and ~~xx~~ His Excellency the Governor of Madras hereby authorizes his staff and workmen to exercise the powers conferred by Section 4 (2) of the Act under Section 3 of the same act, the Governor in Council appoints Revenue Division Officer, Trichinopoly to perform the functions of a Collector under section 5 A of the Act.

SCHEDULE:

District : Trichinopoly.
Taluk : Trichinopoly.
Village : Inam Tennore.
Description of Land: Wet or dry, Inam ~~primark~~ or Poramboke with Survey or Paimash No. R Whole Inam dry P.S. No. 386 of Block Ward II in Trichinopoly Municipality.

Names of occupiers : Hajarath
Meiwarandhar : Kutsishaw Sahib, Samiyar Dargha Tennore
represented by Syed Mohideen ~~Bafela~~ Sahib, Executive Trustee
Kudivaradar : 1. P.R.M.S. Chellappa Chettiar, Banker, Pat
Pillai Street, Tennore.
2. Ramanathan Chettiar s/o No. 1.
3. Minor Chidambaramanathan s/o No. 1 by guardian

Approximate extent to be taken up : 4769 squire feet.

Whether waste or arable: House, in bhustiti.

Var. 5.9. 15.9.46

For Collector, Tr

Copy of Rc.B.No.380/46 dated 2-7-1946 from the Revenue Division Trichinopoly to the Collector, Trichinopoly. (6)

Sub: Land Acquisition - Trichinopoly Town - Trichinopoly Municipal Inam Tennore - T.7.336 - Anglo Vernacular Hindu Girls Elementary School - Further report - Submitted.

Ref: Collector's Rc.B.5.3042/46 dated 11.5.46 and Trichy Tahsildar Rc.621/46 dated 21.6.1946.

I submit herewith the report of the Tahsildar, Trichy Rc.621/46 21.6.46 with the connected records.

2. The application of the Correspondent of the Anglo Vernacular Girls School, Tennore and the copy of the order of the Director of Public Instruction, Madras recommending the acquisition of the site, the statement of the Correspondent of the said school agreeing with the conditions of acquisition under B.S.O.90 (6) (1), A, b, & c, amended by the correction slip No. LXXI dated 24.12.40 and also to abide by the conditions of alienation under B.S.O.24 are enclosed.

3. The Tahsildar reports as follows after personal inspection. In the present building of the said school is not sufficient to accommodate 288 children (girls 245 and boys 43). There is a very great possibility of increase in the strength of the school in future years when an extension may become necessary but there will be no room to extend. The correspondent has not realized this situation. The existing school is at the juncture of two important bus roads and the children are liable of being run over by vehicles. The owner of the building, Sri Ch. Chettiar strongly objects to the acquisition of the buildings on

P.T.O.

the ground that he is using the building as anna chatram and also a water pandal and the acquisition of the building deprive the public the enjoyment of the above said charities.

1. The comparison made by the owner of the building which is proposed acquisition is odious. The educational institution and the anna chatram have each a definite purpose to fulfil. It is not necessary that the poor should be fed in the existing place only. Whereas the school has to extend itself on the sides to meet various requirements and conveniences. The anna chatram is not a trust property in the real sense of the term. Mr. Chettiar can continue the charity with undiminished by making a contribution to the Beggar's Home in the city. As I have observed, the demolition of the wall dividing the school and building proposed for acquisition will leave the two in a compact block. Moreover, the building proposed for acquisition was a school for a long number of years before it was converted into an anna chatram and is best suited for school. The suggestion that the school being on the bus route is dangerous to the children and it is desirable that it should be shifted far away from such road is whimsical. Elementary schools which cater to young children are bound to be in thickly populated areas. Young children cannot be expected to walk a long distance. Almost the elementary schools in the city are on the roads. The need and means for the raising of the school to the status of a secondary school or a high school in a few years cannot be anticipated. The action raised by the owner of the building to its acquisition are untenable.

2. The connected records are enclosed.

=True Copy= *[Signature]*
For Collector, Trichinopoly.

19/11/46
65/6/12
Land Acquisition - Trichy
Trichy Municipality - S. N.
Tennur Village - T.S. No. 386 - A
Vernacular Hindu girls' School
Notification under Section 4(1)
- Published.
P/C.C. 68605 C/46. From the Bd. of Rev. Reg. I. 2764/46

G.O. (Ms) 2332 Edn. dt. 6-11-46

The draft notification under section 4(1) of the Land Acquisition Act for the acquisition of specified in the schedule to the notification for the extension of the Anglo-Hindu girls' School, Tennur, will be published in the Part II of the Government Gazette. A contribution of Rs. 1000 is sanctioned from Provincial towards the cost of the acquisition.

To
Sd. Bd. of Rev. (with encl.)
L.P. 25
A. G. 11/11/46
S. N. P. 1/11/46
Copy of the notification with copy of the notification sent to Revenue u.o. of 17.11.46.

28/11/46

Note:- The draft notification sent to Revenue u.o. of 17.11.46. 28/11/46

Edn. u.o. 68605 C/46 21.11.46



Rev u-03856 H/46 25/11/46

To us
The draft order and the file returned to the Revenue u.o. of 23/11/46. The draft order now in the file. 29/11/46

2335

Working in the suburbs of the city

~~10/11/40~~

~~10/11/40~~

2505

The draft order is
submitted with this

23/11/40

10/11/40