

E.&P.H.

(1947) Department.

1658
SERIES.

G.O. NO. Ms. 1658 Edn.

1658

Dated 23rd
~~23rd~~ July 1947.

1
Close
or
1929-30

17

[Despatch Abstract.]

Land Acquisition - Trichy Taluk - Devadanam village - Trichinopoly Municipality - T.S.Nos.1320 etc. - Extension of playground for the National College, Trichinopoly - Notification under section 4(1) of the land Acquisition Act . Published.

Delek (Form of notification to be issued under section 4 of the
Land Acquisition Act I of 1894 as amended by Act XXXVIII of 1923)

whereas it appears to His Excellency the Governor of
Madras that the land specified in the schedule below and situated
in the Devadanam Village, Trichy Taluk, Trichinopoly district is
needed for a public purpose, to wit for the purpose of ~~making~~
play ground for the National College, Trichy, notice to that
effect is hereby given to all whom it may concern in accordance
with the provisions of section 4(1) of the Land Acquisition Act I
of 1894 as amended ~~by~~ by the Land Acquisition Amendment Act
XXXVIII of 1923; and His Excellency the Governor of Madras
hereby authorises the Revenue Divisional Officer, Trichy, his
staff and workmen to exercise the powers conferred by section
4 (2) of the Act. Under section 3 (c) of the same Act, His
Excellency the Governor of Madras appoints the Revenue Divisional
Officer, Trichy to perform the functions of the Collector under
section 5-A of the Act.

Schedule.

District: Trichinopoly.

Taluk: Trichinopoly.

Village: Devadanam.

Description of land, wet or dry, inam or poramboke with
survey or palmah No.

Name of owner or occupier. (Schedule attached)

R. S. L.
27/6
For Collector.

27.6.27

THE MADRAS GENERAL SALES TAX ACT, 1939.

No. 229487

Bill Collector's Register of Daily Collections.

R.C.No. 450/46.

From

Sri R. Srinivasa Iyer, B.A., B.L.,
Correspondent & Secretary,
The National College, Trichinopoly.

The Collector,
Trichinopoly.

The Director of Public Instruction,
M a d r a s No. 6.

Sir,

Subj: Acquisition- Lands in Devadanam Village-
Block No. 22 of Ward 5- Trichy Town- for College
Playgrounds.

Ref: D.Dis. No. 1034/46 dated 30-10-46 of the Collector of Trichinopoly to the Revenue Divisional Officer, Trichinopoly.

I am submitting this application for acquisition under the Land Acquisition Act of private lands described in the Schedule hereto in pursuance of the kind suggestion made by the Collector of Trichinopoly in his above reference, as part of the decision made by him on our application R.C.No. 376/45 dated 14-12-45 made to the Government to alienate in ~~our~~ favour of the College 15 acres 29 cents of Railway relinquished lands in T.S.Nos. 3326, 3327 and 3328. The Collector was pleased to decide that only 7 acres 65 cents forming the northern portion of T.S.No. 3327 and the whole of 3326 could be assigned to us; and, recognising that the extent to be thus assigned would be quite inadequate for our requirements, was also kind enough to suggest that an application, for acquisition under the Act in respect of the lands hereafter referred to, may be made.

2. The delay in the submission of this application was due to attempts made to secure the land

negotiations. We have been able to get promise of a generous gift of T.S.Nos. 1293, 1294, 1295, 1296, 1297, 1298/2, 1300, 1300/1, 1302/1, 1303/1 and 3, 1304, 1306, 1308 and 1314/2 (5.14 acres in extent) from the owners of the said fields and we are submitting this application with the request that the Government will be pleased to take steps for the acquisition of the lands described hereunder.

3. In view of facts set out in my R.C.No. 376/45 dated 14-12-45 and already dealt with by the Department of Education (Director's R.C.No. 1405-D/45 dated 31-1-46) and by the Collector (D.Dis. 1034/46 dated 30-10-46), it is hardly necessary to describe in detail the circumstances under which we are constrained to make this application.

4. Stength and need: The College, with its strength of 800 pupils and the attached High School situated in the same compound with 1000 pupils, have no playground worth the name except a small strip of about 2 1/3 acres inside the premises. This ground is jointly used by the College and the High School by shift arrangement, a system that has been commented upon adversely by the Educational Department, in successive Inspection Reports. In addition to the owned ground, the College has taken on lease two strips of about 2 acres each in West Chintamani in two different localities a far from the premises. There is no other suitable ground within a reasonable distance from the College except the sites now applied for and the adjoining area kindly agreed to be assigned by the Collector.

5. Urgency for the Scheme: The affiliation Commission of the University of Madras that visited the College on 22-5--44 remarked: "There is also no separate playground for the College Students. There is only one playground for the High School

Respondent,
College

which is supposed to be shared by the College Students. These defects should be removed and the serious attention of the Management should immediately be drawn to them."

"The College is to be provided with a separate playground."

The syndicate by its Circular No. A. 3579 dated 14-9-1945 re. recognition and affiliation of Colleges, have notified that for affiliation or recognition in courses from the year 1946--47

one of the conditions to be satisfied is that

"There should be adequate playgrounds for the College, and, generally from 30 to 50 acres of lands would be required for the College playground and Hostel."

The general inspection (University) Commission that visited the College on 16-2-1946 had expressed dissatisfaction at our playground-holdings and the Management is anxious that before the Report of the Commission gets published (early in 1947) this main defect should be rectified by securing at least one half, though not the full minimum extent requisite for playground. Thus, the acquisition of the lands in question is absolutely essential.

6. Extent of the sites and need for compulsory acquisition:

The area of the sites A and B in the Schedule hereto is 1.88 2.19 acres. They are all private Patta lands. The lands are not available for private negotiations in view of the fact that

three of the Survey fields (about 67 cents) belongs to a gentleman who is the Manager of a High School and attempts by way of private negotiation in respect of the rest have not so far succeeded. The Government has hence to be approached by the Management to acquire the lands for the College under the Land Acquisition Act, to serve as playgrounds. The sites covered by 'C' in the Schedule are Channel sites which could only be assigned by the Government. In view of the whole of

this Block No. 22 becoming playground for Educational Institutions,

Respondent.
College of the Government

which is supposed to be shared by the College Students. These defects should be removed and the serious attention of the Management should immediately be drawn to them."

"The College is to be provided with a separate playground."

The syndicate by its Circular No. A. 3579 dated 14-3-1946 for recognition and affiliation of Colleges, have notified that for affiliation or recognition in courses from the year 1946-47 one of the conditions to be satisfied is that

"There should be adequate playgrounds for the College, and, generally from 30 to 50 acres of lands would be required for the College playground and Hostel."

The General Inspection (University) Commission that visited the College on 16-3-1946 had expressed dissatisfaction at our playground-holdings and the Management is anxious that before the Report of the Commission gets published (early in 1947) this main defect should be rectified by securing at least one-half, though not the full minimum extent requisite for playground. Thus, the acquisition of the lands in question is absolutely essential.

6. Extent of the sites and need for compulsory acquisition:

The area of the sites A and B in the Schedule hereto is 1.25 acres. They are all private Patta lands. The lands are not available for private negotiation in view of the fact that three of the Survey fields (about 67 cents) belong to a gentleman who is the Manager of a High School and attempts by way of private negotiation in respect of the rest have not so far succeeded. The Government has hence to be approached by the Management to acquire the lands for the College under the Land Acquisition Act, to serve as playgrounds. The sites covered by 'C' in the Schedule are Channel sites which could

there can be no use of this Channel for irrigation purposes.

7. The Management is prepared to deposit such amount as may be required as the cost of the lands. The Managing Committee have recorded the following resolution on 15-12-46 accepting conditions of acquisition; in the form prescribed in B.S.O. 90, Para 6 (1) :

Resolution. " The Secretary is authorised to apply for acquisition of the fields adjoining the land agreed to be assigned by the Government as per Proceedings No. D.Dis. 1034/46 dated 30-10-1946 of the Collector, Trichinopoly on the following terms:-

The Managing Committee of the National College hereby agrees to the following conditions of acquisition prescribed in B.S.O. No. 90, Para 6 (1) third sub-paragraph and to the following special conditions:

- " 1. To use the land for the purpose for which it is to be acquired, namely, playground and Hostel for College, and for no other purpose without the sanction of the Government.
2. "To carry out the purpose within a period of three years from date of acquisition.
3. "To restore the land to Government if they so direct on payment of compensation awarded less 15 % awarded for compulsory acquisition, or of the value of the land at the time of restoration whichever may be less in the event of the Committee not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of Government at any time for any other purpose other than that for which it is agreed.
4. "To pay enhanced compensation together with incidental charges, if any, that may be awarded by the Civil Court, in the event of a reference under Section 18 of the Land Acquisition Act or an Appeal therefrom."

CONCLUSION: I have to submit that, as a result of the endeavours made by the Management during the last two years, it has been found impossible to think of any other site to fulfil the requirements of the College in respect of playgrounds except the Railway relinquished " B " Class Lands of 15 acres 29 cents (forming T.S.Nos. 3326, 3327, and 3328) and that, as a result of the acceptance given at the instance of the

spondent.
Collector the Govt

one half of the above extent had to be given up in favour of the Savithri Vidyasala Girls' High School, and recourse had to the fields adjoining the lands under alienation abutting the Madras Trunk Road. Now that the owner of a major portion of the side lands has promised to give 5 acres and 14 cents as a gift to the College, this application for acquisition of the intervening pieces of land is made to enable the Management to meet at least a half of the minimum requirement of the University in regard to the playgrounds for the College. These fields adjoin the fields under alienation proceedings and are within easy reach from the College, just two to three furlongs by the Main Road.

The purpose for which acquisition is sought for is of paramount public importance- providing a necessary equipment to a College which has been efficiently working for over twenty five years.

DESCRIPTION OF PROPERTY TO BE ACQUIRED.

Trichinopoly District- Trichinopoly Taluk-- Trichinopoly Town- Devadanam Village, No. 50 - Ward No. 5 - Trichinopoly Municipality- Revenue Block No. 22.

" A " Schedule.

Lands on the north of the lands under alienation Proceedings.

T.S.No.	Full Extent.		Extent for acquisition.	
	A	C.	A	C.
✓ 1320 ✓	0	40	0	30 (on the south)
✓ 1319 ✓	0	23	0	15 (do-)
1318 ✓	0	17	0	10 (do-)
1316 (2) ✓	0	33	0	33

" B " Schedule.

Lands on the west of the lands under alienation Proceedings.

	Full Extent.		Extent for acquisition.	
	A	C.	A	C.
1305 ✓	0	19	0	19
1291 ✓	0	16	0	16
1287 ✓	0	06	0	06
1290 ✓	0	45	0	45
1307 ✓	0	09	0	09

Since withdrawn as it has been purchased by private negotiation

*1308

0 35

XXXX.

pendent. College

there can be no use of this channel for irrigation purposes.

7. The Management is prepared to deposit such amount as may be required as the cost of the lands. The Managing Committee have recorded the following resolution on 15-12-46 accepting conditions of acquisition: in the form prescribed in B.S.O. No. 30, Para 6 (1) :

Resolution. " The Secretary is authorised to apply for acquisition of the fields adjoining the land agreed to be assigned by the Government as per Proceedings No. D.D. 1034 dated 30-10-1946 of the Collector, Trichinopoly on the following terms:-

The Managing Committee of the National College hereby agrees to the following conditions of acquisition prescribed in B.S.O. No. 30, Para 6 (1) third sub-paragraph and to the following special conditions:

" 1. To use the land for the purpose for which it is to be acquired, namely, playground and hostel for College, and for no other purpose without the sanction of the Government.

" 2. To carry out the purpose within a period of three years from date of acquisition.

" 3. To restore the land to Government if they so direct on payment of compensation awarded less 15% awarded for compulsory acquisition, or of the value of the land at the time of restoration whichever may be less in the event of the Committee not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of Government at any time for any other purpose other than that for which it is agreed.

" 4. To pay enhanced compensation together with incidental charges, if any, that may be awarded by the Civil Court in the event of a reference under Section 18 of the Land Acquisition Act or an appeal therefrom."

CONCLUSION:

I have to submit that, as a result of the endeavours made by the Management during the last two years,

it has been found impossible to think of any other site to fulfill

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one half of the above extent had to be given up in favour of the Savitri Vidyalaya Girls' High School, and recourse had to the fields adjoining the lands under alienation abutting the Madras Trunk Road. Now that the owner of a major portion of the side lands has promised to give 5 acres and 14 cents as a gift to the College, this application for acquisition of the intervening pieces of land is made to enable the Management to meet at least a half of the minimum requirement of the University in regard to the playgrounds for the College. These fields adjoin the fields under alienation proceedings and are within easy reach from the College, just two to three furlongs by the Main Road.

The purpose for which acquisition is sought for is of paramount public importance - providing a necessary equipment to a College which has been efficiently working for over twenty five years.

DESCRIPTION OF PROPERTY TO BE ACQUIRED.

Trichinopoly District - Trichinopoly Taluk - Trichinopoly Town - Devadaman Village, No. 50 - Ward No. 5 - Trichinopoly Municipality - Revenue Block No. 22.

"A" Schedule.

Lands on the north of the lands under alienation proceedings.

T.S. No.	Full Extent	Extent for acquisition
1320	0 40	0 30 (on the north)
1319	0 28	0 15
1318	0 17	0 10
1315	0 28	0 23

"B" Schedule.

Lands on the west of the lands under alienation proceedings.

1305	0 19	0 19
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"C" Schedule.

Lands covered by Channels.

T.S.Nos. 1303/2 A & B, 1301/2, 1314/1, 1292/1, 2, & 3, 1312/1.

and 4

1302
2

W. S. S.
CORRESPONDENT.

Note: * T.S.No. 1308 is included in the B Schedule since there is a dispute as to title between Mr. Chidambaram Chettiar and one Mr. Ramachandra Iyer.

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THE NATIONAL COLLEGE, TRICHINOPOLEY .

FORM OF REQUISITION FOR ACQUISITION.

Name of Village	Survey No. and letter	Extent Acre Cent		Purpose for which required.	Boundaries	Name of Owner
Devadanam Village No.50	1320	0	40	for College	North by T.S.	Karuppannan Chettiar.
Trichinopoly Town- Ward No. V. Revenue Block No. 22.	1319	0	23	Playground.	Nos. 1316/1,1317 and buildings in 1318,1319,1320.	Wet land- Natham Private.
	1318	0	17			Chidambaram Servai Family
	1316/2	0	33	additional 2.18 acres besides channel	South by Block No.20 and 21 of Ward V, and 3328 of Block 22.	Ponnuswamy Muthuraja.
	1305	0	19			Subrahmanya Pillai
	1291	0	16	lands leav-		E.R. Nataraja Iyer.
	1287	0	06	ing buildings		Do
	1290	0	45	in T.S.1320,		Do
	1307	0	09	1319 and 1318.	East by T.S.Nos. 3326 and 3327	Jayarama Iyer & Veluswamy Pillai.
	1308	0	35		West by Madras Madura G.S.T. Road.	Ramachandra Iyer/ This land is included in sale deed to Sri T.S.Pl.P.Chidambaram Chettiar.(disputed title) Channel
	Total	2	43			do
	1303/2 A & B					do
	1301/2					do
	1314/1					do
	1292/1,2 & 3					

W. J. L. L.

CORRESPONDENT.

1st January 1947.

pendent. If the Government collect.

TRICHINOPOLY DISTRICT - TRICHINOPOLY TOWN
 MAHANTAN VILLAGE - MUNICIPAL WARD V
 REVENUE BLOCK - 123

PLA GROUND FOR NATIONAL COLLEGE

Land under acquisition in village of Mahant

Land under acquisition in village of Mahant

LAND ACQUISITION

1310	1311	1312
1313	1314	1315
1316	1317	1318

1319	1320	1321
1322	1323	1324
1325	1326	1327

MAHANTAN

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
 R.C. 19-K4/47, dated 16--1--1947.

Subject: Land - Acquisition - National College, Trichinopoly
 for play ground purposes.

Reference: Letter R.C.No.450/46 dated 1-1-1947 from the Correspondent
 and Secretary, The National College, Trichinopoly.

Forwarded and recommended.

[Signature]
 for DIRECTOR OF PUBLIC INSTRUCTION.

To
 The Collector, Trichinopoly.

Copy to the Correspondent, National College, Trichinopoly.
 RR.17/1.

Rem. 460/46

The National College, Trichinopoly,

20th May 1947.

From

Sri A. Ramaswami Iyer B.A., B.L.,
Secretary Delegate, National College, Trichinopoly.

To

The Revenue Divisional Officer,
Trichinopoly.

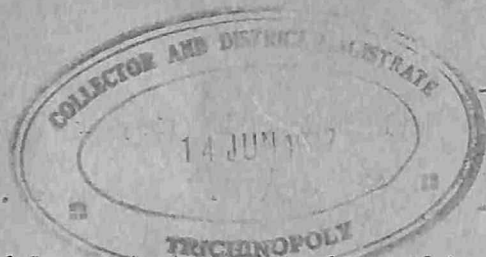
Sir,

Land- Acquisition- Trichy Municipality- Devadanam
Village- National College- T.S.1320 etc. extension
of playground- proposals.

Ref. Your Rc.No. 594/47 dated 17th May 1947.

I hereby give my consent to abide by the following
conditions of alienation:

1. The land shall be used as a playground for the National College, Trichinopoly, and for no other purpose.
2. The playground shall be laid out within a period of three years from the date of the grant.
3. No buildings of any kind shall be constructed on the land without the previous permission of the Collector of the District.
4. The land shall not be used for purposes not connected with the activities of the College.
5. The playground shall be open to the pupils of all castes and communities of the College.
6. The Government may resume the land wholly or in part with any buildings thereon if, in their opinion, the land is required for a public purpose or for conducting the mining operations. In the event of such resumption, the compensation payable for the land and trees shall be the amount paid for them by the alienee at the time of the acquisition including the fifteen percent solatium or the value at the time of resumption together with 15 percent thereon whichever may be less. If there are buildings on the land, the Government shall pay compensation for them in accordance with the provisions of condition 7.
7. In the event of the resumption of the land under condition 6, the compensation payable for the buildings and other improvements shall be the amount paid for them by the alienee at the time of the acquisition including the 15 percent solatium or their value at the time of resumption by the Government together with 15 percent thereon whichever may be less together with the initial cost or the value at the time of resumption whichever may be less of any buildings erected and other improvements effected on the land by the alienee in accordance with the terms of the alienation plus 15 percent of such cost or value. No compensation shall however be payable for any buildings constructed in contravention of condition.
8. In the event of the infringement of any of the conditions of the alienation or in the event of the voluntary relinquishment of the land by the alienee, the Government may resume the land if it is required for a public purpose or if the Government consider that it should be returned to the original owner. If the Government



(2)

decide not to exercise this power and inform the alienee accordingly the latter may dispose of the land in any manner he likes subject to repaying to the Government the amount of any grant made by them towards the cost of the land and all the buildings or other improvements. In the event of the resumption of the land under this condition, the compensation payable to the alienee shall be the value of the land at the time of the acquisition less fifteen percent awarded for compulsory acquisition or its value at the time of resumption whichever may be less together with the value of the buildings and other improvements at the time of resumption. If there are any buildings on the land which the Government do not require, the alienee shall remove them at his cost. In the event of the alienee refusing to remove the buildings the Government may remove them and realise the cost of removal by the sale of the materials.

9. The amount of any grant made by the Government towards the cost of the land and not of the buildings or other improvements shall be deducted from the compensation payable under conditions 6, 7 and 8.

10. The alienee shall pay such larger amount as may be required on actual determination of the award or as a result of the reference to a Civil Court under Section 18 of the Land Acquisition Act and all other charges incidental to the acquisition.

11. The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

12. The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees and theft or damage and for the careful protection of the immature trees growing on the land.

13. The alienee shall take steps to see that the marks made by the Officers of the Government on the sandalwood trees are preserved and are not tampered with.

14. In the event of the infringement of or failure to observe any of the conditions 11 to 13, the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case, the alienee shall not be entitled to any compensation whatever.

15. Full assessment shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the ~~resumption~~ assessment shall be levied from the date of infringement. If any doubt arises whether any net income is being derived from the land or not, the Collector's decision shall be final.

SECRETARY DELEGATE.

16

மதராஸ் லேஜிஸ்டே

1941-ம் வருஷத்திய திருச்சிறப்பள்ளி ஜில்லா பொ
லேஜிஸ்டேஷன் கவுன்சிலின் பிரதம எலக்டரல்
முடிவான

கருர் தாலு

ரெஜிஸ்ட்ரேஷன் ஏரியா—கருர் ரெவின்யூ டிவிஷன்.
பொலிக் ஸ்டேஷ

பரமத்தி

செக்ஷன் I

Section

Anglo-Indi

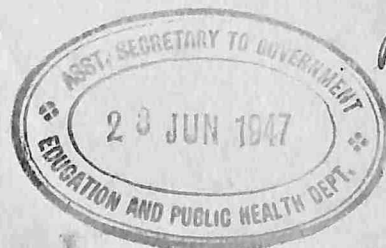
கருர், 19-8-41.

28/ Encl. to Trichy Collr.
Reas. 972/47 D 26/47

To

The Secy. to Govt.

Edn. & P.H. Dept.



Madras

E 2700-2700
R

C.No.53347/47

Pl. Received
Notification Schedule

P3 of

President

Dep. Secy.
to Govt.

14/7/47

To The Collr. of Trichinopoly.

The D.P.I.

S.G.P. for publication in the F.S.G.

S.G.P. (with encl. - with the draft

A.G. Notification on p.3 (f.f.) Schedule up to 17-47

E. & P.H. (G.3)

LAND ACQUISITION - Trichy Taluk - Devadanam village - Trichinopoly Municipality - T.S. Nos. 1320 etc. - Extension of playground for the National College, Trichinopoly - Notification under Section 4(1) of the Land Acquisition Act - published.

From the Collector of Trichinopoly, R.C.No. 972/47 dated 26.6.47

Order/Ms.No. 1658 Edn., dated 23-7-1947.

The notification under Section 4(1) of the Land Acquisition Act, for the acquisition of certain lands required for a playground for the National College, Trichinopoly, will be published in the Fort St. George Gazette.

2. A contribution of one anna is sanctioned from Provincial funds towards the cost of acquisition.

PTO

30
Note.

May be sent to Revenue u.o. for acceptance, or ~~otherwise~~ before

issue

14/7/47

av
14-7-47

To no

Draft order overleaf may be
accepted and the file returned to E.P.H.

14/7/47 21.7.47

21.7.47

E.P.H.

Issue

22.7.47

S

14/7/47

59458



Rev Dep.

E + PH (G3)

Rev no. 53347-83

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Thos' F

21.7.47

Rev no 21082/41
21/7/47