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Scott II-27-58,004-4-11-46.

E.&P.H.

(1947) Department.

(18) SERIES.

G.O. NO. 1098 Edn.

Dated 29th May 1947.

[Despatch Abstract.]

Land Acquisition - Madras City - George Town T.B. Nos. 2999/1
and 2 - A.R.C. Higher Elementary School - Playground objections
to acquisition - Over - ruled.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	2699	Enr.	17/12/47				

REVENUE DEPARTMENT.

SUBJECT.

Land Acquisition (Madras) Madras City--George Town--R.S.
Nos. 2999/1 and 2- A.R.C.Higher Ele.School playground--
Draft Declaration.

REF:I.3097/46-Z

Dated 17-1-47

STATION: MADRAS.

From

C.A.Ramakrishnan Esqr., I.C.S.,
Joint Secretary.

SIR GERALD PRIESTLEY, K.C.I.E., I.C.S.,
Commr of Land Revenue and Irrigation.

READ: From the Collector of Madras R.Dis.5081/45 Dated
23-9-46.

5031 p 2 infra From the Collector of Madras Rc.8359/46-C Dated 16-12-46.

REFERENCE:

Submitted to the Government.

2. The Board finds that the following objections
put forward by the objector have not been met by the Education
authorities.

i) The A.R.C.School being in a rented building it
is open to the correspondent to close it down or shift it at
any time he chooses, in which case he will become the
private owner of the plot now under consideration.

ii) The correspondent tried to purchase the plot
for his private use, but being foiled in his attempts is now
trying to get the land under the Land Acquisition Act.

iii) The correspondent owns several other houses
and vacant plots, which he could make use of for the purpose
if he is bonafide.

iv) The plot is too small to make a good play-
ground.

v) The vacant site near the old Jail 3 furlongs
off would make a suitable playground.

vi) The acquisition of buildings and structures will
be necessary if the present proposals are accepted.

3/ For the above reasons the Board agrees with
the Collector that the proposals for acquisition of the
present plots may be dropped and recommends that the corres-
pondent of the school may be informed that the vacant plot
in the old civil jail compound may be used as play ground
with permission, until he is able to find some other vacant
site that can be acquired for use as play-ground for his
school. It however considers that generally playgrounds are
quite necessary for school children, and especially in a
crowded locality like George Town and that if the Education
authorities are able to meet the above objections satis-
factorily, the matter may be reconsidered.

UC. *[Signature]*

For Joint Secretary.

To
✓ The Secretary to Government
Education and Public Health
with encls. in original.

M.A. 17/1.

P.T.O

Letter from the Collector of Madras Rc.8359/
dated 16-12-46.

Sub: Land Acquisition (Madras) Madras City--George
A.R.C. Higher Ele.School--Play ground--Draft
declaration--Further report.
Ref:Board's No.I. 3097/46-1 dated 29-10-46.

Para 1 of the Board's Ref:

The A.R.C.Secondary and Elementary Schools have
got their own playgrounds. The site proposed for acquisition
has to serve as play ground to the Elementary school only.

PARA 2 of the Board's Reference;

The big play ground mentioned by Mrs.Jeevanlal is
R.S.No.2724 already marked in the sketch. It adjoins the old
jail buildings at the Northern and eastern side of the Poppas
Broadway. It is situate at a distance of about 3 furlongs
from the A.R.C.Elementary school marked No.1 in the sketch. It
is big enough for the use of all the schools in the locality.

Para 3 of the Board's Reference:

R.S.No.2966 has since been built up by the owner of the
A.R.C. Elementary School which is itself located in a rented
building.

The locality has since been inspected by my personal
Assistant. I solicit attention to my report R.Dis.5081/45
dated 23-9-46 para 6 stating that the objections of the owner
would seem to weigh more than the need for the acquisition of the
plot for a play ground. It holds good even now.The only
alternative course in this thickly populated and congested area
is the big play ground in R.S. No.2724.

The enclosures received from the Board of Revenue are
resubmitted.

Sd...
For Collector of Madras.

/True copy/ *[Signature]*
For Joint Secretary.

M.A. 17/1.

[Initials]

From M. Karamatullah Esq., I.C.S., To The Secy. to Govt.,
Collector of Madras, Edn. & P. H. Dept.,
MADRAS.
MADRAS.
through the Board of Revenue.(L
MADRAS.

No.R.Dis.5081/45 Dated, 23rd Sept. 1946

Sir,

LAND ACQUISITION - Madras City - George Town -
A.R.C.Higher Elementary School - playground
report under Section 5-A
Ref: (1) G.O.No.Ms.1637, Edn. dated 16th Oct. 1945
(2) Govt. Memo No.49689/C/45-2, Edn. dated
20th November 1945

The notification under section 4(1) of the Land Acquisi-
tion Act was published at page 370, Part I B, Fort St. George
Gazette dated 30-10-1945. The notices under Sections 4(1) and
5-A were published and served in the manner prescribed in the
Land Acquisition Act. The notices are enclosed.

2. There are two R.S.Nos.2999/1 and 2999/2. Their
owners have objected to the acquisition.

3.(a) R.S.NO.2999/1: The objection is that the plot is
required for construction of a house, that on account of war
and labour scarcity, the work had to be postponed for and that
now the Madras City is coming to normal condition, the construc-
tion of the building is shortly to be taken up. The area of
the plot is only 2093 sq. ft. or 4.8 cents. The validity of
the owner's objection is dependant upon the objection of the
owner of the other plot of land viz. R.S.2999/2 dealt with
below:

(4b) R.S.NO.2999/2: Its area is 1884 sq. ft. or 4.3
cents. Its owner Jeevammal alias Padmavathi Ammal objects
to the acquisition for the following reasons:

The building is already a residential quarter with
a garage accommodating her motor car, a cow shed and a room
wherein her servant woman is living. Besides this plot, she
has also to inherit a strip of land in R.S.No.2999/1 referred
to in para 3(a) above. She had intended to raise pucca
structure; but the war stood in the way though she had a plan
approved by the Corporation and remitted the necessary fees
into the treasury. Further she adds that the correspondent
of the A.R.C.Higher Elementary School. Sri Ramiah Chetti
who wanted to acquire the property for his own use having
failed in his attempt, has resorted to acquiring it with
sinister motive, that there are other suitable plots and that
the school itself being located in a rented building, the need
for a permanent playground does not arise. In a supple-
mental petition dated 15th March 1946, she has referred to
Government Memo No.23189-C.3.Edn. dated 17th July 1946 and
filed a cutting from the 'Madras Mail' dated 10th March 1946.
The former is to the effect that should there be more than
one school in the vicinity, the playground should be common
to all schools nearby. The latter is simply to give an
idea of the size of the playground relative to the strength of
the school.

4. The objections were referred to the Director of
Public Instruction, Madras, and a copy of his reply concurring
with the remarks of his District Educational Officer is en-
closed. The District Educational Officer admits that the
only objection may be inadequacy of the proposed site for play
ground and observes that the play activities will be adjusted
to the ground available. The District Educational Officer
adverts to two other sites shown by Sri Padmavathi mabhan, hus-
band of Sri Jeevammal, the owner and says that they are un-
suitable having been already leased out. There is the main
reason. The unwillingness of the lessees and the owners
of these plots is also urged as a ground for rejection of the

the two plots. But the District Educational Officer does not attach the same weight to the unwillingness and the objection of the owner of R.S.No.2999/2 to part with the land.

5. I enclose a topo sketch of the locality marking therein the A.R.C.Higher Elementary School located in a rented building, the A.R.C.Secondary School similarly located (both being under one and the same management), the proposed site of acquisition and the plot of land bought by the correspondent recently and mentioned in the last para of the owner's petition dated 15-3-1946. This plot bears R.S. No.2966 measuring 2104 sq. ft. of R.S.No.2999/2 against the area of 1884 sq. ft. of R.S.No.2999/2. It stands registered in the accounts in the name of Devaki Ammal wife of the correspondent of the school. R.S.No.2966 is very near to the A.R.C.Higher Elementary School bearing R.S.No.2994; While R.S.No.2999/1 and 2 is situated rather away to the north of the Elementary School;

6. I enclose a copy of my predecessor's (Mr. C. V. Tremereheere M.B.E.) letter No.5081/45 dated 17-7-1945 containing his views in the matter of the present acquisition. The school is located in a thickly populated residential locality in George Town. It cannot be gain said that want of accommodation for residential purposes is very keenly felt in the City. An open land for a playground will be more suitable. The objections of the owner would seem to weigh more than the need for the acquisition of the plots for a playground.

7. I enclose D.D. under Section 6 of Act I of 1894. If the Government decide that the objections may be over ruled, the D.D. may be approved and published in the Fort St. George Gazette. Along with the order empowering the Personal Assistant to the Collector to take orders for acquisition, formal orders for the alienation of the land may be issued.

8. I submit the following records:

1. served copy of the notice under sections 4(1) and 5A
2. Petition dated 23-11-1945 of Jeevammal owner of R.S.No.2999/2
3. Petition dated 29-11-1945 from Jeevammal
4. Photo copy submitted by petitioners
5. Petition dated 28-11-1945 from C. Narasimhulu Naidu, claimant in R.S.2999/1
6. Petition dated 15-3-1946 from Jeevammal
7. Copy of Govt. Memo No.23129-C.3. dated 17-7-1945 submitted by Jeevammal
8. Cutting from the Madras Mail dated 10-3-1946
9. Copy of my predecessor's letter RC.5081/45 dated 17-7-1946 to the Director of Public Instruction
10. Copy of letter RC.4869/B.6.46 dated 12-9-1946 from the Director of Public Instruction
11. Copy of letter dated 24-8-1946 from the District Educational Officer to the Director of Public Instruction
12. Two copies of Topo sketch.

Mr. Karamatullah
1/10/46.

COLLECTOR OF MADRAS
11/9/46.

cds.28.9.

Education and Public Health Department.

MEMO No. 5031 C1/47-1 Education dated 12.2.47
.....

Land acquisition -A.R.C. Higher Elementary School-George Town-
Play ground-Acquisition of site.

A copy of the reference from the Board of Revenue
No. I.3097/46-2 dated 17-1-1947 together with enclosures is
forwarded to the D.P.I. for early remarks.

To

The D.P.I. (with enclosures)

*df's into
encl 1/10/46*

- P.P.I. 34 CF

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2/1/47

24/3/47

(5) 7 37 Ex.P.H. ci

Sp. with ac Meas. No. 5031C/47-2, En. dt. 21. 3. 47
Land Acquisition — A. R. C. Higher Ele.
Schol, George Town, Madras — Playground
— Acquisition of site No. 2999/1 and 2.

pp1-2 of From the Board of Revenue, Reg. I. 3097/46-2
dt. 17.1.47.

A copy of letter No. 4869 Bb/46
dt. 12.3. 47 has been forwarded to the P. D., in which
the Director has ~~been met~~ ^{has given his remarks on} the objections raised
by the Bd. in para 2 of its reference.

Land Acquisition - A.R.C. Higher Elementary School -
G.T. Madras - Playground - Acquisition of site.

Ref: Government Memorandum No.5031 C1/46
dated 12-2-1947.

Resubmitted.

2. The objections raised by the Board of Revenue in their
Ref.1. 3097/46-2, dated 17-1-1947 for the acquisition of site
in question are answered below seriatim.

(i) There is no risk of the school being closed down in the
near future; the handing over of the school management to a
Registered body is under contemplation by the members of the
family of the founders.

(ii) It is true that the Correspondent approached the parties
for getting the present property on a long lease at least, if they
could not entirely part with the property for school purposes and
having failed in his attempt, he has sought for Government aid to
get the same through land acquisition. This cannot therefore be
taken as a serious objection against the proposal as it evinced
the sincere interest of the correspondent in the matter which is
commendable.

(iii) The correspondent does not own any other house and hence
there is no chance of using other site for school purposes.

(iv) The contention of the inadequacy of the playground cannot
for obvious reasons be set against the sanction, prayed for.
The inadequacy of the class room spaces or play field is an
unavoidable feature with almost every educational institution
in the city and hence to deny the scope of even such inadequate
playing facilities for minor games and physical exercise in the
open air will not be fair and advisable in the interests of the
school going children as it is absolutely impossible to get an
extensive play ground.

(v) The site referred to near the civil jail compound is
not reported to be vacant but it is used by the Government school
of Technology and also by another school and hence the availability
of the plot is out of question.

(vi) Regarding the acquisition of the building and structures
in question it is pointed out that the plot has been left uncared
for for in this ruined state for more than 40 years and conse-
quently the structure on the site is in a very dilapidated condition
and the North wing portion wherein the charcoal depot was located
is reported to have fallen down in the recent rains. If the
acquisition of these is insisted upon the correspondent may well
be asked to agree to the payment of valuation as fixed by the
revenue authorities.

3 In the above circumstances I request that the Board may
be requested to reconsider the proposal in view of the importance
of the well being of a number of children as against the incon-
venience of one individual family and provide the school with a
small playground at least rather than to have nothing for
recreational purposes.



R. Narasimhan
for Director of Public Instruction

The Secretary to Government, Education and Public Health
Department, Fort St. George, Madras.

m.k.13/3.

13/3

2/38/8
above, is forwarded to the Bd. of Rev.
for early remarks.

20/3/47.
20/4/47

M. N. S. S.

To

The Bd. of Rev.

(with enclosure
to be sent)

(pp3-34 & 35 in
original)

4/2/47
27/3

REVENUE DEPARTMENT.

Sub:- LAND ACQUISITION ^(Madras) Madras City--George Town--
R.S.Nos. 2999/1&2-- A.R.C. Higher Elementary
School playground--draft declaration submitted.

Ma dras.

Ref. I.3097/46

12-4-47.

From: -

C.VIVEKANANDAMURTHY, Assistant Secretary.

SIR. GERALD PRIETLAY, K.C.I.E., I.C.S.,
Commr. of L.R. & Irrigation.

Read: From the Government Education and Public Health
Department Memo N o. 5031-C1/47-2 Edu. d/21-3-47.
From the Collector of Ma dras. R.Dis. 5081/45
dated 23-9-46.

From the Director of Public Instruction R.C. 4869/B6
dated 12-3-47.

Ref.

Submitted to the Government with reference to their
memo read above.

2. The Board Considers that in view of the remarks
of the Director of Public Instructions the objections to the
aquisition may be overruled and that the draft declaration under
Section 6 of the L.A. Act may be approved and ordered to published in
the Gazettee

For Assistant Secret

To, The Secretary to Government, Education and Public Health Depart
ment

12/5/47

E+P.H.
C1

T.M.

From: The A.S., Edw P.H. Dept.
To: The Asst. Secy, Bd. of Rev. (Land Revenue & Irrigation) 29/4

Sub: - Land Acquisition - Madras -
George Town - R.S. 2999/1 and 2 -
A.R.C. Higher Ele. School - Playground -
Draft Declaration.

Ref: - P.D. Ref. I. 3097/46 dt 12.4.47

Please return urgently
from the A.P.S.

4869 B6/46 dt 12.3.46 sent as an
enclosure to govt. Memo. No. 5031 C1/47-2 En.
dt 21.3.47.

24/4/47.
24/4/47.

Issued
25/4/47

P39 and

p.c. to go

2/2

24/5

pp 3-4 of
p 43 of

The Govt. agree with the
DPI and the Bd. of Revenue
that the objections to
the acquisition of the
site required for the
A.R.C. Higher elementary
school, George Town,
should be over-ruled.

(8)

13

E+P.H.(C1)

Land Acquisition - Madras City -
George Town - R.S. nos 2999/1 and 2 -
A.R.C. Higher Elementary School - Playground
Draft declaration under section 6
of the Act - Published.
From the Collector of Madras RDis 5081/45
dt 23.9.46
From the Bd. of Revenue I-3097/46 dt 12.4.47

Go/MS 1098 Edn dated. 29.5.1947
2. The draft declaration under
Section 6 of the Land Acquisition Act
submitted by the Collector of Madras
in respect of the sites proposed for
playground for the A.R.C. Higher Ely.
School, George Town Madras is
approved and forwarded to the
Superintendent, Government Press
for publication in English in the
Port St. George Gazette

A.P.O

C.No. 5031 C1/47

LAND ACQUISITION (MADRAS) - GEORGE TOWN - A.R.C. HIGHER ELE. SCHOOL - PLAY GROUNDS
*****From the Board of Revenue Ref. I. 3097/46-2 Dated 17-1-47.

The proposal in the G.F. Nos. 2999/1 and 2 in G.T. (Madras city) relates to the acquisition of R.S. for use as playground for the A.R.C. Higher Elementary School. G.T. The notification under see 4(1) of the L.A. Act was ordered to be published in G.O. 1637 Education dated 16-10-45. In that connection it was reported that the D.P.I. recommended the acquisition as it was considered urgent and essential.

After the notifications under see 4(1) and 5-A of the L.A. Act were published and served in the manner prescribed in the Act, the objections summarised in para 2 of the Board's reference have been put forward by the objectors. The Board considers that the above objections have not been met by the Education Department and that therefore the proposals for the acquisition of the plots may be dropped, ^{being} that the correspondent of the Elementary school ~~may be~~ asked to use, with the requisite permission, the vacant plot in the old civil jail compound, until some other suitable site is acquired for use as playground.

The Board, however, considers that the need for a playground is important and that if the objections referred to above are satisfactorily met, the question of acquisition may be taken up.

In this connection attention is invited to the report of the District Educational Officer, Madras, and the letter from the D.P.I. to the Collector of Madras at pp. 27-28 C.F. and the recommendation of the Director therein that the request of the correspondent for acquiring the plots may be favourably considered. The Board's letter may be referred to the D.P.I. for remarks. A draft Memo is subd.

J.M.
12/2/47 SH.
11/1/47

[Issued as Memo. No. 5031 C1/47-1 Edn. dt. 12.2.47]
[From the D.P.I. No. 4869 Bb/46 dt 12.3.47]

The Director has examined the objections put forward by the Board for the acquisition and recommends

3. After acquisition is completed and possession is taken of the lands, the collector of Madras is requested to issue an order of alienation, alienating the land on the terms already agreed to.

To
The collector of
Madras
(with enclosure of the
S.C.R. for public-
ation in the S.C.R.
(with copy of notification
on p. 54)
The D.P.I.

Note: The draft order may be sent to Revenue for perusal and remarks if any before issue.

pp 5-6 of ①

p 1 of ①

p 1 CF

Non p 1 CF

Mon p 1 CF

pp 27-28 of

p 27 CF

P on p 27 CF

draft for appl. to be

p. 35 CF

p. 37 CF

para 2 p 1 CF

That the Board may be requested to
reconsider the proposal for acquisition.
draft memo, to the Bd. is subd. draft

20/3/47
21/3/47
21/3/47 S
21/3/47

[Forwarded as Memo 5031 C.1/47-2 Edn dt 21.3.47]
From the Bd of Rev. Sub-Committee Ref 1.3097/46-10. 12-4.47
The Board states that the objec-
tions to the acquisition may be overruled
its recommendations may be accepted.
A draft order is submitted for approval
May be sent to Rev. for perusal and
remarks, if any.
16.5.47
16/5/47
17-5-47
S/ Rev. Rev.

Tous
the draft below may be
accepted and the file referred to
E+PH
18/5/47
22/5/47
26.5.47
EPH
May issue
27/5/47

Form 3
p 370
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Sup. H no 5031 C.1/47-2
21.5.47

22 MAY 1947
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Rev. no 3259H/47

27 MAY 1947
EDUCATION AND PUBLIC HEALTH DEPT